

**AGENDA
BOARD OF SUPERVISORS
SONOMA COUNTY
575 ADMINISTRATION DRIVE, ROOM 102A
SANTA ROSA, CA 95403**

TUESDAY

NOVEMBER 5, 2013

8:30 A.M.

(The regular afternoon session commences at 2:00 p.m.)

Susan Gorin	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, the Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. Each of the foregoing entities is a separate and distinct legal entity.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

AGENDAS AND MATERIALS: Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

SUPPLEMENTAL MATERIALS: Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

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Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

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APPROVAL OF THE CONSENT CALENDAR

The Consent Calendar includes routine financial and administrative actions that are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

PUBLIC COMMENT

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

8:30 A.M. CALL TO ORDER

PLEDGE OF ALLEGIANCE

I. INVOCATION AND COMMUNITY HEALING

1. Comments by Board of Supervisors and community on Andy Lopez tragedy and discussion of next steps.

II. APPROVAL OF THE AGENDA

(Items may be added or withdrawn from the agenda consistent with State law)

III. BOARD MEMBER ANNOUNCEMENTS

IV. CONSENT CALENDAR

(Items 2 through 35)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 2 through 10)

PRESENTATIONS AT BOARD MEETING

2. Adopt a Gold Resolution recognizing the 75th Anniversary of Kristallnacht, “The Night of the Shattered Glass,” held on November 10, 2013. (First and Third Districts)
3. Adopt a Gold Resolution honoring November 11, 2013 as “Veterans Day” in Sonoma County.” (Human Services)
4. Adopt a Gold Resolutions honoring Dr. Steve Bromer, David Coppini, Sean Lyons, Meghan Murphy, and Face to Face, Sonoma County AIDS Network for distinguished service and dedication to improving the quality of life of Sonoma County residents affected by HIV infection. (Health Services)
5. Adopt a Gold Resolution proclaiming December 1, 2013 World AIDS Day in Sonoma County. (Health Services)
6. Adopt a Gold Resolutions recognizing the five recipients of the Sonoma County Jefferson Awards for Public Service for 2013. (Human Resources)

PRESENTATIONS AT DIFFERENT DATE

7. Adopt a Gold Resolution proclaiming the week of October 13 – 19, 2013 as celebrate Safari West Week in Sonoma County. (Fourth District)
8. Adopt a Gold Resolution proclaiming November 3, 2013, as “Windsor Military Hometown Heroes Banner Day.” (Fourth District)
9. Adopt a Gold Resolution recognizing United Nations Day on October 24, 2013. (County-wide)

CONSENT CALENDAR (Continued)

10. Adopt a Gold Resolution congratulating the Fort Ross-Seaview Winegrowers Association on their inaugural event celebrating the Fort Ross-Seaview viticultural area, established in 2012. (Fifth District)

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

11. Authorize the Chair to execute the contract with Hayward Baker, Inc., for \$1,663,600, through estimated completion date of May 27, 2014, for construction of the Mirabel Site Seismic Improvements project, and delegate authority to the General Manager of the Water Agency to execute agreement and release of any and all claims, if required. (Fourth and Fifth Districts)
12. Authorize the Chair to execute the second amended agreement with CDM Smith Inc. for the Kawana-Ralphine Reliability Pipeline project in an amount not to exceed \$164,851, expanding existing tasks in the scope of work, for a new not-to-exceed agreement total of \$380,874 with a term end date of June 30, 2015. (Third District)
13. Authorize the Chair to execute and accept Easement Agreement with Meadow Creek Associates, LLC to acquire a permanent easement for a portion of the existing Oakmont Pipeline. (First District)

COUNTY ADMINISTRATOR

14. Authorize the Chair to execute a Personal Services Agreement with J. Tennis Wick as Director of the Permit and Resources Department, from November 12, 2013 through November 12, 2016.
15. Authorize the County Administrator to execute a Personal Services Agreement with Jose Obregon as Director of General Services, from September 10, 2013 through September 10, 2016.
16. Authorize the Chair to execute a Personal Services Agreement with Caryl Hart as Director of Regional Parks, from November 11, 2013 through November 11, 2016.

DISTRICT ATTORNEY

17. Adopt a Resolution authorizing the Chair to execute a Federal Equitable Sharing Agreement and Certification with the U.S. Department of Justice and the U.S. Department of Treasury for Fiscal Year 2012-2013
18. Authorize the District Attorney to sign a contract with the California Office of Emergency Services to provide a Violence Against Women Vertical Prosecution program and accept \$215,488 in grant funding for the term July 1, 2013, to June 30, 2014.

CONSENT CALENDAR (Continued)

19. Authorize the Chair to retroactively execute agreements for professional services with YWCA of Sonoma County, Legal Aid of Sonoma County, Verity, Council on Aging, and Catholic Charities, for the term of October 1, 2013 through August 31, 2016. The total amount of these agreements is \$268,017.64; and Adopt a Resolution to appropriate \$107,953.57 to the Fiscal Year 2013-2014 budget to contract services with the non-profit agencies at the Family Justice Center Sonoma County. (4/5 vote required)

GENERAL SERVICES / HEALTH SERVICES

20. Authorize the General Services Director to execute a lease with 490 Mendocino T.I.C. (Landlord), comprised of approximately 9,605 sq. ft. of office space in Suites 101, 102, 103, at 490 Mendocino Avenue, Santa Rosa, California, for the Department of Health Services for an initial rate of \$1.87 per sq. ft. per month (approximately \$17,961 per month, or \$215,536 per year), which is subject to adjustment as more particularly described in said lease, for an initial five-year term, with three, 3-year extension options.

**GENERAL SERVICES / SHERIFF' OFFICE / PROBATION /
COUNTY ADMINISTRATOR**

21. Adopt a Resolution authorizing Sonoma County to conditionally accept the AB 900 Phase II funding in the amount of \$36,295,000 conditional award to be combined with potential funding from SB 1022 application in the amount of \$24,000,000, and to start the time lines for both AB 900 and SB 1022 grant processes upon receipt of conditional award from SB 1022 for the construction of the proposed justice facility, which includes 80 minimum security detention beds and an 80 bed Community Corrections Center.

HEALTH SERVICES

22. Adopt three Resolutions authorizing the Director of Health Services to execute Grant Agreements providing funding for capital costs and service expansion to: Santa Rosa Community Health Centers in the amount of \$100,000; PDI Surgery Center in the amount of \$100,000; and Sonoma County Indian Health Project, Inc. in the amount of \$100,000.

HUMAN RESOURCES

AND

**AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT
COMMUNITY DEVELOPMENT COMMISSION
NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT
SONOMA COUNTY WATER AGENCY**

(Directors/Commissioners: Gorin, Rabbitt, Zane, McGuire, Carrillo)

23. Authorize the Director of Human Resources to execute agreements with 14 selected employment investigative firms, in amounts not to exceed \$100,000 per agreement, per annum, for 4 year terms with the following selected investigative firms: 14 J.M. Bova & Associates; Kronick, Moskovitz, Tiedemann & Girard; Linda Daube; McMillan & Shureen LLP; Renne, Sloan, Holtzman & Sakai LLP; Hirschfeld Kraemer LLP; Wise Gleicher; G4S Compliance & Investigations; CPS HR Consulting; Meyers Nave; Liebert Cassidy Whitmore; Jackson Lewis LLP; Porter Scott; and Whitestar Group, Inc.

CONSENT CALENDAR (Continued)

24. Authorize the Director of Human Resources to execute an amendment to the current contract with Biddle Consulting Group, Inc. for Equal Employment Opportunity (EEO) consulting services to increase the maximum contract amount from \$25,000 to \$50,000 for the term August 1, 2013 through July 31, 2014.

PERMIT AND RESOURCE MANAGEMENT

25. Authorize the Chair to execute a Deed and Covenant to allow one detached farm family dwelling unit on property located at 2450 Sweetwater Springs Road, Healdsburg APN 110-200-019. Jean Kapolchok and Associates for Bruce Aidells, owner, File No. ZPE13-0086. (Fifth District)

PROBATION

26. Authorize the Chief Probation Officer to execute a Memorandum of Understanding (MOU) with the City of Santa Rosa Police Department allowing the Probation Department to reimburse costs associated with SRPD's Safe Streets Task Force Officer (\$93,923) during the period July 1, 2013 through June 30, 2014.

REGIONAL PARKS

27. Authorize the Chair to execute a Joint Powers Agreement with the City of Cloverdale for landscape maintenance services at Cloverdale River Park from July 1, 2013 through June 30, 2016, not to exceed \$80,000 over 3 years. (Fourth District)
28. Authorize the Director of Regional Parks to execute a one year Revocable License agreement with Jeff and Kim Jones for grazing at Taylor Mountain Regional Park for a term of July 1, 2013-June 30, 2014, resulting in revenue of \$8,160 per year, and approve up to two 6 month extensions at the expiration of the initial term, upon satisfactory performance by the licensee. (Third and First Districts)

REGIONAL PARKS / HUMAN SERVICES

29. Adopt a Resolution waiving Regional Parks day use fees (\$7 per vehicle) for eligible military personnel and dependents for Veterans Day weekend, starting on Friday, November 8, 2013 through Monday, November 11, 2013.

TRANSPORTATION AND PUBLIC WORKS

30. Approve plans and specifications for the 2012-13 Rural Road Safety – Striping Various County Roads project (M12015); and Award contract for construction to low bidder, Chrisp Company, for the base bid plus Alternate A (additional 14.64 miles), in the amount of \$640,446.05 and authorize the Chair to execute the construction contract.
31. Approve and authorize the Chair to execute the Consent to Transfer of ownership of tenant regarding property located at the Charles M. Schulz – Sonoma County Airport currently leased to Reach-CSC, LLC and any other documents reasonably required to effect said Consent to Transfer. (Fourth District)

CONSENT CALENDAR (Continued)

32. Adopt a Resolution vacating excess road right-of-way to F. Korbel & Bros., a Corporation on River Road; direct and authorize the Chair to execute a Quitclaim Deed transferring said right-of-way to F. Korbel & Bros., a Corporation. (Fifth District)
33. Adopt a Resolution approving the installation of a mid-block crosswalk on Bodega Highway in the Town of Bodega. (Fifth District)

MISCELLANEOUS

34. Approval of Minutes – (A) Minutes of the Meeting of October 15, 2013 for the following: Agricultural Preservation and Open Space District, Northern Sonoma County Air Pollution Control District, Sonoma County Water Agency, and Board of Supervisors; (B) Minutes of the Meeting of October 22, 2013 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Occidental County Sanitation District, Russian River County Sanitation District, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and (C) Minutes of the Meeting of October 22, 2013 of the Sonoma Valley County Sanitation District.

APPOINTMENTS/REAPPOINTMENTS

(Item 35)

35. Appoint John B. Suazo, J.D. to the Mental Health Board for a 3 year term effective November 1, 2013 through December 31, 2016. (Fourth District)

V. REGULAR CALENDAR

(Items 36 through 37)

FIRE AND EMERGENCY SERVICES / PERMIT AND RESOURCE MANAGEMENT

36. **10:00 A.M.** – Ordinances amending Chapters 7, Chapter 13, and Chapter 29 of the Sonoma County Code – Conduct three public hearings on a proposed Ordinances:
- (A) Amending Chapters 7, Building Regulations, and 7D2, Local Energy Efficiency Standards, of the Sonoma Code to adopt with local amendments, the Title 24 California Code of Regulations 2013 Codes referenced therein (Building Codes, Volumes 1 and 2, California Residential Code, Green Building Standards Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Referenced Standards Code, and Administrative Code), and making other technical and administrative revisions to Chapters 7, and 7D2. (Second Reading – Ready for Adoption)
 - (B) Accepting by reference the 2013 edition of the California Fire Code and amending the Sonoma County Code Chapter 13 with local fire code amendments. If adopted the effective date of the ordinance will be January 1, 2014. (Second Reading – Ready for Adoption)
 - (C) Amending Chapter 29 of the Sonoma County Code, relating to the California Fire Code, 2013 edition, and making technical and administrative revisions. If adopted the effective date of the ordinance will be January 1, 2014. (Second Reading – Ready for Adoption)

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

37. Direct the General Manager to return to the Board of Directors with a work plan to conduct a Vulnerability Assessment and prepare a Climate Change Adaptation Plan; and Adopt a Resolution supporting continued development of the San Francisco Bay Area Advanced Quantitative Precipitation Information (AQPI) System and its inclusion in the San Francisco Bay Area’s Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding.

VI. CLOSED SESSION CALENDAR

(Items 38 through 41)

38. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Threatened Litigation (Govt. Code Section 54956.9(d)(4)).
39. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Threat to Public Services or Facilities (Govt. Code Section 54957(a)).
40. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiators: Wendy Macy/Carol Allen/ Janae Novotny, Burke & Associates, Carol Stevens, Burke & Associates, and Janet Cory Sommer, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).
41. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation – Title: County Administrator (Govt. Code Section 54957(b)(1)).

VII. REGULAR AFTERNOON CALENDAR

(Items 42 through 48)

2:00 P.M. - RECONVENE FROM CLOSED SESSION

42. Report on Closed Session.
43. **PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA**
(Comments are restricted to matters within the Board's jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting.)
44. Permit and Resource Management Department: Review and possible action on the following:
- Acts and Determinations of Planning Commission/Board of Zoning Adjustments
 - Acts and Determinations of Project Review and Advisory Committee
 - Acts and Determinations of Design Review Committee
 - Acts and Determinations of Landmarks Commission
 - Administrative Determinations of the Director of Permit and Resource Management

PERMIT AND RESOURCE MANAGEMENT

45. **2:10 P.M. – AGP13-0008 – (FOURTH DISTRICTS)**
- APPLICANT: Richard M. Kunde and Saralee McClelland Kunde
 - LOCATION: 1998 Jones Road, Windsor
 - ASSESSOR'S PARCEL NO.: 066-210-090 and APN 066-210-103
 - ENVIRONMENTAL DOCUMENT: Categorical Exemption
 - REQUEST: Conduct public hearing and adopt a Resolution: (1) Finding the project exempt from CEQA; (2) Finding that Agricultural Preserve 1-543 qualifies for an exception from the requirement that it be at least 100 acres; (3) Approving the addition of 22.01 acres to Agricultural Preserve 1-543, for a total size of 91.0 acres; (4) Approving the requested Land Conservation Contract (Williamson Act Contract), and the Land Conservation Plan attached and incorporated into it for 40.11 acres as a condition of a previously approved Lot Line Adjustment (LLA04-0058) and to ensure the legal description under the contract coincides with the adjusted boundary lines, for property located at 1998 Jones Road, Windsor, APN 066-210-090 and APN 066-210-103; (5) Authorize the Chair to execute the approved Williamson Act Contract and Land Conservation Plan; and (6) Delegate authority to the Director of Permit and Resource Management Department to approve and execute future amendments to the Land Conservation Plan.
46. **2:10 P.M. – GENERAL PLAN AMENDMENTS**
- (A) ZCE13-0004 – (ALL DISTRICTS)**
- APPLICANT: County of Sonoma
 - LOCATION: Various
 - ASSESSOR'S PARCEL NO.: Various
 - ENVIRONMENTAL DOCUMENT: Categorical Exemption
 - REQUEST: Conduct a public hearing and request for various amendments to the General Plan and Zone Changes to correct technical errors in the General Plan and Official Zoning Database; and adopt a Resolution approving the proposed General Plan Amendments and Adopt an Ordinance rezoning the properties.

REGULAR AFTERNOON CALENDAR (Continued)

(B) PLP13-0024 – (FIFTH DISTRICT)

- a) APPLICANT: Jean Kapolchok and Associates for Graton Fire Protection District c/o Bill Bullard
- b) LOCATION: 4060 Green Valley School Road, Graton
- c) ASSESSOR'S PARCEL NO.: 104-110-004
- d) ENVIRONMENTAL DOCUMENT: Categorical Exemption
- e) REQUEST: Conduct a public hearing and request for: 1) a General Plan Amendment from the PQP (Public Quasi-Public) to the RR (Rural Residential) 5 acre density land use designation; and 2) a corresponding Zone Change from the PF (Public Facilities), Z (Second Dwelling Unit Exclusion), HD (Historic District) to the AR (Agriculture and Residential), B6-5 acre density, Z, HD zoning districts on a 2.0 acre parcel.

47. **2:10 P.M. – PLP09-0035– (FIRST DISTRICT)**

- a) APPLICANT: Bodean, Inc.
- b) LOCATION: 4411 Porter Creek Road, Santa Rosa
- c) ASSESSOR'S PARCEL NO.: 120-210-006, -031 and -048
- d) ENVIRONMENTAL DOCUMENT: Environmental Impact Report
- e) REQUEST: Conduct a public hearing and certify the Final Environmental Impact Report, approve a rezoning of a 33 acre portion of an 99-acre parcel to add the Mineral Resource Combining District, approve a Use Permit and Mining and Reclamation Plan with a production limit of 500,000 cubic yards (750,000 tons) per year for a 20-year period subject to the Mitigation Monitoring Plan and conditions of approval, and adopt a Statement of Overriding Considerations.

48. **ADJOURNMENTS**

NOTE: The next regular meeting will be held on November 12, 2013 at 8:30 a.m.

Upcoming Hearings (All dates tentative until each agenda is finalized)

- 1. December 3rd (PM) – Fourth General Plan Amendment
- 2. December 3rd (PM) – PLP11-0042; 6445 Highway 12, Santa Rosa
- 3. December 3rd (PM) – PLP02-0072; 2543 Petaluma Blvd. South, Petaluma
- 4. December 10th (AM) – Acquisition real property necessary -Adobe Road Signal at E. Washington Street, Petaluma
- 5. December 10th (PM) – AGP12-0011; 422 Highway 1, Bodega Bay
- 6. December 10th (PM) – AGP12-0015; 4055 Middle Two Rock Road, Two Rock
- 7. December 10th (PM) – AGP12-0029; 4324 Spring Hill Road, Two Rock
- 8. December 10th (PM) – PLP12-0018; 10655 Mill Station Road and 2760 Sullivan Road
- 9. December 10th (PM) – AGP13-0004; 7700 Dry Creek Road, Geyserville



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number:
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): County Administrator's Office

Staff Name and Phone Number:

Veronica Ferguson, (707) 565-2431

Supervisorial District(s):

All

Title: Comments by Board of Supervisors and the community on the Andy Lopez tragedy and discussion of next steps

Recommended Actions:

Executive Summary:

Following an invocation, the Board of Supervisors will comment on the Andy Lopez tragedy and receive community member comments on the tragedy. The discussion is intended to initiate the process of recognizing and addressing the issues raised by the tragedy to ensure that it never happens again, to identify the next steps for moving forward, and to facilitate the community healing process.

Prior Board Actions:

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

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Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

None.

Related Items "On File" with the Clerk of the Board:

None.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 2
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Susan Gorin, 565-2241
Shirlee Zane, 565-2241

Supervisorial District(s):

First and Third Districts

Title: Gold Resolution

Recommended Actions:

Approve a Gold Resolution Recognizing the 75th Anniversary of Kristallnacht, "The Night of the Shattered Glass," held on November 10, 2013.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None.			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			
None.			



County of Sonoma

State of California

Date: November 5, 2013

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Commemorating the 75th Anniversary of Kristallnacht ("Night of Shattered Glass")

WHEREAS, we recognize that November 9-10, 2013 is the 75th anniversary of Kristallnacht -- the night of shattered glass -- which occurred 75 years ago in Germany and Austria; and,

WHEREAS, on that night 75 years ago, more than 7000 Jewish businesses were destroyed, more than 900 synagogues were burned, at least 91 Jews were killed, and 30,000 Jewish men were deported to concentration camps; and,

WHEREAS, Kristallnacht allowed the Nazi government to remove Jews from German public life and from the German economy and signaled the beginning of the Holocaust; and,

WHEREAS, communities of good will have come together to commemorate the events of those days of persecution; and,

WHEREAS, affirm that remembering the past is a key to having a better future; and,

WHEREAS, we acknowledge our responsibility to transmit to our children the lessons to be gleaned from history; and,

WHEREAS, we seek to honor the eyewitnesses who reside among us; and,

WHEREAS, we come together as communities of good will and faith to demonstrate our mutual support.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Sonoma County hereby we the Board of Supervisors of Sonoma County commemorate the 75th Anniversary of Kristallnacht ("The Night of Shattered Glass").

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Resolution #

Date:

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Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 3
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Human Services Department

Staff Name and Phone Number:

Diane Kaljian- (707) 565-5950

Supervisorial District(s):

All

Title: Veterans Day Recognition

Recommended Actions:

Resolution honoring November 11, 2013 as "Veterans Day" in Sonoma County

Executive Summary:

Veterans Day was established in 1919 as Armistice Day to commemorate the signing of the peace agreement that ended World War I on the 11th hour of the 11th day of the 11th month of 1918. In proclaiming the holiday, U.S. President Woodrow Wilson said: "To us in America, the reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory." In 1938 a Congressional Act passed which made November 11 in each year a legal holiday, known as Armistice Day. In 1954, the veterans' service organizations urged Congress to change the word "Armistice" to "Veterans." President Eisenhower signed a bill establishing Veterans Day as a national holiday. He proclaimed: "In order to insure proper and widespread observance of this anniversary, all veterans, all veterans' organizations, and the entire citizenry will wish to join hands in the common purpose...."

There are over 33,000 Sonoma County Veterans whom we honor on Veterans Day, 73.6% are 55 or older, and 47.3% are 65 or older. 22.7% of Sonoma County Veterans are disabled. Though a majority of these Veterans may be eligible for medical care from the VA, only approximately 6,723 are enrolled. Slightly more than 10% (3,497) of Veterans are receiving some form of disability compensation or non-service disability pension from the VA. Many Veterans are unaware of or do not use the benefits and services for which they are eligible.

The Sonoma County Veterans Service Office (CVSO) plays a key role in ensuring that our local Veteran community provides services to Sonoma County Veterans with the goal of ensuring that every one of the Veterans in Sonoma County is aware and has the opportunity to receive the services and benefits that they earned through their service to our nation. Over the years, the CVSO has played a primary role in Veterans receiving these benefits. The CVSO office had 4479 client visits during the fiscal year,

including 902 new clients. In FY 2012-13, the CVSO helped bring \$14.17M in new and retroactive VA compensation and pension benefits, including nearly \$740,000 in California Department of Veteran Affairs tuition fee waivers for 146 dependents of disabled California Veterans attending junior colleges, California State Universities, and the University of California. VA spending on benefits for Sonoma County residents is significant. In FY 2012-13, total VA spending in Sonoma County was \$141.4M, including over \$67M on medical care and \$61.1M on direct payments to Veterans in the form of service connected disability compensation and non-service connected disability pensions. There are 6,723 Veterans receiving medical care through the VA at the Santa Rosa VA clinic, an increase 374 Veterans in the most recent FY.

The CVSO collaborates with the US Department of Veteran Affairs (VA) Community-Based Outpatient Clinic, Santa Rosa; VA Vet Center; and the Sonoma County United Veterans Council. The United Veterans Council represents over 30 Sonoma County Veteran organizations and various community-based organizations, such as Vietnam Veterans of California. Veterans' organizations and Veteran volunteers in the community work tirelessly along with the Veterans Service Office to help veterans get the benefits they are entitled to receive.

Additionally, many County of Sonoma departments actively serve Veterans on a routine basis. Highlights include: Regional Parks disabled Veteran day use park access permits; Tax Assessor disabled Veteran property tax exemption; Department of Health services participation in VetConnect outreach activities for homeless Veterans; Human Services Department eligibility workers helping homeless Veterans access benefits at VetConnect, and Employment and Training Division staff helping Veterans find employment.

Sonoma County has implemented a model program in support of AB 1644 and the Missing in America Project to ensure that the remains of indigent/unclaimed Veterans are properly interred in a National/State Veteran Cemetery. The Board of Supervisors appointed a volunteer to be the Sonoma County Veteran Remains Officer, Ron Collier. Ron has spent over 300 hours in his volunteer position to review records of over 400 decedents stored in a local cemetery. With the assistance of the Sheriff/Coroner, County Recorder, Vital Statistics and the Public Administrator, 59 Veterans and 5 dependants now have a final resting place in a National Cemetery. Through the voluntary effort of Mr. Collier and the agencies assisting him, Sonoma County's program is recognized as a model program in complying with AB1644; Mr. Collier and the CVSO have made presentations at both the California State PA/PG/PC and County Veteran Service Officer conferences.

The outstanding support from local government agencies, combined with supportive community based organizations and the US Department of Veteran Affairs, makes Sonoma County a great place to be a Veteran. The Veterans of Sonoma County are appreciative of the Board of Supervisors' support of the Veterans Service Office and the Veteran community as a whole.

Prior Board Actions:

Every year the Board of Supervisors honors Sonoma County Veterans for their service.

Strategic Plan Alignment Goal 4: Civic Services and Engagement

To publically celebrate and honor veterans of the armed services for their patriotism, bravery, and loyal

dedication to serving our country.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 0	Total Sources	\$ 0

Narrative Explanation of Fiscal Impacts (If Required):

None.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Resolution.

Related Items "On File" with the Clerk of the Board:

None.



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Honoring November 11, 2013 As "Veterans Day."

Whereas, throughout our nation's history, Sonoma County men and women have put on the uniform of our Armed Forces and have sworn an oath to support and defend our Constitution; and

Whereas, these courageous service members have a noble tradition of faithful and dedicated service to our Nation; and

Whereas, Veterans Day has been set aside as both a federal, state, and county holiday to honor our American patriots who answered the call of duty, preserving our freedoms, and often making the ultimate sacrifice; and

Whereas, we can never fully repay our debt of gratitude to the heroic men and women who served, were wounded, perished or remain missing in action as a result of their service; and

Whereas, the unwavering commitment of our Army, Navy, Marine Corps, Air Force, Coast Guard, and Merchant Marine service members has preserved our rights and freedoms and also preserved or established similar freedoms for millions of citizens of other nations; and

Whereas, we continue to draw inspiration from the heroism and dedication of those who currently serve and sacrifice for the cause of liberty and justice; and

Whereas, it is fitting that the citizens of Sonoma County honor America's military veterans, including the over 33,000 veteran citizens currently living in Sonoma County, through whose service and sacrifice we today enjoy freedom and liberty.

Now, Therefore, Be It Resolved that the Sonoma County Board of Supervisors does hereby recognize November 11, 2013, as Veterans Day and call upon all citizens to honor those men and women who have answered the call of service to protect this great nation.

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 4
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Department of Health Services

Staff Name and Phone Number:

Rita Scardaci, 565-7876

Supervisorial District(s):

Countywide

Title: Commission on AIDS – Dr. Marshall Kubota Distinguished Service Awards

Recommended Actions:

Adopt Resolutions of Commendation honoring Dr. Steve Bromer, David Coppini, Sean Lyons, Meghan Murphy, and Face to Face, Sonoma County AIDS Network for distinguished service and dedication to improving the quality of life of Sonoma County residents affected by HIV infection.

Executive Summary:

This item requests that the Board adopt Resolutions of Commendation honoring Dr. Steve Bromer, David Coppini, Sean Lyons, Meghan Murphy, and Face to Face, Sonoma County AIDS Network for distinguished service and dedication to improving the quality of life of Sonoma County residents affected by HIV infection.

Since 1991 the Board of Supervisors, in concert with the Commission on AIDS, has adopted resolutions to honor local individuals and groups for their dedicated service, leadership, and efforts in responding to the HIV epidemic.

Recipients of the Dr. Marshall Kubota Distinguished Service Award for 2013 are:

Dr. Steve Bromer, HIV Specialist at Sebastopol Community Health Center – Steve Bromer, MD is a visionary leader and a tremendous asset to our community. He is largely responsible for the successful transition of HIV medical and social services from County of Sonoma Department of Health Services to a network of Community Health Centers has been a success. He served as Medical Director of the HIV Healthcare Network, a network of Sonoma County HIV medical providers, from July 2010 through September 2011, regularly meeting with senior leadership from West County Health Centers and Santa Rosa Community Health Centers to ensure a smooth transition. Dr. Bromer is a national leader on HIV Quality Improvement, HIV Clinician Education, and how HIV Clinics can become Patient-Centered Medical Homes. In addition to providing outstanding HIV clinical care for almost 100 patients in West County Health Center's Sebastopol Community Health Center, Dr. Bromer regularly leads Self-Management groups for patients to help them stay engaged in managing their chronic conditions.

David Coppini, community volunteer at Face to Face – In 2011, David began his volunteer work in

Sonoma County by organizing and facilitating an HIV Men's Support Group at Face to Face. David participated in the Shanti Learning Immune Function Enhancement (L.I.F.E.) program and afterwards, he agreed to participate in the facilitator training. He has volunteered to co-facilitate the last two sessions of L.I.F.E. and he is committed to future sessions as well. David also volunteers as an HIV Test Counselor. He carries a weekly five-hour shift at Face to Face and in addition works at special events doing outreach, education, and testing with populations who are at risk for HIV and other STDs. David also volunteers as a positive speaker for the Face to Face Speakers Bureau. He shares his personal story openly and with great humbleness to students and community organizations. His extensive volunteer work touches hundreds of clients and community members, leaving a sense of peace and hope with each and every person he meets.

Sean Lyons, Medical Assistant at Russian River Health Centers – Sean’s heart is and will always be dedicated to people in need in West County. Sean has a special ability to engage even the most challenging patients. His passion for caring for people and specifically those living with HIV/AIDS brought him into the medical field at West County Health Centers (WCHC). He actively seeks every opportunity to learn more, to be involved and to take the lead on projects within the HIV program at WCHC. He works daily with WCHC staff and the community to break down HIV/AIDS stigma by promoting and leading staff training at each of the three sites. Sean has also helped launch a rapid HIV testing program and expanded it to all three of the WCHC main medical sites on a drop-in basis.

Meghan Murphy, Program Director at Face to Face – After the loss of Ryan White funding for social services in 2010, Meghan stepped forward to play a key role in the County’s transition of HIV services to community agencies. She brought clarity and insight into a complex planning process. She facilitated communication, fostered collaboration, and encouraged innovative thinking all the while holding access to quality services as the top priority. She has generously shared her knowledge, and coached staff and volunteers of various agencies in the philosophy of Harm Reduction and the technique of Motivational Interviewing. Meghan is a powerful advocate for those who are facing multiple challenges in their lives in addition to HIV. She carries her clients’ needs with her as she represents the HIV community at the Housing Coalition, Social Security, and the Latino Service Providers Committee with the dignity they deserve.

Face to Face, Sonoma County AIDS Network – Face to Face is a local non-profit agency with a mission to improve the lives of people affected by HIV and to eliminate new infections. Face to Face strives to empower all people living in Sonoma County with HIV/AIDS a simple but ambitious goal. Despite limited funding, Face to Face perseveres to support healing, well-being, and independence within the HIV community in Sonoma County. The agency provides care services that include: benefits counseling, emergency financial assistance, housing search and placement, home health care, transportation to medical appointments and specialized services for women, families, and the Latino community. With a renewed commitment to HIV prevention, Face to Face has increased the number of hours for on-site HIV and HCV counseling and testing to 40 per week.

Prior Board Actions:

On October 18, 2011 the Board adopted a Resolution naming the Commission on AIDS Distinguished Service Award as the “Dr. Marshall Kubota Distinguished Service Award,” and adopted Resolutions honoring Lisa Albertson, Frances Fuchs, Ginger Washburn, and David Whalen with the Dr. Marshall Kubota Distinguished Service Award for 2011. This is the Twentieth bi-annual Distinguished Services Recognition Event.

Strategic Plan Alignment Goal 4: Civic Services and Engagement			
The Dr. Marshall Kubota Distinguished Service Awards recognize those individuals who are dedicated to promoting HIV prevention and care, as well as agencies that offer support for HIV prevention and care work within Sonoma County.			
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 0
	\$	Fees/Other	\$ 0
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 0	Total Sources	\$ 0
Narrative Explanation of Fiscal Impacts (If Required):			
There are no fiscal impacts associated with this item.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
N/A			
Attachments:			
Resolutions for Dr. Steve Bromer, David Coppini, Sean Lyons, Meghan Murphy, and Face to Face, Sonoma County AIDS Network.			
Related Items "On File" with the Clerk of the Board:			
None			



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Honoring Steve Bromer, MD For Distinguished Service In Providing Outstanding
Leadership And Clinical Care To County Residents Who Have HIV Infection.**

Whereas, Steve Bromer, MD, HIV Specialist for Sebastopol Community Health Center, is a visionary leader and a tremendous asset to our community;

Whereas, Dr. Bromer is largely responsible for the successful transition of HIV medical and social services in Sonoma County from the County of Sonoma Department of Health Services to a network of Community Health Centers;

Whereas, Dr. Bromer is a national leader on HIV Quality Improvement, HIV Clinician Education, and how HIV Clinics can become Patient Centered Medical Homes;

Whereas, Dr. Bromer provides outstanding HIV clinical care for almost 100 patients in West County Health Center's Sebastopol Community Health Center; and

Whereas, Dr. Bromer regularly leads Self-Management groups to help patients stay engaged in managing their chronic conditions.

Now, Therefore, Be It Resolved that Steve Bromer, MD is honored for his distinguished service in providing outstanding leadership and clinical care to County residents who have HIV infection.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Honoring David Coppini For Distinguished Service In Providing Outstanding Volunteer
Work And Facilitation Skills For County Residents Who Have HIV Infection.**

Whereas, David Coppini organized and volunteered to facilitate an HIV Men's Support Group at Face to Face;

Whereas, Mr. Coppini participated in the Shanti L.I.F.E. (Learning Immune Function Enhancement) program and volunteered to participate in facilitator training so that he could co-facilitate the 16 week session of the L.I.F.E. program;

Whereas, Mr. Coppini volunteers as an HIV Test Counselor, carrying a weekly five hour shift at Face to Face and, in addition, works at special events doing outreach, education, and testing with populations who are at risk for HIV and other sexually transmitted diseases;

Whereas, Mr. Coppini volunteers as a positive speaker for the Face to Face Speakers Bureau, sharing his personal story openly and with great humbleness to students and community organizations; and

Whereas, Mr. Coppini's volunteer work reaches hundreds of clients and community members, leaving a sense of peace and hope with each and every person he meets.

Now, Therefore, Be It Resolved that David Coppini is honored for his distinguished service in providing outstanding volunteer work and facilitation skills for County residents who have HIV Infection.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Honoring Sean Lyons For His Dedication To People In Need, Specifically People With HIV Infection.

Whereas, Sean Lyons' heart is and will always be dedicated to people in need in West County;

Whereas, Mr. Lyons has a special ability to engage even the most challenging patients and has a passion for caring for people, specifically those living with HIV/AIDS;

Whereas, Mr. Lyons works daily with West County Health Center staff and the community to break down HIV/AIDS stigma by promoting and leading staff training at each clinic site; and

Whereas, Mr. Lyons has helped launch West County Health Center rapid HIV testing program and expanded it to all three of the West County Health Center main medical sites on a drop-in basis.

Now, Therefore, Be It Resolved that Sean Lyons is honored for his dedication to people in need, specifically those with HIV infection.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Honor Meghan Murphy For Her Leadership During Transition of Service From The County HIV Clinic To Community Agencies.

Whereas, after the loss of Ryan White funding for social services in 2010, Meghan Murphy stepped forward to play a key role in the County’s transition of HIV services to community agencies;

Whereas, Ms. Murphy brought clarity and insight into a complex planning process through facilitated communication, fostered collaboration, and by encouraging innovative thinking, while holding access to quality services for HIV patients a top priority concern;

Whereas, Ms. Murphy has generously shared her knowledge and coached staff and volunteers of various agencies in the philosophy of Harm Reduction and the technique of Motivational Interviewing;

Whereas, Ms. Murphy is a powerful advocate for those who are facing multiple challenges in their lives in addition to HIV; and

Whereas, Ms. Murphy carries her clients’ needs with her as she represents the HIV community at the Housing Coalition, Social Security, and the Latino Service Providers Committee with the dignity HIV positive people deserve.

Now, Therefore, Be It Resolved that Meghan Murphy is honored for her leadership during transition of service from the County HIV clinic to community agencies.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____
Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Honoring Face To Face, Sonoma County AIDS Network For Serving People With HIV and AIDS With Limited Funding.

Whereas, Face to Face, Sonoma County AIDS Network, a local non-profit agency has a mission to improve the lives of people affected by HIV, and to eliminate new infections;

Whereas, Face to Face strives to empower all people living in Sonoma County with HIV/AIDS a simple but ambitious goal;

Whereas, Face to Face fulfills this goal by supporting healing, well-being, and independence within the HIV community in Sonoma County, despite limited funding;

Whereas, Face to Face provides care services that include: benefits counseling, emergency financial assistance, housing search and placement, home health care, transportation to medical appointments and specialized services for women, families, and the Latino community; and

Whereas, with a renewed commitment to HIV prevention, Face to Face has increased the number of hours for onsite HIV and HCV counseling and testing to 40 per week.

Now, Therefore, Be It Resolved that Face to Face, Sonoma County's AIDS Network be honored for serving people with HIV and AIDS with limited funding.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 5
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Department of Health Services

Staff Name and Phone Number:

Rita Scardaci, 565-7876

Supervisorial District(s):

Countywide

Title: World AIDS Day

Recommended Actions:

Adopt a Resolution proclaiming December 1, 2013 World AIDS Day in Sonoma County.

Executive Summary:

This item requests that the Board of Supervisors adopt a Resolution proclaiming December 1, 2013 World AIDS Day in Sonoma County.

The World Health Organization established World AIDS Day in 1988 to focus attention on the devastating impact of the HIV/AIDS epidemic and to provide an opportunity for government, local agencies, community groups, associations, and individuals to demonstrate the importance of the fight against HIV/AIDS.

The World AIDS Day Committee and a coalition of HIV prevention and care agencies are planning a number of events during the week around December 1, 2013. These events are designed to increase awareness and understanding of HIV infection and AIDS, to promote testing for HIV, and to encourage Sonoma County residents to get involved locally and globally by volunteering at, or donating to, one of the many local HIV prevention and care agencies.

Theme for 2013:

The theme for World AIDS Day 2013 is "Getting to zero: zero new HIV infections, zero discrimination, zero AIDS related deaths." All of us are affected. All of us have a loved one, a friend, or a colleague who is HIV positive. And all of us are potentially at risk for contracting HIV. World AIDS Day reminds us and encourages us to support increasing awareness including that of our own HIV status, decreasing stigma, improving HIV prevention, and improving care for those already infected.

Reach out a helping hand to someone with the disease, whether they are in your neighborhood or across the ocean. Know your HIV status by getting tested and encourage others to get tested. Take precautions to protect yourself and others from HIV transmission. If you or a loved one are infected, seek out and stay in medical care. Suppressing HIV virus replication will improve and prolong your life.

Viral suppression also reduces transmission of infection to others.

The World AIDS Day committee and the coalition of agencies and individuals dedicated to HIV prevention and care in Sonoma County are on a journey towards our ambitious goal of “Getting to Zero.” Proclaiming December 1, 2013 World AIDS Day in Sonoma County provides important support and encourages others to join our effort.

Global HIV/AIDS Statistics in 2011

- An estimated 2.5 million people were newly infected with HIV.
- 34 million people were living with HIV, men and women equally.

United States HIV/AIDS Statistics in 2011

- 49,000 people received a new diagnosis of HIV infection.
- 1.3 million people were living with HIV/AIDS.

Sonoma County HIV/AIDS Statistics in 2011

- 43 people received a new diagnosis of HIV infection.
- 17 received a simultaneous diagnoses of HIV infection and AIDS.
- Approximately 1600 persons were living with HIV infection.
- Sonoma County has the seventh highest prevalence of persons living AIDS of all 58 counties.

In the United States and Sonoma County, approximately 18 percent of people infected with HIV are not aware that they have the virus.

On December 1, communities throughout the world commemorate those who have passed on and honor the work of those who strive to increase HIV/AIDS awareness, reduce fear and stigma by providing accurate information, promote testing, reduce risk of HIV transmission, and improve access to treatment and care.

Prior Board Actions:

11/20/12 World AIDS Day December 1, 2012; 11/15/11 World AIDS Day December 1, 2011; 11/9/10 World AIDS Day 2010 in Sonoma County, December 1, 2010; 11/17/09 World AIDS Day 2009 in Sonoma County, December 1, 2009; 11/18/08 World AIDS Day 2008 in Sonoma County, December 1, 2008; 11/27/07 World AIDS Day 2007 in Sonoma County, December 1, 2007.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Proclaiming December 1, 2013 World AIDS Day in Sonoma County serves as a memorial for all who have died of HIV/AIDS in Sonoma County and a time to honor those who work to prevent infection and care for those already infected. Additionally, this action supports HIV/AIDS prevention, helps to reduce HIV/AIDS-associated stigma, and improves care of HIV infected individuals.

Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 0
	\$	Fees/Other	\$ 0
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 0	Total Sources	\$ 0
Narrative Explanation of Fiscal Impacts (If Required):			
There is no fiscal impact associated with this Board item.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
N/A			
Attachments:			
Resolution, List of World AIDS Day Events.			
Related Items "On File" with the Clerk of the Board:			
None			



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Proclaiming December 1, 2013 As World AIDS Day In Sonoma County.

Whereas, the World Health Organization established World AIDS Day in 1988 to focus attention on the devastating impact of the HIV/AIDS epidemic and to provide an opportunity for government, local agencies, community groups, associations, and individuals to demonstrate the importance of the fight against HIV/AIDS;

Whereas, on December 1, communities throughout the world commemorate those who have passed on and honor the work of those who strive to increase HIV/AIDS awareness, reduce fear and stigma by providing accurate information, promote testing, reduce risk of HIV transmission, and improve access to treatment and care;

Whereas, the theme for World AIDS Day 2013 is "Getting to zero: zero new HIV infections, zero discrimination, zero AIDS related deaths;" and

Whereas, the Sonoma County Commission on AIDS, the World AIDS Day Committee, and a coalition of dedicated HIV prevention volunteers and agencies have mobilized to provide a range of World AIDS Day activities to increase community awareness of HIV, support, and engagement in Sonoma County.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma, does hereby proclaim December 1, 2013 as World AIDS Day in Sonoma County.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



World AIDS Day 2013

Sonoma County World AIDS Day 2013 Events

Candlelight Vigil & Ceremony

Emceed by Sister Frances A. Sissy, Sisters of Perpetual Indulgence

Santa Rosa Junior College, Bertolini Student Center Plaza

1800 Mendocino Ave. Santa Rosa, CA

Ceremony will be held in the Plaza behind Bertolini Student Center and Doyle Library

Sunday, December 1st @5 PM

Tuesday, November 26th @ 5:30 to 8:00 PM

Rainbow Cattle Company - "Give Back Tuesday" Dinner, and Raffle
benefiting The Sisters of Perpetual Indulgence, 16220 Main St., Guerneville

Thursday, December 5th All Day Event

Dining Out For Life – Help save a life, dine out at 80 participating
restaurants benefit for Food for Thought – Sonoma County AIDS Food
Bank. <http://www.diningoutforlife.com/sonomacounty>

Thursday, December 5th 9:00 PM to 12:00 Midnight Chrome Lotus

DAAC will be on site to perform HIV/HCV free testing. Wellness On Wheels
van (WOW)

Location: 501 Mendocino Ave. Santa Rosa, CA

Sunday, December 1st 7:00 PM San Francisco Gay Men's Chorus,
Sonoma Country Day School, Jackson Theater, 4400 Day School Place,
Santa Rosa, a benefit for Face to Face, Sonoma County AIDS Network.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 6
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Human Resources

Staff Name and Phone Number:

Sylvia Lemus, 565-1702

Supervisorial District(s):

All

Title: 2013 Jefferson Awards for Public Service

Recommended Actions:

Adopt five resolutions recognizing five recipients of the Sonoma County Jefferson Awards for Public Service 2013.

Executive Summary:

The Jefferson Awards is a nationally recognized program designed to highlight public service in America, with awards at the national, regional, and local levels. The program began as a part of the American Institute for Public Service in 1972 and was established by Jacqueline Kennedy Onassis, U.S. Senator Robert Taft, Jr., and Sam Beard, a staffer to Bobby Kennedy. The program's mission is "to recognize, inspire and activate volunteerism and public service in communities, workplaces and schools across America."

At the national level, this prestigious award has been given to many well-known figures over the years such as Dr. Henry A. Kissinger, Cesar Chavez, John Glenn, Paul Newman, Oprah Winfrey, Rosalynn Carter, and Barbara Bush. The national board of selectors is comprised of leaders in government, the arts, education, entertainment, sports and business; current members include Senators Harry Reid and Mitch McConnell, Laura Bush, Ronnie Lott, Michael Douglas, and others. Out of a desire for national commitment to civic engagement, with corporate sponsorship and regional media partners, the award program continues to spread into local communities.

At the regional level, media partners, such as KPIX-CBS 5 and KCBS-AM, have been promoting the Jefferson Awards throughout the Bay Area. Several counties and cities, along with many nonprofits, participate by holding their own local program and then submitting nominees to the regional and national competition.

On October 24, 2006, your Board endorsed bringing the Jefferson Awards to Sonoma County. While there are many local award programs that serve to honor volunteerism, this Board decided to focus our award on "Excellence in Community Leadership and Civic Engagement." Nominations are solicited in one

of three categories, with the following criteria:

1. **Individual Actions** – demonstrating leadership and/or innovation in dealing with a community issue or need in Sonoma County; having a measurable impact on community need; and having a wide-ranging impact.

2. **Non-profits** – demonstrating positive impact on community need; promoting volunteer involvement; and demonstrating leadership and innovation with high degree of customer satisfaction or impact on community need.

3. **Boards/Commissions/Advisory Councils** – demonstrating leadership in addressing a community issue or need; going above and beyond expectations of the role of a board/commission/member; and developing innovative solution(s) in addressing community need.

Our community is fortunate to be supported by a diverse range of services from the many individuals, non-profits, and boards/commissions/advisory councils in Sonoma County. This is evident in that 29 nominations were received for consideration of the Jefferson Awards.

A selection committee comprised of a diverse group of community and County leaders reviewed all nominations against the categories and criteria listed above. The selection committee narrowed down the nominations to ten finalists, from which your Board selected the following five Sonoma County Jefferson Award recipients:

1. **Jesùs Guzmàn** – for advocating for immigration reform, fair labor practices, and safe working conditions for day laborers and domestic workers through the Graton Day Labor Center, and his work with the DREAM Alliance - advocating for federal legislation that would provide legal immigration status to DREAMers.

2. **La Luz Center** – for being the only bilingual and bicultural service organization in Sonoma Valley, which has positively impacted and engaged the community through education, leadership, and self-advocacy, while serving as a bridge between the Anglo and Latino residents of Sonoma Valley.

3. **Northern California Center for Well-Being** – for working with people with chronic disease, and the contributing risk factors, and helping thousands of individuals and families to improve their health and to experience an improved quality of life.

4. **Russian Riverkeeper** – for keeping the community, industry, and business groups informed on various critical topics that help increase awareness of the health of the Russian River and its critical role in the community.

5. **Russian River Sisters of Perpetual Indulgence** – for focusing their work around the needs of the Russian River area, through community events, charitable acts, and fundraising, thereby improving the lives of those in the Russian River community.

Four of the five winners are from the nonprofit category, and one is an individual. These winners were selected as those who best demonstrate the characteristics and spirit of the Jefferson Awards for 2013.

Prior Board Actions:			
October 24, 2006: Board endorsed the launch of the ideal Jefferson Awards program for Sonoma County. The Board of Supervisors has recognized five winners of the Jefferson Awards for Public Service for each year since 2007.			
Strategic Plan Alignment Goal 4: Civic Services and Engagement			
The Jefferson Awards for Public Service in Sonoma County has been developed to highlight the strength of our community and promote civic engagement in solving community problems. The awards program seeks nominations from throughout the community to honor individuals, non-profits, boards and/or commissions whose actions result in a positive impact in the local community.			
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 5720	County General Fund	\$ 5720
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 5720	Total Sources	\$ 5720
Narrative Explanation of Fiscal Impacts (If Required):			
The Volunteer program's recommended FY 13-14 budget is \$5,720. This budget covers all volunteer programs and events, including the annual volunteer recognition reception and the Jefferson Awards program.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
N/A			
Attachments:			
Copy for five gold resolutions.			

Related Items "On File" with the Clerk of the Board:

None.



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Presenting a County of Sonoma Jefferson Award to Jesùs Guzmàn for Excellence in
Community Leadership and Civic Engagement.**

Whereas, The County of Sonoma has initiated the prestigious national recognition program, the Jefferson Awards, at the local level and invited nominations for those individuals, non-profits, and boards/commissions/advisory groups that best demonstrate “Excellence in Community Leadership and Civic Engagement;” and

Whereas, Jesùs Guzmàn is being recognized for his leadership and commitment to the laborers, immigrants, and youth of Sonoma County; and

Whereas, Jesùs has been an effective advocate for immigration reform, fair labor practices, and safe working conditions, who has demonstrated passion, vision, and commitment to working on the behalf of others; and

Whereas, Jesùs’ own life experiences and those of others who were brought to the United States as children, without legal immigration status, inspired him to found a local chapter of the DREAM Alliance and spearhead immigration workshops to help undocumented youth apply for Deferred Action for Childhood Arrivals (DACA) status; and

Whereas, Jesùs works with day laborers and domestic workers through the Graton Day Labor Center, to provide an organized, dignified way to seek work with fair wage and safe working conditions; advocates for the Secure Communities program; and partners with diverse organizations to engage the community conversation around immigration reform and social justice; and

Now, Therefore, Be It Resolved on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby bestows this Sonoma County Jefferson Award to Jesùs Guzmàn for his “Excellence in Community Service and Civic Engagement.”

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Presenting a County of Sonoma Jefferson Award to La Luz Center for Excellence in Community
Leadership and Civic Engagement.**

Whereas, The County of Sonoma has initiated the prestigious national recognition program, the Jefferson Awards, at the local level and invited nominations for those individuals, non-profits, and boards/commissions/advisory groups that best demonstrate “Excellence in Community Leadership and Civic Engagement;” and

Whereas, since 1990 La Luz Center has existed to empower communities through education, leadership, and self-advocacy; through its diverse collaborations, they have provided for healthcare, educational programs, resources, and referrals for additional services youth and families may need in a culturally competent, bilingual setting; and

Whereas, La Luz Center’s programs include education, family services, leadership, partnerships, vineyard worker services, and volunteering; many of the clients they assist return and engage by volunteering throughout the community; and

Whereas, the Center is the primary resource in Sonoma Valley for disadvantaged families serving over 10,000 families and individuals every year; this past year, La Luz, distributed food to more than 7,000 Sonoma Valley families, enrolled 300 families in CalFresh, provided access to no-cost healthcare to 1,320 children and 840 adults, and served more than 500 adults through its many education programs; and

Whereas, La Luz Center serves as a bridge between cultures in the Sonoma Valley and seeks to increase cross-cultural acceptance and respect through a series of events, including the Cinco de Mayo and Dia de Los Muertos festivals; and

Now, Therefore, Be It Resolved on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby bestows this Sonoma County Jefferson Award to La Luz Center for their “Excellence in Community Service and Civic Engagement.”

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Presenting a County of Sonoma Jefferson Award to The Northern California Center for
Well-Being for Excellence in Community Leadership and Civic Engagement.**

Whereas, The County of Sonoma has initiated the prestigious national recognition program, the Jefferson Awards, at the local level and invited nominations for those individuals, non-profits, and boards/commissions/advisory groups that best demonstrate “Excellence in Community Leadership and Civic Engagement;” and

Whereas, the Northern California Center for Well-Being’s mission is to “promote the well-being of the whole person by empowering people with knowledge, skills, and spirit to take responsibility for personal, family, and community health;” and

Whereas, the Center has served the entire county of Sonoma since 1996, assisting people with chronic diseases, including diabetes, heart disease, and arthritis, and related risk factors, including obesity, high cholesterol, and a sedentary lifestyle; and

Whereas, the Center has helped over 25,000 individuals and their families take positive steps towards greater health, and empowered many of the participants to reach out to others through their involvement with the center; and

Whereas, the Center’s programs have helped participants to improve their health and to experience an improved quality of life through programs such as Diabetes Wellness, Smoking Cessation, Smoke Free Babies, Heart Works, Adult Weight Control; and Promotores de Salud, a resource program that relies on cultural sensitivity to the Latino community’s beliefs, values, and practices; and

Now, Therefore, Be It Resolved on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby bestows this Sonoma County Jefferson Award to the Northern California Center for Well Being for their “Excellence in Community Service and Civic Engagement.”

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Presenting a County of Sonoma Jefferson Award to The Russian Riverkeeper for Excellence in
Community Leadership and Civic Engagement.**

Whereas, The County of Sonoma has initiated the prestigious national recognition program, the Jefferson Awards, at the local level and invited nominations for those individuals, non-profits, and boards/commissions/advisory groups that best demonstrate “Excellence in Community Leadership and Civic Engagement;” and

Whereas, the Russian Riverkeeper was founded in 1993, with the mission to protect and preserve the Russian River for future generations by advocating, educating, and implementing sustainable community solutions; and

Whereas, the Russian River supplies clean drinking water, supports our world-class wine industry, and our regional recreational economy, therefore the Russian Riverkeeper finds that a healthy river is important as it increases water availability, reduces flood damage, decreases pollutant delivery, and provides habitat to sustain fish and wildlife populations; and

Whereas, the Russian Riverkeeper has been a strong advocate for the health of the river, recognizing it as a part of this environment, taking legal action when necessary, and by inspiring volunteers and other investments in the ecosystem’s health, thereby recognizing its direct relation as an investment in the community’s health; and

Whereas, the Russian Riverkeeper holds a critical role in increasing access to resources and information on the River, including current issues, science, and how individuals and the community can make difference and enjoy a healthy river today and in future generations; and

Now, Therefore, Be It Resolved on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby bestows this Sonoma County Jefferson Award to Russian Riverkeeper for their “Excellence in Community Service and Civic Engagement.”

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Presenting a County of Sonoma Jefferson Award to The Russian River Sisters of Perpetual
Indulgence for Excellence in Community Leadership and Civic Engagement.**

Whereas, The County of Sonoma has initiated the prestigious national recognition program, the Jefferson Awards, at the local level and invited nominations for those individuals, non-profits, and boards/commissions/advisory groups that best demonstrate “Excellence in Community Leadership and Civic Engagement;” and

Whereas, since 2001, the Russian River Sisters of Perpetual Indulgence (the “Sisters”) have been spreading joy and good will through community events, charitable acts and fundraising, with a focus on the special needs of the Russian River area; and

Whereas, the Sisters’ commitment to creating strong relationships are welcomed and needed in the community; their work is profound and takes on various forms, from educating the community on the HIV/AIDS crisis, to bingo fundraisers, and giving away hundreds of thousands of dollars in scholarships and other assistance; and

Whereas, the Sisters coordinate the Sonoma County Pride Event, hold an annual Christmas Dinner for the less fortunate, and present Bad Habits Radio, a weekly radio show; and

Whereas, the Sisters are completely unique and have a positive impact on the community with their diversity, events, activism, and promulgation of joy; they clearly meet the model of an organization that responds to the needs of others with kindness and compassion; and

Now, Therefore, Be It Resolved on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby bestows this Sonoma County Jefferson Award to the Russian River Sisters of Perpetual Indulgence for their “Excellence in Community Service and Civic Engagement.”

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 7
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758

Supervisorial District(s):

Fourth District

Title: Gold Resolution

Recommended Actions:

Adopt A Gold Resolution Proclaiming the Week of October 13th – 19th, 2013 as Celebrate Safari West Week in Sonoma County.

Executive Summary:

None

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopt A Gold Resolution Proclaiming the Week of October 13th – 19th, 2013 as Celebrate Safari West Week in Sonoma County.

Whereas, Safari West is nestled here in the heart of California's Wine Country, in the fields of wheat-colored grass, on the slopes of rolling green hills, among the trees, ranches and vineyards, and is where you will find the essence and spirit of Africa; and

Whereas, the ongoing work of Safari West is wildlife preservation through breeding, education, research and public interaction; and

Whereas, Safari West is home to over 900 exotic animals of 90 different species including mammals native to Africa and birds from all over the world; and

Whereas, Safari West was founded in 1989 as a private ranch for breeding and species propagation, then in 1992, gained membership in the American Zoo and Aquarium Association, and in 1993, as a dream shared by Nancy and Peter Lang, opened its doors to amazing public tours; and

Whereas, it is the mission of Safari West to actively promote conservation, environmental education, and share knowledge that will help each individual make personal choices in regards to the environment and conservation efforts; and

Whereas, on October 20th, 2013, Safari West will celebrate 20 years of tours, education, and conservation right here on the Sonoma Serengeti; and

Whereas, now, 20 years later, Safari West thrives as a world-renowned preserve dedicated to conservation and home to the Earth's most graceful, majestic and exotic creatures.

Now, Therefore, Be It Resolved, that the Sonoma County Board of Supervisors does hereby proclaim the week of October 13th – 19th, 2013 as Celebrate Safari West Week in Sonoma County.

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 8
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758

Supervisorial District(s):

Fourth District

Title: Gold Resolution

Recommended Actions:

Adopt A Gold Resolution Proclaiming November 3, 2013, as “Windsor Military Hometown Heroes Banner Day.”

Executive Summary:

None

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopt A Gold Resolution Proclaiming November 3, 2013, as “Windsor Military Hometown Heroes Banner Day.”

Whereas, the Town of Windsor with the dedication of a volunteer Military Banner Committee has established the Windsor Hometown Heroes Military Banner Program in order to recognize and honor Windsor residents and their immediate family members who are serving our country in the United States Armed Forces (Army, Navy, Air Force, Marines, and Coast Guard); and

Whereas, eligible Honorees are Windsor residents, or have an immediate family member working or residing in Windsor, including Town of Windsor employees; and

Whereas, the Windsor Military Hometown Heroes Banner Program is supported with funding provided by local sponsors and family members; and

Whereas, the military banners will be proudly displayed throughout downtown Windsor highlighting the service of local Military Hometown Heroes; and

Whereas, the banners will remain in place throughout the career of the local service member, and at the time of retirement the banner will be presented to the service member or their family; and

Whereas, the Windsor Hometown Heroes Military Banner Program is administered by the Windsor Parks and Recreation Department in partnership with the volunteer Military Banner Committee; and

Whereas, the Windsor Hometown Heroes Military Banner Program is proudly supported by:

- The Town of Windsor
- The Windsor Chamber of Commerce
- The American Legion Post 111
- The VFW Post 768
- M.O.M.S
- The Local Veteran Employment Workforce Services, EDD
- The Windsor Parks and Recreation Foundation
- Marine Corps League Santa Rosa Detachment 686
- Voyager 338

Now, Therefore, Be It Resolved, that the Sonoma County Board of Supervisors does hereby proclaim November 3, 2013, as “Windsor Military Hometown Heroes Banner Day.”

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 9
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor David Rabbitt, (707) 565-2241

Supervisorial District(s):

Second District

Title: Gold Resolution

Recommended Actions:

Approve a Gold Resolution recognizing United Nations Day on October 24, 2013. (County-wide)

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Not Applicable

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma
State of California

Date: November 5, 2012

Item Number: _____

Resolution Number: _____

4/5 Vote Required

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA,
STATE OF CALIFORNIA, COMMEMORATING OCTOBER 24, 2013 AS UNITED
NATIONS DAY

Whereas, the United Nations was founded in 1945, and the anniversary of the day on which the UN Charter came into force is observed each year of October 24; and

Whereas, October 24, 2013 marks the 68th anniversary of when the United Nations Charter went into effect; and

Whereas, the central role of the United Nations is to promote peace and security, development and human rights around the world, and is vital now more than ever; and

Whereas, in September 2000, 189 nations, including the United States, agreed upon the eight Millennium Development Goals to meet the needs of the world's poorest nations; and

Whereas, the United States has shown its commitment to the eighth Millennium Development Goal through foreign aid, progressive trade promised, and generous debt relief measures; and

Whereas, the United Nations Association-USA theme for the 2013 United Nations Day is Partnerships for Global Progress and to celebrate the ideals and impact of the United Nations.

Now, Therefore, Be It Resolved that the Sonoma County Board of Supervisors does hereby commemorate October 24, 2013 as United Nations Day.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 10
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Efren Carrillo 565-2241

Supervisorial District(s):

Fifth

Title: Gold Resolution

Recommended Actions:

Approve a Gold Resolution congratulating the Fort Ross-Seaview Winegrowers Association on their inaugural event celebrating the Fort Ross-Seaview viticultural area, established in 2012. (Fifth District)

Executive Summary:

None.

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None.			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			
None.			



County of Sonoma

State of California

Date: November 5, 2012

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Congratulating The Fort Ross-Seaview Winegrowers Association On Their Inaugural Event Celebrating The Fort Ross Seaview Viticultural Area, Established in 2012

Whereas, nearly two hundred years after the first grapevines in Sonoma County were planted by Russian settlers at Fort Ross in 1817 with grape cuttings imported from Peru, a group of local winegrowers formed the Fort Ross-Seaview Winegrowers Association; and

Whereas, in January 2012, the Alcohol and Tobacco Tax and Trade Bureau of the United States Government established Fort Ross-Seaview Viticultural Area, describing this separate and distinct wine growing area as “Coastal Cool”; and

Whereas, the Fort Ross-Seaview Viticultural Area is characterized by its mountainous topography, cool maritime climate, and a geology influenced by the San Andreas Fault – the Association’s motto is “Coastal Cool, Steep Mountain Vineyards, Above the Pacific Fog”; and

Whereas, the Fort Ross-Seaview Winegrowers Association is to foster the grapes and wine from the new viticultural area; increase awareness of the high quality wines – made from grapes grown in the region – which are highly regarded for their focused fruit flavors, lively acidity, minerality, nuanced tannins and delicate structure; and promote the Viticultural Area to the media, trade and public; and

Whereas, the Fort Ross-Seaview Viticultural Area will increase recognition of Sonoma County as one of the most beautiful, geographically diverse, and resource-rich places on earth and as a special place to grow world-class grapes and produce world class fine wines.

Resolution #

Date:

Page 2

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma congratulates the Fort Ross-Seaview Winegrowers Association on the establishment of their Viticultural Area, and wishes them great success on the occasion of their first annual event at Fort Ross Historic Park.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 11
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number:

Steve Koldis 547-1914

Supervisorial District(s):

Fourth and Fifth Districts

Title: Mirabel Site Seismic Improvements - Contract Award

Recommended Actions:

Authorize the Chair to execute the contract with Hayward Baker, Inc., for \$1,663,600, through estimated completion date of May 27, 2014, for construction of the Mirabel Site Seismic Improvements project, and delegate authority to the General Manager of the Water Agency to execute Agreement and Release of Any and All Claims, if required.

Executive Summary:

This item requests approval of a contract with Hayward Baker, Inc., for \$1,663,000, for construction of the Mirabel Site Seismic Improvements project.

History Of Item/Background

The Mirabel Site Seismic Improvements project's (Project) work consists of site seismic ground improvements within the Sonoma County Water Agency's (Water Agency) Mirabel facility at 10290 Westside Road near the unincorporated town of Forestville, Sonoma County, California. The Project is intended to stabilize a seismically vulnerable river bank against liquefaction and lateral spread in the event of a significant earthquake event. This work is being completed in anticipation of the planned construction of a new fish screen and fish ladder. In addition, the Project will provide increased protection to the river diversion structure in the case of a major earthquake event. The work includes, but is not limited to, clearing, grading, utility protection and relocation, soil densification through vibro replacement methods, and quality control testing. Bidding Documents contain the full description of the work. Requirements of the California Environmental Quality Act have been met and approval of a Mitigated Negative Declaration of Environmental Impact was granted on January 29, 2013.

This project assures that the river diversion structure will be less vulnerable to failure as a result of a significant earthquake event. The structural foundation for the planned fish ladder and fish screen relies on the slope stability provided by the Project. Without the Project the fish screen and fish ladder will be vulnerable to failure from a significant earthquake event. Without the construction of the Project, the

Water Agency will have to revisit the strategy of implementing the fish screen and fish ladder project, which has the potential to compromise the Water Agency's ability to comply with the National Marine Fisheries Service Biological Opinion requiring the Water Agency to replace the fish screen at the Mirabel facility.

The Project was advertised for bids: August 22, 2013 – September 24, 2013

Bids were opened: September 24, 2013

A sole Bid for construction of said Project was received on September 24, 2013, as follows:

Hayward Baker, Inc., Santa Paula, CA \$1,663,600.00

The Engineer's Estimate was: \$1,780,873.00

The lowest responsive and responsible bid is from Hayward Baker, Inc., Santa Paula, CA and is \$117,273 below the Engineer's Estimate. Hayward Baker, Inc. is experienced in this type of construction and met the experience requirements.

A contractor must execute a release of claims (Document 00650) before final payment but may except any unresolved claims from the release. The requested action authorizes the General Manager to approve the release unless the contractor lists unresolved claims. In that case, County Counsel must review Document 00650 prior to General Manager approval.

Construction on the Project is scheduled to begin approximately December 9, 2013, with an estimated completion date of May 27, 2014.

The Water Agency recommends the Board take the following actions:

Actions

1. Approve the Project's plans and specifications as set forth in the Project Manual and Drawings entitled "Mirabel Site Seismic Improvements" on file with the Clerk.
2. Authorize the General Manager of the Water Agency to sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the contractor.
3. Authorize the Chair of the Board to execute the contract with Hayward Baker, Inc. for \$1,663,600, for construction of the Mirabel Site Seismic Improvements, and delegate authority to the General Manager of the Water Agency, to execute Agreement and Release of Any and All Claims, if required.

Prior Board Actions:

None

Strategic Plan Alignment Goal 3: Invest in the Future

The Mirabel Site Seismic Improvements Project aligns with county goal: "Investing in the Future" by mitigating seismic vulnerability to the Water Agency's river diversion structure which is the headworks

for the Water Agency's water infrastructure.

Water Agency Water Supply Goals and Strategies, Goal 1: Increase organizational efficiency, effectiveness, and resilience to natural disasters.

Work with water contractors to retain and improve the reliability of the water supply production and distribution systems, including during short-term emergencies, such as earthquakes, and during long-term challenges caused by extended droughts and global climate change.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 1,663,600	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Water Transmission Fund Fees/Other	\$ 1,663,600
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 1,663,600	Total Sources	\$ 1,663,600

Narrative Explanation of Fiscal Impacts (If Required):

This contract is funded by the Water Transmission Fund.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

None

Related Items "On File" with the Clerk of the Board:

Project Manual and Drawings



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 12
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number:

Steve Koldis 547-1914

Supervisorial District(s):

Third

Title: Kawana-Ralphine Reliability Pipeline Project

Recommended Actions:

Authorize Chair to execute the second amended agreement with CDM Smith Inc. for the Kawana-Ralphine Reliability Pipeline project in an amount not to exceed \$164,851, expanding existing tasks in the scope of work, for a new not-to-exceed agreement total of \$380,874 with a term end date of June 30, 2015.

Executive Summary:

This item requests approval to enter into an amended agreement with CDM Smith Inc. (\$164,851, for a new agreement total of \$380,874; through June 30, 2015) for added services to study viable alignments for the Kawana-Ralphine Reliability Pipeline between the Kawana tanks, located near Kawana Springs Road in Santa Rosa, and the Ralphine Tanks/Sonoma Booster Pump Station, located at Spring Lake Park.

Since 2005 the Sonoma County Water Agency (Water Agency) has been coordinating with the City of Santa Rosa (City) regarding the Farmers Lane Extension Project which includes a dedicated corridor within the future road to accommodate the southern portion of the Kawana-Ralphine pipeline (south of Bennett Valley Road). Since the southern pipeline was anticipated to be located within the roadway corridor, the Water Agency focused its prior pipeline alignment study efforts on the northern portion of the pipeline between Bennett Valley Road and the Ralphine Tanks/Sonoma Booster Pump Station. However, with the uncertainties of funding and scheduling between the Water Agency's pipeline project and the City's roadway project, Water Agency staff now desire to explore additional alignment alternatives for the southern portion of the pipeline, in lieu of sole reliance upon the Farmers Lane Extension corridor. The focus of this amendment will provide the Water Agency with flexibility and a contingency plan to move forward with the reliability pipeline project in the event that the Farmers Lane Extension project is delayed indefinitely. The study also has the potential to generate alternative pipeline alignments that will reduce vulnerabilities and construction costs.

History of Item/Background

The proposed Kawana-Ralphine Reliability Pipeline Project (Project) will provide redundancy in the Water Agency's water supply transmission system to move water to the Ralphine Tanks and Sonoma Booster Station resulting in a more reliable water supply to eastern Santa Rosa and the Sonoma Valley. The Ralphine Tanks and Sonoma Booster Station are currently served by a single pipeline that is susceptible to operational reliability issues. The pipeline is approximately 50 years old and has increasing difficulty providing adequate supply during periods of high demand. A portion of the pipeline also exists beneath Spring Lake, near the Bennett Valley Fault Zone, where repairs would be very difficult if damage to the pipe were to occur.

The Water Agency and Camp Dresser & McKee, Inc. (Consultant) entered into an agreement for a preliminary engineering report for Kawana-Ralphine Reliability Pipeline Project, dated August 9, 2011, in the amount of \$216,023. The original agreement focused on identifying a suitable route for the pipeline from the intersection of Bennett Valley Road and Farmers Lane to the Ralphine Tanks and Sonoma Booster Pump Station. These alignments vary as they cross a mix of busy City streets, residential neighborhoods, parks, and open grassland.

During the process of identifying alignments, the City's Farmers Lane Extension project has been delayed for lack of funding. While Water Agency staff believe the Farmers Lane Extension Project will ultimately be built, Water Agency staff are taking this opportunity to evaluate alternate alignments between the Kawana Tanks and Bennett Valley Road that could accommodate scheduling differences between the two projects, and may also provide more favorable alignments to address physical constraints. Areas of particular concern regarding the current Farmers Lane Extension Alignment include the angle of the Rodgers Creek Fault crossing, land slide potential and creek crossing. All of these introduce vulnerabilities to pipeline reliability and may add cost to the construction project.

The Water Agency executed a prior amended agreement with Camp Dresser & McKee, Inc. to extend the term of the agreement to June 30, 2015, and update Consultant's name from Camp Dresser & McKee, Inc. to CDM Smith, Inc.

Selection Process

The Water Agency initially selected the Consultant to perform the work following issuance of a Request for Proposals to four firms (CSW Stuber-Stroeh, URS Corporation, Corollo Engineers, and CDM Smith Inc.) for Preliminary Engineering Services for Mirabel-Cotati Pipeline, Wohler-Santa Rosa Reliability Pipeline, and Kawana-Ralphine Reliability Pipeline Projects. The four firms were selected from a list of firms that was established from a prior Request for Qualifications for a similar alignment study in which nine firms were solicited including URS Corporation, HDR, Inc, CH2M Hill, Brown and Caldwell, Winzler & Kelly Consulting Engineers, CSW Stuber-Stroeh Engineering Group, Inc., Carollo Engineers, and Parsons Corporation.

The Consultant was selected based on its demonstrated extensive knowledge of pipeline alignment studies and understanding of potential issues including traffic, trenchless crossings, and geotechnical issues. Due to the specialized nature of the work and lack of available staff in the Water Agency's Engineering Section, the Water Agency does not have the available expertise and resources to conduct this work with in-house staff in a timely manner.

A comparison of the cost of the original study to the cost of the proposed study has revealed that a 40% increase in effort will be required. This increase can be explained by the additional services requested that are above and beyond the services requested under the original contract. These services include generating a list of alignments, comparing them and then selecting the top 3 to evaluate, and the evaluation of the crossing of a major fault line will require specialized subject matter expertise. The rates provided by CDM-Smith include a 10% increase over their 2011 rates. Based on the increased level of effort and the rate adjustment the Staff feel that the proposed budget is in line with the scope of work as proposed.

Services To Be Performed

Under the original Agreement, the Consultant prepared a Preliminary Engineering Report that evaluates potential alignments for the new pipeline and identifies environmental and construction issues that are significant to the Project. The scope of that work includes an evaluation of alternatives between Bennett Valley Road and the Ralphine Tanks/Sonoma Booster Pump Station (northern portion) and an identification of potential construction issues related to the Farmers Lane Extension corridor (southern portion). Because the construction schedules of the Project and the Farmers Lane Extension Project may not coincide well (due to funding or other considerations), and because the Farmers Lane Extension corridor poses certain physical constraints and vulnerabilities for the pipeline, the Water Agency desires to evaluate additional alignment alternatives for the southern portion of the pipeline. Under the proposed second amended agreement, Consultant will broaden the scope of the alignment study to include alternative alignments between the Kawana Tanks and Bennett Valley Road.

The cost of the additional services will not exceed \$164,851, resulting in a total contract amount of \$380,874; the term end date is June 30, 2015.

Prior Board Actions:

08/09/2011 Approved agreement between Water Agency and Camp Dresser & McKee, Inc. for a preliminary engineering report for Kawana-Ralphine Reliability Pipeline Project.

Strategic Plan Alignment Goal 3: Invest in the Future

The subject item meets Goal 3 by providing infrastructure upgrades that allows for operational flexibility of water delivery throughout the transmission system.

Water Agency Water Supply Goals and Strategies, Goal 3:

Ensure that water will be available to customers at all times, including during short- term emergencies, such as earthquakes, and long-term challenges caused by extended droughts and global climate change.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 164,851	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Water Transmission Fund Fees/Other	\$ 164,851
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 164,851	Total Sources	\$ 164,851

Narrative Explanation of Fiscal Impacts (If Required):

Funds are available from the Storage Facilities Water Transmission fund. No additional appropriation is required.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

N/A

Related Items "On File" with the Clerk of the Board:

Amended Agreement (4 Copies)



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 13
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number:

Kevin Campbell 547-1921

Supervisorial District(s):

First

Title: Oakmont Pipeline Easement

Recommended Actions:

Authorize Chair to execute and accept Easement Agreement with Meadow Creek Associates, LLC for Oakmont Pipeline

Executive Summary:

This item authorizes the Chair to execute an Easement Agreement with Meadow Creek Associates, LLC to acquire a permanent easement for a portion of the existing Oakmont Pipeline currently not encumbered by an easement.

History Of Item/Background:

In 1989, the Sonoma County Water Agency (Water Agency) constructed the Oakmont Pipeline Project to increase the reliability of water delivery to the Oakmont area of the City of Santa Rosa. Approximately 1,700 linear feet of the pipeline was constructed within an existing State of California Department of Transportation (State) Highway 12 Right of Way that was acquired by the State for the purpose of widening Highway 12. The portion of the pipeline constructed within the State property was constructed by the Water Agency under an encroachment permit with the State. The State did not grant the Water Agency a permanent easement for the pipeline.

In approximately 1991, the State sold a portion of the Highway 12 Right of Way (Assessor's Parcel Numbers 016-090-013 and 016-100-006) as surplus property. The property sold by the State contained a segment of the Oakmont Pipeline. In the spring of 2013, Meadow Creek Associates, LLC approached the Water Agency with plans to develop the property with single family residences. Water Agency staff reviewed the plans and determined that construction of the single family residences would not adversely affect the pipeline; however, Water Agency staff requested that Meadow Creek Associates, LLC grant the Water Agency a permanent easement over the existing pipeline. Meadow Creek Associates, LLC agreed to the granting of a permanent easement at no cost to the Water Agency, and has executed an Easement Agreement which is on file with the Clerk. The Easement Agreement will

ensure that the new development on the property will not affect the Water Agency's continued operation and maintenance of the Oakmont Pipeline in any way.

The Water Agency currently utilizes this property to operate and maintain the Oakmont Pipeline. Water Agency staff has evaluated the proposed easement acquisition and the General Manager has determined that all impacts associated with the Oakmont Pipeline Project, including property acquisition, was considered in the Oakmont Pipeline Initial Study/Negative Declaration. No changes in operation or maintenance activities are associated with the permanent easement acquisition and therefore, no new impacts are anticipated. In addition, any further development of the existing pipeline easement parcel would be subject to future environmental review pursuant to the California Environmental Quality Act.

Prior Board Actions:

None

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This item supports the County's goal of economic and environmental stewardship by protecting existing infrastructure.

Water Agency Water Supply Goals and Strategies, Goal 2:
Protect the Water Agency's existing water rights and our clean, high-quality water supply, and improve system resiliency by continuing to develop alternative supplies.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 0	Total Sources	\$ 0

Narrative Explanation of Fiscal Impacts (If Required):

Item will not have any fiscal impact on Water Agency.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Related Items “On File” with the Clerk of the Board:			
Easement Agreement (4 Copies)			

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PIPELINE_SUMM.DOCM

ROW/OAKMONT PIPELINE/MEADOW CREEK ASSOCIATES LLC/60-4-4 /FILE ID 4831



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 14
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): County Administrator's Office

Staff Name and Phone Number:

Veronica Ferguson, (707) 565-2431

Supervisorial District(s):

All

Title: Personal Services Agreement – Director, Permit and Resource Management Department

Recommended Actions:

Authorize the Chair to execute a Personal Services Agreement with J. Tennis Wick as Director, Permit and Resource Management Department, from November 12, 2013 through November 12, 2016.

Executive Summary:

Attached for the Board's approval is a 3-year Personal Services Agreement with J. Tennis Wick in the capacity of the Director, Permit and Resource Management Department.

Prior Board Actions:

Not applicable.

Strategic Plan Alignment Goal 1: Safe, Healthy & Caring Community

The Director position ensures services provided to the community to ensure safe building, construction, and environmental development are provided in a successful manner.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

The Director will be paid at "C" salary step, \$12,051 monthly salary. Ongoing annualized salary associated with this position is \$144,616.54 and is incorporated in the FY 13-14 budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Agreement for Personal Services.

Related Items "On File" with the Clerk of the Board:

Agreement for Personal Services.

AGREEMENT FOR PERSONAL SERVICES

DIRECTOR OF PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

This Agreement is made this 12th day of November 2013 by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "COUNTY") and J. Tennis Wick (hereinafter called "EMPLOYEE").

WITNESSETH:

WHEREAS, COUNTY and EMPLOYEE are desirous of entering into a personal services agreement for the position of Director of Permit and Resource Management Department; and

WHEREAS, EMPLOYEE acknowledges that by accepting the position of Director of Permit and Resource Management his position will be in the unclassified service under the Sonoma County Civil Service System;

NOW, THEREFORE, BE IT AGREED by and between the parties as follows:

1. Term of Employment. COUNTY hereby employs EMPLOYEE in the position of Director of Permit and Resource Management Department for a period of three (3) years, commencing on November 12, 2013, and ending on November 12, 2016, subject, however, to termination as herein provided.

2. Duties. EMPLOYEE shall perform the duties of Director of Permit and Resource Management Department as set forth in the County job specification, attached hereto as Exhibit A, as it now provides or may hereafter be amended, and such other duties as may be prescribed by the COUNTY.

3. Compensation.

(a) EMPLOYEE's salary shall initially be set at the "C" step of the salary range for the position of Director of Permit and Resource Management Department as set forth in the Sonoma County Salary Resolution 95-0926 ("Salary Resolution"). Any provisions of the Salary Resolution regarding merit increases or step advancements, including Sections 7.18 and 7.19, are not applicable or made part of this Agreement. EMPLOYEE may advance in the salary range, if the Board determines that EMPLOYEE is eligible for advancement based upon annual performance evaluations.

(b) Except as herein provided, EMPLOYEE shall be entitled to the same fringe benefits generally available to COUNTY department heads, as specified in the Salary Resolution.

(c) EMPLOYEE shall accrue vacation time at the rate applicable for management employees with ten (10) years of County service as set forth in the Sonoma County Salary Resolution.

(d) EMPLOYEE shall receive forty (40) hours of vacation time on commencement of the first day of County employment.

4. Performance review.

The Board of Supervisors shall review EMPLOYEE's performance on an annual basis. If the Board provides EMPLOYEE with a satisfactory or better performance evaluation, EMPLOYEE shall be eligible to advance in the salary range.

5. Expiration and Non-renewal. At the expiration of the term of this Agreement, EMPLOYEE's employment shall automatically terminate, unless otherwise mutually extended by the parties.

6. Termination.

(a) EMPLOYEE may be terminated by the Board of Supervisors with cause as provided in attachment B.

(b) EMPLOYEE may terminate his employment at any time by delivering to the Board of Supervisors her written resignation. Such resignation shall be irrevocable and shall be effective not earlier than sixty (60) calendar days following delivery.

(c) From the date upon which EMPLOYEE either resigns or is notified of the COUNTY's intention to terminate the Agreement until the actual date upon which the resignation, termination or expiration becomes effective, EMPLOYEE shall continue to devote his full time attention and effort to the duties anticipated hereunder and shall perform the same in a professional and competent manner. If requested, EMPLOYEE shall assist COUNTY in orienting EMPLOYEE's replacement and shall perform such tasks as are necessary to effect a smooth transition in the leadership of the COUNTY. These tasks may also include providing information or testimony regarding matters which arose during EMPLOYEE's term as Director of Permit and Resource Management Department.

(d) EMPLOYEE acknowledges, understands and warrants that EMPLOYEE shall have no further right or claim to employment after the expiration of the term of this Agreement. Except as provided herein, no other document, handbook, policy, resolution or oral or written representation shall be effective or construed to be effective to extend the term hereof or otherwise grant EMPLOYEE any right or claim to continued employment with COUNTY.

7. Nonassignability. EMPLOYEE shall not, during the term of this Agreement, make any assignment or delegation of any of its provisions without the prior written consent of COUNTY.

8. Compliance with Law. EMPLOYEE shall, during his employment hereunder, comply with all laws and regulations applicable to such employment. Any act or omission of EMPLOYEE constituting a public offense involving moral turpitude or a withholding of labor is a material breach of this Agreement relieving COUNTY of any and all obligations hereunder. Such act or omission shall constitute sufficient grounds for EMPLOYEE's termination with cause pursuant to this Agreement.

9. Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Section 1856 of the Code of Civil Procedure. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

10. No Representations or Warranties on Tax or Retirement Issues. EMPLOYEE acknowledges and agrees that the COUNTY has not made any representations or warranties regarding tax consequences or retirement compensation pertaining to his salary and benefits. EMPLOYEE further acknowledges and agrees that the Sonoma County Employees' Retirement Association ("SCERA") makes the final determination on what is deemed "final compensation" for purposes of calculating retirement benefits.

11. Conflict of Interest. EMPLOYEE covenants that he presently has no interest and will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of his duties required under this Agreement. EMPLOYEE shall comply with all state and local conflict of interest laws or policies, including, but not limited to, Government Code section 1090, the Political Reform Act and requirements promulgated by the Fair Political Practices Committee, the County's policies on incompatible offices and conflicts of interest, and any Departmental policies on conflicts of interest. EMPLOYEE shall also complete and file a "Statement of Economic Interest" with the County, disclosing EMPLOYEE's financial interests, as required by the County's Conflict of Interest Code.

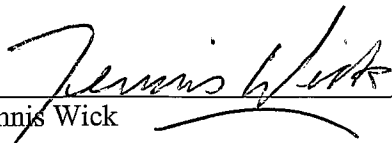
ATTEST:

COUNTY OF SONOMA

Clerk of the Board

By _____
Chair, Board of Supervisors

EMPLOYEE



J. Tennis Wick

EXHIBIT A to Personal Services Agreement with J.Tennis Wick
(Director of Permit and Resource Management Department)

County of Sonoma
CAT. NO. 1 JGRP No. III

1215
Established 5/94
Revised 9/95

DIRECTOR OF PERMIT AND RESOURCE MANAGEMENT

Definition

Under general policy direction of the Board of Supervisors and the County Administrator, provides leadership and administrative policy direction for programs and services of the Permit and Resource Management Department; and performs related duties as required.

Distinguishing Characteristics

This position serves as the department head for the Permit and Resource Management Department. Work involves responsibility for the effective operation of the department through the establishment of performance goals and objectives. Supervision is received through conferences and meetings with the Board of Supervisors and the County Administrator where department goals and objectives are discussed and agreed upon. The incumbent is expected to use personal initiative and judgement to carry out department objectives. This job class is not within the classified civil service under the provisions of Section 5 (p) of the County of Sonoma Civil Service Ordinance No. 305A as amended. The incumbent serves at the will of the Board of Supervisors and is required to enter into an "at will" employment contract.

Typical Duties

Provides leadership and administrative program policy direction; sets departmental priorities; evaluates performance of subordinate managers; conducts meetings and conferences with department staff; advises the Board of Supervisors regularly of development services issues; ensures emphasis on quality service to clients.

Develops and recommends organizational or system changes, as necessary, to maintain client-focused services; refines management structure with particular attention to lines of communication, decision making, and accountability; develops and implements administrative policies and procedures for the department; proposes changes in position classifications; ensures training and/or retraining programs for staff; interviews and selects top management staff; ensures the maintenance of personnel evaluation systems; communicates with union representatives and participants in labor relations activities; promotes a safe working environment; enforces policies against sexual harassment.

Determines departmental budget priorities, prepares and justifies program and budget recommendations to the County Administrator and the Board of Supervisors; ensures that budget expenditures are properly controlled; directs the preparation and control of the department budget.

Establishes and evaluates monitoring and evaluation systems to ensure delivery of client-focused services.

Knowledge and Abilities

Considerable knowledge of: modern personnel and financial administration and management practices to effectively plan, organize and direct the department; County government, and of other governmental agencies which have a relationship with County government; client-focused service delivery systems.

General knowledge of: the principles, methods and techniques of code and regulation development and adoption relating to development service functions; the legal mandates of code enforcement programs; the administration of building, fire, construction, public health, planning and related laws, codes, ordinances and the methods of review and inspection to ensure compliance.

Ability to: manage a multi-discipline, fully integrated, customer-oriented service delivery "system"; plan, organize and coordinate the activities of highly specialized and professional employees; delegate, supervise and follow-up on assigned work; provide professional consultation, assistance and leadership; analyze and review staff reports and recommendations, and give constructive criticism; work under pressure, establish priorities, and meet deadlines; deal tactfully, convincingly and effectively with department personnel, government officials, representatives of specific interest groups and the general public; provide effective leadership in the development of new or improved procedures, rules, regulations and policies; advise citizen groups and various boards and commissions orally and in writing concerning specific programs and projects; effectively assemble, organize and present in written and/or oral form, reports containing alternative solutions and recommendations regarding specific resources, plans and policies. Demonstrate ability to work with, and appropriately and effectively utilize resource support departments/services including computer services, personnel, legal counsel, accounting/auditor, risk management, and other staff services.

Minimum Qualifications

Education: Any combination of education and/or training that would provide an opportunity to acquire the knowledge and abilities listed herein. Normally, possession of a baccalaureate degree from an accredited college or university with academic course work in public or business administration, planning, geography, architecture, landscape architecture, economics, environmental studies, structural, mechanical, or civil engineering, or closely related courses would provide such opportunity.

Experience: Any combination of experience which would provide the opportunity to acquire the knowledge and abilities listed herein. Five years of increasingly responsible management experience in the development services or related administrative management functions would provide such opportunity.

Desirable Qualifications: Graduate coursework in planning, engineering, business and/or public administration is highly desirable.

License: Possession of a valid driver's license at the appropriate level including special endorsements, as required by the State of California, may be required depending upon assignment to perform the essential job functions of the position.

EXHIBIT B to Personal Services Agreement with J.T. Wick
Termination and Administrative Leave Provisions

1. As provided in the Personal Services Agreement, to which this Exhibit B is attached and incorporated, COUNTY may terminate EMPLOYEE's employment with cause.

2. Termination without cause:

Severance. Termination of EMPLOYEE's employment without cause may be effected by the COUNTY giving sixty (60) days' prior written notice to EMPLOYEE. Upon such termination, EMPLOYEE shall be entitled to additional salary, and any other compensation allowed under the County of Sonoma Salary Resolution, equal to that which would accrue during ninety (90) calendar days following termination and to be computed by the COUNTY Auditor-Controller at the rate applicable on the day of termination plus the cash equivalent of all accumulated vacation as of the day of termination. In addition to the foregoing, EMPLOYEE shall also be entitled to be compensated for any floating holiday balance or any other compensation or benefits as allowed by the Sonoma County Salary Resolution, as it may be amended from time to time. EMPLOYEE's health benefits and the COUNTY's portion of the premium contribution shall continue to remain in effect for a period of ninety (90) calendar days from date of termination. EMPLOYEE's acceptance of said severance pay shall constitute a final settlement and satisfaction of all claims of EMPLOYEE against the COUNTY arising out of his employment.

2. Termination with cause:

COUNTY may terminate EMPLOYEE's employment for just cause at any time by giving notice of employment discrepancies and an opportunity to respond to such discrepancies prior to termination. Notice is accomplished by COUNTY depositing a written notice in the United States mail that is addressed to EMPLOYEE at EMPLOYEE's last known address. After termination for just cause has been affected, EMPLOYEE shall have no further rights under this Agreement or to continued employment with the COUNTY. Just cause shall be related to and limited to those matters of local concern to the Board of Supervisors. Just cause includes those grounds set forth in the Sonoma County Civil Service Rules, Rule 10.3 and may include, but is not limited to, unauthorized absence, conviction of a felony or of any criminal act involving moral turpitude; hostile and discourteous treatment of employees; mismanagement of County funds; conduct which brings discredit to the County; disorderly conduct; incapacity due to mental or physical disability to the extent permitted by law; willful concealment or misrepresentation of material facts in applying for or securing employment; willful disregard of a lawful order from a duly constituted authority; willful disregard of a County or departmental policy and/or laws regarding the confidentiality of records; using, being in possession of, or being under the influence of alcohol, narcotics, intoxicants, drugs, or hallucinatory agents while on County property or in vehicles during working hours or reporting to work under such conditions, or abuse of alcohol or drugs while in County uniform (possession and proper use of drugs prescribed by a licensed physician and appropriate possession of unopened alcoholic beverages are not prohibited by this section); negligence or willful damage to public property or waste or theft of public supplies or equipment; refusal to comply with a proper directive to

undergo a medical examination as issued by an appointing authority; falsification of any records, such as medical forms, time cards or employment applications, or making material dishonest work-related statement to other employees at work or committing perjury; unauthorized use of County vehicles and equipment; conviction of driving under the influence, reckless driving, or hit-and-run driving whether on or off the job, in a County vehicle; unauthorized possession of weapons or explosives on County premises; willful carelessness or violation of safety rules and regulations which jeopardize the safety of others and/or which could result in bodily injury to others or damage to County property; and sexual harassment of or unlawful discrimination against another employee or applicant for employment. Any other just cause not set forth above, must be of similar egregious conduct.

3. Statement of Reasons for Termination.

The COUNTY and EMPLOYEE will, within a reasonable period of time, not to exceed 10 working days, attempt to agree on a mutually acceptable statement as to the reasons for termination. If the parties cannot mutually agree to an acceptable statement of the reasons for termination within the time period set forth above, the Board of Supervisors may, in its sole discretion, publish its reasons for termination. In such event, publication shall consist of filing the reasons with the Clerk of the Board. A copy of the statement shall be made for EMPLOYEE and kept for him in the office of the Board's Clerk. Within ninety (90) days following the announcement of termination, EMPLOYEE may present a written response to the Chair of the Board of Supervisors which will be maintained as a public record. The parties agree that other than as provided above, they will not make any other public statement concerning EMPLOYEE's termination.

4. Administrative Leave.

Upon receiving a specific complaint or charge brought against EMPLOYEE by another person or employee, the Chair of the Board of Supervisors may place EMPLOYEE on administrative leave when, in the sole opinion of the Chair of the Board of Supervisors, EMPLOYEE's temporary removal from office would be in the best interests of COUNTY. The administrative leave will commence on the Chair of the Board of Supervisors' delivery to EMPLOYEE's office of a written notice to that effect. Upon the delivery of the notice to EMPLOYEE's office, performance of EMPLOYEE's job duties under this Agreement are suspended but all other provisions of this Agreement shall remain in full force and effect. COUNTY and EMPLOYEE agree that COUNTY will incur damages, if, during the period of administrative leave, EMPLOYEE performs or attempts to perform any of the duties provided in paragraph 2, or in any other way interferes with the administration or operation of the Permit and Resource Management Department. COUNTY and EMPLOYEE agree that the measurement of these damages would be difficult and speculative and accordingly further agree that if EMPLOYEE performs or attempts to perform any of the duties provided in job specification for the position of Director of Permit and Resource Management Department, or in any other way interferes with the administration or operation of the Department that COUNTY's duties to compensate EMPLOYEE under the Agreement are discharged for each day during which EMPLOYEE engages in such non-cooperation and/or interference. The administrative leave and

the suspension of job duties shall terminate on the Chair's delivery to EMPLOYEE's office of a written notice to that effect.

**Consent Item #15 –
Personal Services Agreement
Director, General Services**

**HAS BEEN PULLED FROM
THE AGENDA**



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 16
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): County Administrator's Office

Staff Name and Phone Number:

Veronica Ferguson, (707) 565-2431

Supervisorial District(s):

All

Title: Personal Services Agreement – Director, Regional Parks

Recommended Actions:

Authorize the Chair to execute a Personal Services Agreement with Caryl Hart as Director of Regional Parks, from November 11, 2013 through November 11, 2016.

Executive Summary:

Attached for the Board's approval is a 3-year Personal Services Agreement with Caryl Hart in the capacity of the Director of Regional Parks.

Prior Board Actions:

Prior personal services agreements have been in place with Ms. Hart for the position of Director of Regional Parks since November 2010.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This position provides management support in order to provide recreational services at the County's Regional Parks and other recreational facilities.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

The Director will be paid at "G" salary step, \$12,807.96 monthly salary. Ongoing annualized salary associated with this position is \$153,695.52 and is incorporated in the FY 13-14 budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Agreement for Personal Services.

Related Items "On File" with the Clerk of the Board:

None.

AGREEMENT FOR PERSONAL SERVICES

DIRECTOR OF REGIONAL PARKS DEPARTMENT

This Agreement is made this 5th day of November 2013 by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "COUNTY") and Caryl Hart (hereinafter called "EMPLOYEE").

WITNESSETH:

WHEREAS, COUNTY and EMPLOYEE entered into a personal services agreement for the position of Director of Regional Parks Department dated October 26, 2010, which agreement will expire on November 11, 2013; and,

WHEREAS, COUNTY and EMPLOYEE are desirous of entering into a new personal services agreement for the position of Director of Regional Parks Department; and

WHEREAS, EMPLOYEE acknowledges that by accepting the position of Director of Regional Parks her position will be in the unclassified service under the Sonoma County Civil Service System;

NOW, THEREFORE, BE IT AGREED by and between the parties as follows:

1. Term of Employment. COUNTY hereby employs EMPLOYEE in the position of Director of Regional Parks Department for a period of three (3) years, commencing on November 11, 2013, and ending on November 11, 2016, subject, however, to termination as herein provided.

2. Duties. EMPLOYEE shall perform the duties of Director of Regional Parks Department as set forth in the County job specification, attached hereto as Exhibit A, as it now provides or may hereafter be amended, and such other duties as may be prescribed by the COUNTY.

3. Compensation.

(a) EMPLOYEE's salary shall be set at the "G" step of the salary range for the position of Director of Regional Parks Department as set forth in the Sonoma County Salary Resolution 95-0926 ("Salary Resolution"). Any provisions of the Salary Resolution regarding merit increases or step advancements, including Sections 7.18 and 7.19, are not applicable or made part of this Agreement. EMPLOYEE may advance in the salary range, if the Board determines that EMPLOYEE is eligible for advancement based upon annual performance evaluations.

(b) Except as herein provided, EMPLOYEE shall be entitled to the same fringe benefits generally available to COUNTY department heads, as specified in the Salary Resolution.

4. Performance review.

The Board of Supervisors shall review EMPLOYEE's performance on an annual basis. If the Board provides EMPLOYEE with a satisfactory or better performance evaluation, EMPLOYEE shall be eligible to advance in the salary range.

5. Expiration and Non-renewal. At the expiration of the term of this Agreement, EMPLOYEE's employment shall automatically terminate, unless otherwise mutually extended by the parties.

6. Termination.

(a) EMPLOYEE may be terminated by the Board of Supervisors with cause as provided in attachment B.

(b) EMPLOYEE may terminate her employment at any time by delivering to the Board of Supervisors her written resignation. Such resignation shall be irrevocable and shall be effective not earlier than sixty (60) calendar days following delivery.

(c) From the date upon which EMPLOYEE either resigns or is notified of the COUNTY's intention to terminate the Agreement until the actual date upon which the resignation, termination or expiration becomes effective, EMPLOYEE shall continue to devote her full time attention and effort to the duties anticipated hereunder and shall perform the same in a professional and competent manner. If requested, EMPLOYEE shall assist COUNTY in orienting EMPLOYEE's replacement and shall perform such tasks as are necessary to effect a smooth transition in the leadership of the COUNTY. These tasks may also include providing information or testimony regarding matters which arose during EMPLOYEE's term as Director of Regional Parks Department.

(d) EMPLOYEE acknowledges, understands and warrants that EMPLOYEE shall have no further right or claim to employment after the expiration of the term of this Agreement. Except as provided herein, no other document, handbook, policy, resolution or oral or written representation shall be effective or construed to be effective to extend the term hereof or otherwise grant EMPLOYEE any right or claim to continued employment with COUNTY.

7. Nonassignability. EMPLOYEE shall not, during the term of this Agreement, make any assignment or delegation of any of its provisions without the prior written consent of COUNTY.

8. Compliance with Law. EMPLOYEE shall, during her employment hereunder, comply with all laws and regulations applicable to such employment. Any act or omission of

EMPLOYEE constituting a public offense involving moral turpitude or a withholding of labor is a material breach of this Agreement relieving COUNTY of any and all obligations hereunder. Such act or omission shall constitute sufficient grounds for EMPLOYEE's termination with cause pursuant to this Agreement.

9. Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Section 1856 of the Code of Civil Procedure. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

10. No Representations or Warranties on Tax or Retirement Issues. EMPLOYEE acknowledges and agrees that the COUNTY has not made any representations or warranties regarding tax consequences or retirement compensation pertaining to her salary and benefits. EMPLOYEE further acknowledges and agrees that the Sonoma County Employees' Retirement Association ("SCERA") makes the final determination on what is deemed "final compensation" for purposes of calculating retirement benefits.

11. Conflict of Interest. EMPLOYEE covenants that she presently has no interest and will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of her duties required under this Agreement. EMPLOYEE shall comply with all state and local conflict of interest laws or policies, including, but not limited to, Government Code section 1090, the Political Reform Act and requirements promulgated by the Fair Political Practices Committee, the County's policies on incompatible offices and conflicts of interest, and any Departmental policies on conflicts of interest. EMPLOYEE shall also complete and file a "Statement of Economic Interest" with the County, disclosing EMPLOYEE's financial interests, as required by the County's Conflict of Interest Code.

ATTEST:

COUNTY OF SONOMA

Clerk of the Board

By _____
Chair, Board of Supervisors

EMPLOYEE

Caryl Hart

EXHIBIT A to Personal Services Agreement with Caryl Hart

(Director of Regional Parks Department)

County of Sonoma
CAT NO. 1 JGRP NO. VI

1270
Established: 9/66
Revised: 9/75; 2/81

DIRECTOR OF REGIONAL PARKS

Definition

Under general policy direction of the Board of Supervisors, plans, organizes and directs the location, acquisition development, maintenance and operation of county regional parks; directs the scheduling and conducting of events and maintenance of public assembly facilities; and performs related duties as required.

Distinguishing Characteristics

This single position class serves as the department head for the Department of Regional Parks. The incumbent is responsible for the overall administrative management of departmental personnel, financial administration, program activities, and procedural and policy issues as they relate to the operation of parks and public assembly facilities. Work is performed with a maximum amount of independence with- in established policies and procedures set forth by the Board of Supervisors, the county administration and other relevant laws, ordinances and regulations.

Typical Duties

Advises the Board of Supervisors on all policy and administrative matters pertaining to the Department of Regional Parks, such as programs of park location, land acquisition, development, maintenance and operation and public assembly facility development; determines availability of possible park location and recommends to the Board of Supervisors the most effective methods of financing land acquisition and development.

Determines ongoing physical and financial needs for park areas and facilities, and develops plans and programs to meet those needs; prepares detailed graphic and written plans, exhibits, descriptions and other materials to portray and explain specific phases of Regional Park and public assembly facility programs.

Develops standards and policies for land acquisition and operation of park areas and programs; negotiates and administers contracts for development and operation of park facilities, services and concessions.

Plans, organizes and initiates applications for federal, state and/or private agency grant-in-aid funds.

Directs the construction, maintenance and operation of park areas and facilities; consults with other county departments and public agencies concerning park planning, development and operation, coordination of programs, joint use of property, and the design and construction of facilities.

Plans and directs the selection, training, supervision, and evaluation of employees. Participates as a member of various committees independently and/or when requested by the Board of Supervisors.

Confers and advises with citizen groups, advisory bodies and others concerned with departmental programs and activities; represents the County and speaks before public bodies, groups, organizations and the public on matters pertaining to regional park programs and activities.

Knowledge And Ability

Extensive knowledge of: the principles of regional park and recreational land use location, acquisition, planning, design, development, maintenance and operation, and custodial care and general maintenance of public assembly facilities; park management practices, natural resources and park facilities necessary for the location, acquisition, development, maintenance and operation of park areas; federal and state laws and regulations relating to local parks and public assembly facilities.

Considerable knowledge of: modern personnel and financial administration, and management practices and procedures required to effectively plan, organize and direct a regional park department, including public assembly facilities.

Working knowledge of: public purchasing and requisition practices and procedures.

Ability to: plan and direct the acquisition, development, maintenance and operation of park areas; plan, direct and coordinate the work of personnel engaged in park planning, design, maintenance and operations, and custodial care and operational management of public assembly facilities; deal tactfully, convincingly and effectively with department personnel, government officials, representatives of specific interest groups, and the general public; develop and update departmental rules, regulations and policies; read and interpret construction and design drawings; effectively assemble, organize and present in written and/or oral forms, reports containing alternative solutions and recommendations regarding specific resources, plans and policies.

Minimum Qualifications

Education: Recent academic course work which directly relates to the knowledge and abilities listed. Normally, these courses would include planning, public administration, park management, forestry and/or natural resources.

Experience: Extensive professional administrative experience which would provide an opportunity to acquire the knowledge and abilities listed. Normally, five years of professional experience directing park and public assembly facilities and activities, including two years in an administrative or supervisory capacity would provide such opportunity.

License: Possession of a valid driver's license at the appropriate level including special endorsements, as required by the State of California, may be required depending upon assignment to perform the essential job functions of the position.

EXHIBIT B to Personal Services Agreement with Caryl Hart
Termination and Administrative Leave Provisions

1. As provided in the Personal Services Agreement, to which this Exhibit B is attached and incorporated, COUNTY may terminate EMPLOYEE's employment with cause.

2. Termination without cause:

Severance. Termination of EMPLOYEE's employment without cause may be effected by the COUNTY giving sixty (60) days' prior written notice to EMPLOYEE. Upon such termination, EMPLOYEE shall be entitled to additional salary, and any other compensation allowed under the County of Sonoma Salary Resolution, equal to that which would accrue during ninety (90) calendar days following termination and to be computed by the COUNTY Auditor-Controller at the rate applicable on the day of termination plus the cash equivalent of all accumulated vacation as of the day of termination. In addition to the foregoing, EMPLOYEE shall also be entitled to be compensated for any floating holiday balance or any other compensation or benefits as allowed by the Sonoma County Salary Resolution, as it may be amended from time to time. EMPLOYEE's health benefits and the COUNTY's portion of the premium contribution shall continue to remain in effect for a period of ninety (90) calendar days from date of termination. EMPLOYEE's acceptance of said severance pay shall constitute a final settlement and satisfaction of all claims of EMPLOYEE against the COUNTY arising out of her employment.

3. Termination with cause:

COUNTY may terminate EMPLOYEE's employment for just cause at any time by giving notice of employment discrepancies and an opportunity to respond to such discrepancies prior to termination. Notice is accomplished by COUNTY depositing a written notice in the United States mail that is addressed to EMPLOYEE at EMPLOYEE's last known address. After termination for just cause has been affected, EMPLOYEE shall have no further rights under this Agreement or to continued employment with the COUNTY. Just cause shall be related to and limited to those matters of local concern to the Board of Supervisors. Just cause includes those grounds set forth in the Sonoma County Civil Service Rules, Rule 10.3 and may include, but is not limited to, unauthorized absence, conviction of a felony or of any criminal act involving moral turpitude; hostile and discourteous treatment of employees; mismanagement of County funds; conduct which brings discredit to the County; disorderly conduct; incapacity due to mental or physical disability to the extent permitted by law; willful concealment or misrepresentation of material facts in applying for or securing employment; willful disregard of a lawful order from a duly constituted authority; willful disregard of a County or departmental policy and/or laws regarding the confidentiality of records; using, being in possession of, or being under the influence of alcohol, narcotics, intoxicants, drugs, or hallucinatory agents while on County property or in vehicles during working hours or reporting to work under such conditions, or abuse of alcohol or drugs while in County uniform (possession and proper use of drugs prescribed by a licensed physician and appropriate possession of unopened alcoholic beverages are not prohibited by this section); negligence or willful damage to public property or waste or theft of public supplies or equipment; refusal to comply with a proper directive to

undergo a medical examination as issued by an appointing authority; falsification of any records, such as medical forms, time cards or employment applications, or making material dishonest work-related statement to other employees at work or committing perjury; unauthorized use of County vehicles and equipment; conviction of driving under the influence, reckless driving, or hit-and-run driving whether on or off the job, in a County vehicle; unauthorized possession of weapons or explosives on County premises; willful carelessness or violation of safety rules and regulations which jeopardize the safety of others and/or which could result in bodily injury to others or damage to County property; and sexual harassment of or unlawful discrimination against another employee or applicant for employment. Any other just cause not set forth above, must be of similar egregious conduct.

4. Statement of Reasons for Termination.

The COUNTY and EMPLOYEE will, within a reasonable period of time, not to exceed 10 working days, attempt to agree on a mutually acceptable statement as to the reasons for termination. If the parties cannot mutually agree to an acceptable statement of the reasons for termination within the time period set forth above, the Board of Supervisors may, in its sole discretion, publish its reasons for termination. In such event, publication shall consist of filing the reasons with the Clerk of the Board. A copy of the statement shall be made for EMPLOYEE and kept for him in the office of the Board's Clerk. Within ninety (90) days following the announcement of termination, EMPLOYEE may present a written response to the Chair of the Board of Supervisors which will be maintained as a public record. The parties agree that other than as provided above, they will not make any other public statement concerning EMPLOYEE's termination.

5. Administrative Leave.

Upon receiving a specific complaint or charge brought against EMPLOYEE by another person or employee, the Chair of the Board of Supervisors may place EMPLOYEE on administrative leave when, in the sole opinion of the Chair of the Board of Supervisors, EMPLOYEE's temporary removal from office would be in the best interests of COUNTY. The administrative leave will commence on the Chair of the Board of Supervisors' delivery to EMPLOYEE's office of a written notice to that effect. Upon the delivery of the notice to EMPLOYEE's office, performance of EMPLOYEE's job duties under this Agreement are suspended but all other provisions of this Agreement shall remain in full force and effect. COUNTY and EMPLOYEE agree that COUNTY will incur damages, if, during the period of administrative leave, EMPLOYEE performs or attempts to perform any of the duties provided in paragraph 2, or in any other way interferes with the administration or operation of the Regional Parks Department. COUNTY and EMPLOYEE agree that the measurement of these damages would be difficult and speculative and accordingly further agree that if EMPLOYEE performs or attempts to perform any of the duties provided in job specification for the position of Director of Regional Parks Department, or in any other way interferes with the administration or operation of the Department that COUNTY's duties to compensate EMPLOYEE under the Agreement are discharged for each day during which EMPLOYEE engages in such non-cooperation and/or interference. The administrative leave and the suspension of job duties shall terminate on the Chair's delivery to EMPLOYEE's office of a written notice to that effect.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 17
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): District Attorney

Staff Name and Phone Number:

Cindy Williams, 565-2818

Supervisorial District(s):

1,2,3,4,5

Title: Federal Equitable Sharing Agreement and Certification

Recommended Actions:

Resolution to authorize the Chairperson of the Board of Supervisors to execute a Federal Equitable Sharing Agreement and Certification with the U.S. Department of Justice and the U.S. Department of Treasury for Fiscal Year 2012/2013.

Executive Summary:

The Comprehensive Crime Control Act of 1984 authorized the sharing of federal forfeiture proceeds with state and local law enforcement agencies which work with federal agencies to enforce federal criminal laws.

To obtain such proceeds, the state or local agency must sign an Equitable Sharing Agreement and certify that the forfeited proceeds received are allocated as required by federal statutes and regulations established by the U.S. Department of the Treasury and the U.S. Department of Justice. Because anticipated property or the completion of forfeiture is not certain, regulations prevent the budgeting of forfeiture revenue. Partner agencies are required to know the amount of money that has been collected before they can authorize the Equitable Sharing Agreement. Therefore, the Equitable Sharing Agreement and Certification Report is produced after the fiscal year close in order to include the ending fund balances. Thus, the requested Board action is for approval of the Equitable Sharing Agreement and Certification Report for Fiscal Year 2012-2013.

In order to receive a share of the proceeds, the District Attorney is required to submit a request to the appropriate federal agency at the time assets are seized. At the conclusion of the case, the federal agency determines the percentage the District Attorney will receive, and transfers the money to the County of Sonoma.

The Comprehensive Crime Control Act of 1984 requires that forfeited funds or property must be kept separate from state or other forfeitures, that a federal Equitable Sharing Agreement and Certification be

filed annually with both agencies, that a record shall be maintained of the funds or property and any expenditure, and that funds exceeding \$100,000 shall be audited annually.

The District Attorney maintains these funds in two separate Special Revenue Funds: (1) The District Attorney Asset Forfeiture-Justice Special Revenue Fund received \$2,516.39 in asset forfeiture funds resulting from several local narcotics related asset forfeiture cases being adopted by the Drug Enforcement Administration, and \$76.13 in interest for FY 12-13. The Fund balance as of Fiscal Year 2012-2013 year-end is \$17,809.81; (2) the District Attorney Asset Forfeiture - Treasury Special Revenue Fund received no (\$0.00) asset forfeiture funds from cases generated by the Bank Secrecy Act Task Force chaired by the IRS, and \$22.78 in interest for Fiscal Year 2012-2013. The Fund balance at the close of Fiscal Year 2012-2013 is \$2,934.45.

Equitable Sharing funds do not require matching revenue, but allowable activities for these funds is reserved specifically for law enforcement activities. Specifically, the permissible uses for these funds are provided in "The Guide to Equitable Sharing for Local and State Agencies," (the Guide) a publication of the US Department of Justice, Asset Forfeiture and Money Laundering Section. For the Fiscal Year 2013-2014, the District Attorney will utilize a total of \$20,743 (\$17,809 from Justice Special Revenue Fund and \$2,934 from Treasury Special Revenue Fund) to pay for DA Investigator overtime and for DA Law Enforcement training, both of which are allowable under the Guide.

An audit requirement is triggered if the balance of either fund exceeds \$100,000; the District Attorney's Office will work with the Auditor/Controller to ensure that any required audit is conducted.

Prior Board Actions:

Resolutions dating from Fiscal Year 1999-2000 through Fiscal Year 2011-2012.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Funds from this grant will be utilized to support District Attorney investigations and to support law enforcement training, enhancing public safety efforts that may result in furthering the effort to remove tools of crime from criminal organizations, to deprive wrongdoers of the proceeds of their crime, and to deter crime.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 20,743	County General Fund	\$ 0
Add Appropriations Req'd.	\$	State/Federal	\$ 20,743
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 20,743	Total Sources	\$ 20,743

Narrative Explanation of Fiscal Impacts (If Required):

Funds are budgeted to support DA investigator overtime and DA law enforcement training, activities allowed per "The Guide to Equitable Sharing for Local and State Agencies" (US Department of Justice).

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

(1) Resolution

Related Items "On File" with the Clerk of the Board:

(1) Equitable Sharing Agreement and Certification



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Authorizing the Chairperson of the Board of Supervisors to Execute a Federal Equitable
Sharing Agreement and Certification with the U.S. Department of Justice and the U.S.
Department of the Treasury for Fiscal Year 2012-2013.**

Whereas, The U.S. Department of Justice and the U.S. Department of the Treasury have mandated requirements concerning the sharing of federal forfeiture proceeds; and

Whereas, those requirements include the submission of an Equitable Sharing Agreement and an Annual Certification Report; and

Whereas, execution of said Report is recommended by the Sonoma County District Attorney for approval by the Board of Supervisors.

Now, Therefore, Be It Resolved by the Board of Supervisors of Sonoma County, that said Report with the U.S. Department of Justice and the U.S. Department of the Treasury is hereby approved;

Be It Further Resolved that the Chairperson of this Board, be and is hereby authorized and directed to execute the same for and on behalf of the County of Sonoma.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 18
(This Section for use by Clerk of the Board Only.)

To: County of Sonoma Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): District Attorney

Staff Name and Phone Number:

Cindy Williams, 565-2818

Supervisorial District(s):

1,2,3,4,5

Title: District Attorney

Recommended Actions:

Authorize District Attorney to sign contract with the California Office of Emergency Services to provide a Violence Against Women Vertical Prosecution program and accept \$215,488 in grant funding for the term July 1, 2013, to June 30, 2014.

Executive Summary:

State of California Office of Emergency Services: Violence Against Women Vertical Prosecution
Grant Funds Awarded: \$215,488

The Office of Emergency Services awarded a one-year year Violence Against Women Vertical Prosecution grant in the amount of \$215,488 to the Sonoma County District Attorney's Office for the term July 1, 2013, to June 30, 2014. The purpose of the grant is to foster the Vertical Prosecution model endorsed by the Office of Violence Against Women, which provides the State Formula Grants to the California Office of Emergency Services in support of this program. With this funding, the District Attorney's Office, with resources leveraged by the Family Justice Center, has established a true vertical prosecution and victim advocate program for a specialty caseload involving serious felony domestic violence and sexual assault crimes. A team involving a senior deputy District Attorney, a District Attorney Investigator, and a bilingual Victim Witness Advocate is co-located at the Family Justice Center to receive and handle each referral to specialty caseload from case inception to conclusion. The vertical prosecution model promises to yield better victim service, intake, referral, and court service outcomes for victims, and will provide a higher level of coordination between law enforcement agencies and prosecution staff.

Grant funding will be used toward the existing salaries and benefits for a Deputy District Attorney (DDA III) and a Victim Witness Advocate (VWA II) position. The 25% match required for grant funding will be provided with General Fund dollars through the District Attorney's budget and staff allocation and with

resources already provided through the Family Justice Center. Additional revenue not already budgeted, General Fund or otherwise, will not be required to meet the matching requirement. Budgetary adjustment is required to appropriate funds for this new program to the County of Sonoma. California Office of Emergency Services intends the Violence Against Women Vertical Prosecution program to be a three-year effort, and expects to extend Sonoma County's program on a year-by-year contractual basis for this and the subsequent two fiscal years.

Prior Board Actions:

None- CalOES program is a new grant for the District Attorney's Office

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Funds from the Violence Against Women Vertical Prosecution Program will provide a system of enhanced victim advocacy, and referral services for victims of domestic violence and sexual assault. Law enforcement and prosecution staff will also be provided improved resources to investigate crime, prosecute cases, and bring criminals to justice.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 0
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 0	Total Sources	\$ 0

Narrative Explanation of Fiscal Impacts (If Required):

Funds will be appropriated in Consolidated Budget Adjustment.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
N/A			

Narrative Explanation of Staffing Impacts (If Required):
Staff funded by these grant sources are already included in the District Attorney departmental allocation.
Attachments:
None
Related Items "On File" with the Clerk of the Board:
None



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 19
(This Section for use by Clerk of the Board Only.)

To: County of Sonoma Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: 4/5

Department or Agency Name(s): District Attorney

Staff Name and Phone Number:

Cindy Williams, 565-2818

Supervisorial District(s):

1,2,3,4,5

Title: Office on Violence Against Women Grants to Encourage Arrest Policies

Recommended Actions:

Authorize the Chairperson of the Board to retroactively execute Agreements for Professional Services with YWCA of Sonoma County, Legal Aid of Sonoma County, Verity, Council on Aging, and Catholic Charities, for the term of October 1, 2013 through August 31, 2016. The total amount of these agreements is \$268,017.64.

Approve Resolution to appropriate \$107,953.57 to the FY 2013-2014 budget to contract services with the non-profit agencies at the Family Justice Center Sonoma County (4/5 vote).

Executive Summary:

In January 2010, the Board authorized the District Attorney to accept a grant from the Office on Violence Against Women, United States Department of Justice (OVW) for the purpose of establishing a Family Justice Center in Sonoma County. The District Attorney, on behalf of a broad group of stakeholders representing law enforcement, county, and community based organizations, worked diligently towards making the Family Justice Center Sonoma County (FJCSC) a reality, in order to co-locate critical services under one roof and provide for a single point of access for comprehensive services for family violence victims.

With an additional award from the OVW in Federal Fiscal Year 2011, the Board approved Amendments to the Agreements on December 6, 2011, to continue these services through September 2013, the end of the previous grant term.

On October 1, 2013, the Family Justice Center Sonoma County received notice of being awarded a new \$300,000 grant from the OVW to continue to fund services at the FJCSC. The District Attorney's Office has managed the contracts with due diligence, and FJCSC partners have collaborated with County to maintain services after the conclusion of the previous grant and contract term. Unfortunately, late

notification of award presents a timing issue to produce this request to secure necessary Board Approval. Therefore, to avoid an interruption in services, approval of the contracts is requested retroactive to October 1.

Moneys from the current OVW 2013 grant will be used to purchase contract advocate hours from the YWCA of Sonoma County, Legal Aid of Sonoma County, Verity, Council on Aging, and Catholic Charities:

YWCA of Sonoma County – total contract amount is \$94,085.76; to be utilized to support funding for one navigator and one domestic violence advocate.

Legal Aid of Sonoma County – total contract amount is \$43,482.97; to be utilized to support funding for one legal advocate.

Verity – total contract amount is \$43,482.97; to be utilized to support funding for one sexual assault advocate.

Council on Aging – total contract amount is \$43,482.97; to be utilized to support funding for one elder abuse advocate.

Catholic Charities – total contract amount is \$43,482.97; to be utilized to support funding for one immigration advocate.

The remaining amount of \$31,982.36 will be utilized to purchase: office supplies, telephone/communications costs, data/internet costs, and victim support services costs over the three-year grant term.

Matching funds are not required for this grant award.

Prior Board Actions:

June 2010 – the Board approved contracts with YWCA of Sonoma County, Legal Aid, Verity, Council on Aging, and Catholic Charities for services to be provided for the Family Justice Center Sonoma County.
July 2011 – the Board authorized contracts with YWCA of Sonoma County, Legal Aid, Verity, Council on Aging, and Catholic Charities to continue to deliver services at the Family Justice Center Sonoma County.
January 2012 – the Board amended contracts with YWCA of Sonoma County, Legal Aid, Verity, Council on Aging, and Catholic Charities to extend the term of the contracts until September 30, 2013.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 107,953.57	County General Fund	\$ 0
Add Appropriations Req'd.	\$	State/Federal	\$ 107,953.57
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 107,953.57	Total Sources	\$ 107,953.57

Narrative Explanation of Fiscal Impacts (If Required):

\$285,000 dollars was provided from OVW Grants to Encourage Arrest Policies, of which \$268,017.64 is to be utilized to fund advocate positions. \$107,953.57 is to be appropriated for FY 13/14.

The remaining grant funds will be appropriated as follows: FY14/15 = \$134,297.62, FY15/16 = \$36,730.44, FY16/17 = \$6,018.35.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

None

Related Items "On File" with the Clerk of the Board:

5 Agreements of Professional Services



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Authorizing Budgetary Adjustments To The 2013-14 Final Budget For The District Attorney –
Family Justice Center, In The Amount Of \$107,953.57**

Whereas, the Board of Supervisors has adopted a Final Budget for the District Attorney;
and

Whereas, the Government Code allows for adjustments to the Final Budget during the
2013-14 Fiscal Year;

Now, Therefore, Be It Resolved that the County Auditor-Controller is hereby authorized
and directed to make the following budgetary adjustments:

Financing Uses

Special Revenue Fund: District Attorney – Family Justice Center
203 042804-6500 Professional/Special Services \$107,953.57

Financing Sources

002 Special Revenue Fund: District Attorney – Family Justice Center
042804-2857 Fed – OJP-OVW \$107,953.57

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 20
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: November 5, 2012

Vote Requirement: Majority

Department or Agency Name(s): General Services / Health Services

Staff Name and Phone Number:

Ed Buonaccorsi, General Services, 707-565-3193
Rita Scardaci, Health Services, 707-565-7876

Supervisorial District(s):

Title: New Lease for 490 Mendocino Avenue

Recommended Actions:

Authorize the General Services Director to execute a lease with 490 Mendocino T.I.C. (Landlord), comprised of approximately 9,605 sq. ft. of office space in Suites 101, 102, 103, at 490 Mendocino Avenue, Santa Rosa, California, for the Department of Health Services for an initial rate of \$1.87 per sq. ft. per month (approximately \$17,961 per month, or \$215,536 per year), which is subject to adjustment as more particularly described in said lease, for an initial five-year term, with three, 3-year extension options.

Executive Summary:

Use of Proposed Lease Space. Department of Health Services (DHS) currently rents 11,547 sq. ft., at the 490 Mendocino Avenue location. The proposed lease will add 9,605 sq. ft., for a total DHS leased space of 21,152 sq. ft. Please see the attached floor plan/diagram, Attachment 1. The additional office space will house 45 staff and enable the relocation and expansion of key DHS functions at the 490 Mendocino Avenue location, providing additional space capacity for departmental staff from the Public Health Division, Health Policy, Planning Division, Behavioral Health Division, and DHS Administrative Services Unit, as well as currently anticipated expansion associated with the Affordable Care Act (ACA) and other initiatives. Adequate space for the additional DHS staff does not currently exist within existing leased or County owned space. Health Services staff, General Services staff and the Gensler Group are working collaborative to ensure that the new leased space will maximize collaboration, efficiency, and work synergies between divisional staff currently located in separate facilities and provide much needed meeting space to support DHS's community outreach efforts.

New Lease Terms. According to the terms of the proposed lease, the occupancy date would occur on or about December 1, 2013, after tenant improvements are completed. Most of the tenant improvements needed are minor (i.e., removal of 2 closets and repair/replacement of floor and ceiling; installing single door in Suite 101; removal of pony walls at reception area and repair/replacement of flooring), except

for the installation of a single, unisex shower and changing room in Suite 103; and relocation of the kitchenette. Tenant improvements will be completed by the Landlord at Landlord's sole cost and expense.

The lease term is five years, with three 3-year options to extend the lease term. The base rent is \$1.87 per sq. ft. (psf) full service. Based upon examination of current market rates provided through CoStar, available broker listings and other recently completed executed lease agreements, the proposed rental rate approximates market value. Included in the \$1.87 psf rental rate is the provision of 30 parking permits. For the five-year initial term and option terms, the base rent would be adjusted by 3% psf annually. The County has the right to cancel the lease for non-appropriation of funds or for any reason, upon 90 days' notice and payment of a lease termination fee. Please see Attachment 2 for a summary of the proposed lease terms.

Long Term Health Services Space Needs and County Comprehensive Facilities Plan. The County Comprehensive Facility Plan (CCFP) examined Health Services programs and clients for the purpose of determining the optimum synergy between program location and the delivery of program services. Based on this analysis the CCFP recommends an integrated service delivery model that consists of the consolidation and centralization of key DHS core functions at the County Administration Center (CAC) coupled with the utilization of outlying service delivery centers. This integrated strategy balances the accessibility of services for clients with optimizing the ability to leverage program resources to maximize efficiencies. Based on this strategy, Facilities Development & Management Division and DHS staffs have evaluated the proposed lease space expansion at 490 Mendocino and determined that the services provided by the DHS programs currently or proposed to be located within this space are in alignment with the consolidation and centralization concept proposed in the CCFP. This evaluation has been supported and confirmed by the DHS space consultant currently engaged by DHS to assist with efforts to meet the dynamic and expanding health services space needs.

Though the CCFP recommends that the DHS programs affected by the proposed lease can best be delivered if located at the CAC, sufficient and adequate space to effect the relocation of these programs to the CAC is currently not available. Therefore staff has determined that the use of lease space is the most viable interim option to meet current DHS space needs. The proposed lease space expansion will, however, allow for the consolidation and centralization of the affected DHS resources and functions at 490 Mendocino Avenue, in line with the space utilization strategy in the CCFP. This consolidation would eventually be replicated in a "lift and place" exercise to the centralized DHS facility envisioned under the CCFP. During the interim period, DHS will be positioned to implement a consolidated program and services environment which will provide clients with improved accessibility to program services.

Funding. The one-time and ongoing lease expense will be managed within available Health Realignment funding.

Recommendations. Staff recommends that the Board authorize the General Services Director to execute a lease with 490 Mendocino T.I.C. (Landlord), comprised of approximately 9,605 sq. ft. of office space in Suites 101, 102, 103, at 490 Mendocino Avenue, Santa Rosa, California, for the Department of Health Services for an initial rate of \$1.87 per sq. ft. per month (approximately \$17,961 per month, or \$215,536 per year), which is subject to adjustment as more particularly described in said lease, for an

initial five-year term, with three, 3-year extension options.

Prior Board Actions:

10-08-13 – Authorized the Clerk of the Board to publish a notice, declaring the Board’s intention to execute the subject lease

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The proposed lease will promote continuity in the delivery of needed services from a centrally located office that is convenient and familiar to the clientele.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 451,327		\$
Add Appropriations Req'd.	\$ 0	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$ 451,327
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 451,327	Total Sources	\$ 451,327

Narrative Explanation of Fiscal Impacts (If Required):

The commencement date for the proposed lease is anticipated to be approximately December 1, 2013. The figure above is based on the rental cost for Fiscal Year 13-14 as follows: \$17,961 per month X 7 months = \$125,727 (approx.). In addition, there is also a one-time furniture, fixture, equipment, network infrastructure cost of \$325,600. The total first-year capital and operating cost of \$451,327 and associated funding will be included in the first quarter Consolidated Budget Adjustment process. The rent will be subject to 3% annual increase, and the budgeted lease amount will be included in the department annual budget.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

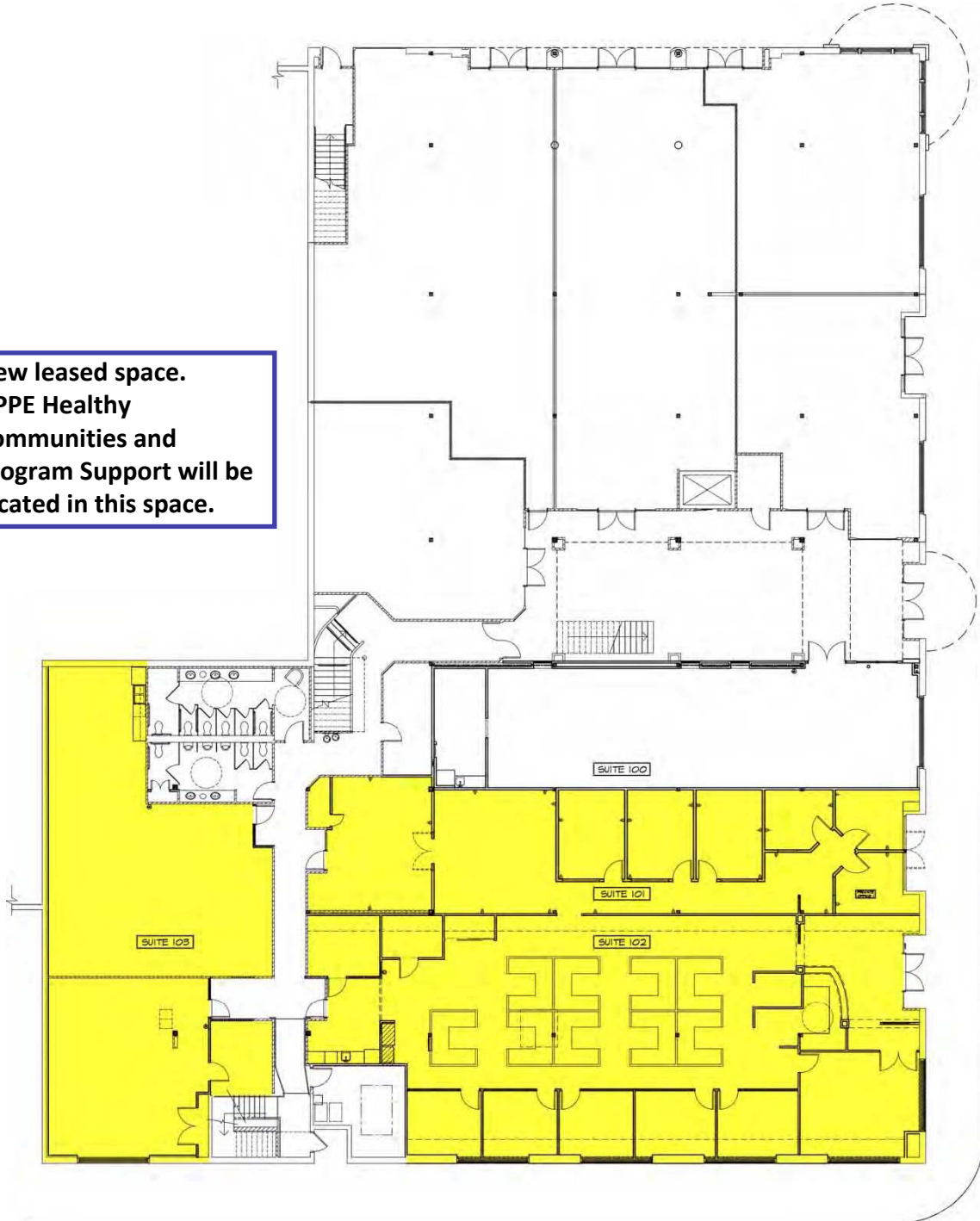
Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:
Diagram; lease terms
Related Items "On File" with the Clerk of the Board:
Copy of proposed lease

Attachment 1 - Page 1

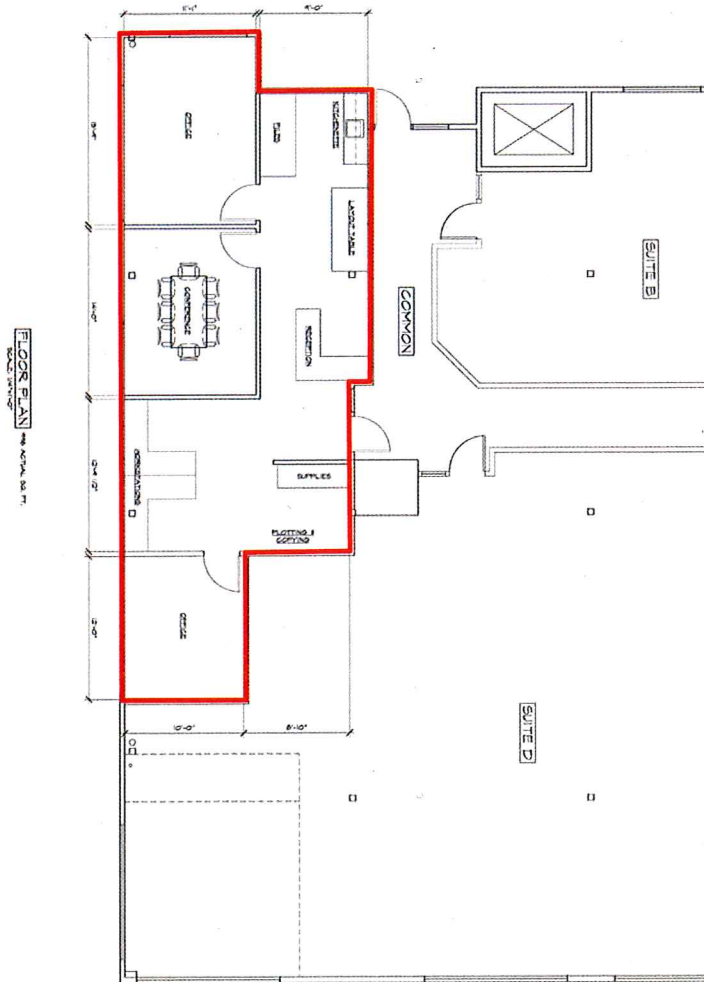
**New leased space.
HPPE Healthy
Communities and
Program Support will be
located in this space.**



490 Mendocino Avenue, Santa Rosa
Suites 101, 102, and 103

Attachment 1 - Page 2

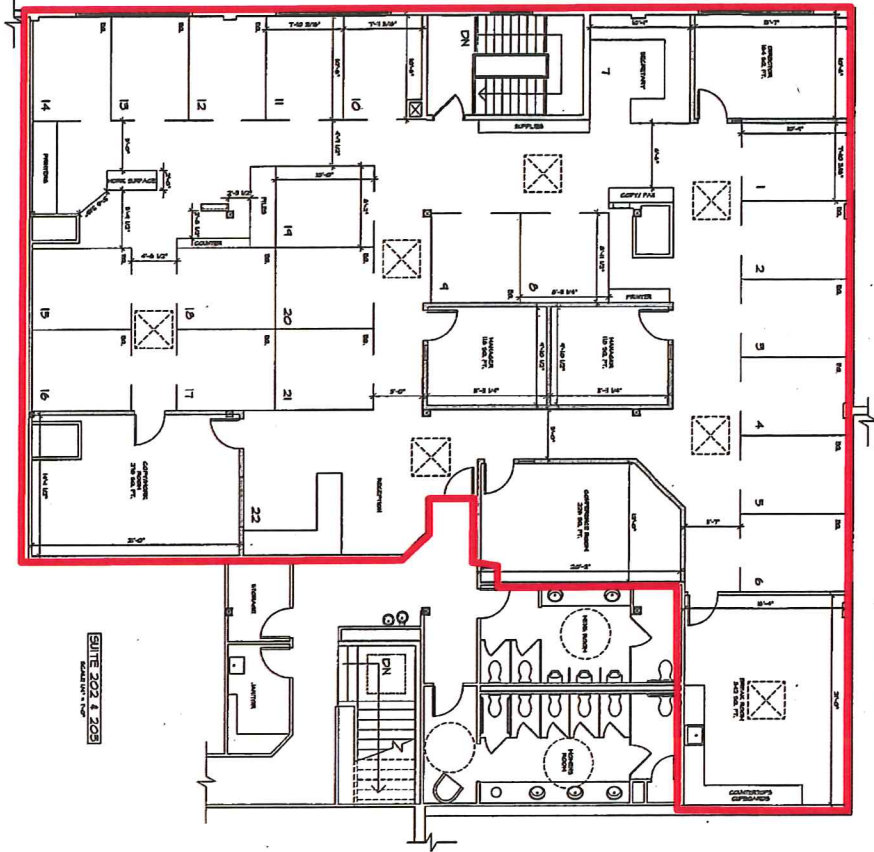
Current leased space.
This space is currently occupied by HPPE
Program Support. Current occupants will
move to new leased space.



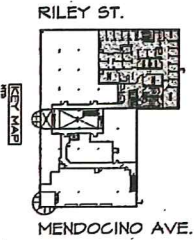
Premises outlined in red

Attachment 1 - Page 3

RILEY ST.



SUITE 202 & 205
TOTAL AREA: 11,100

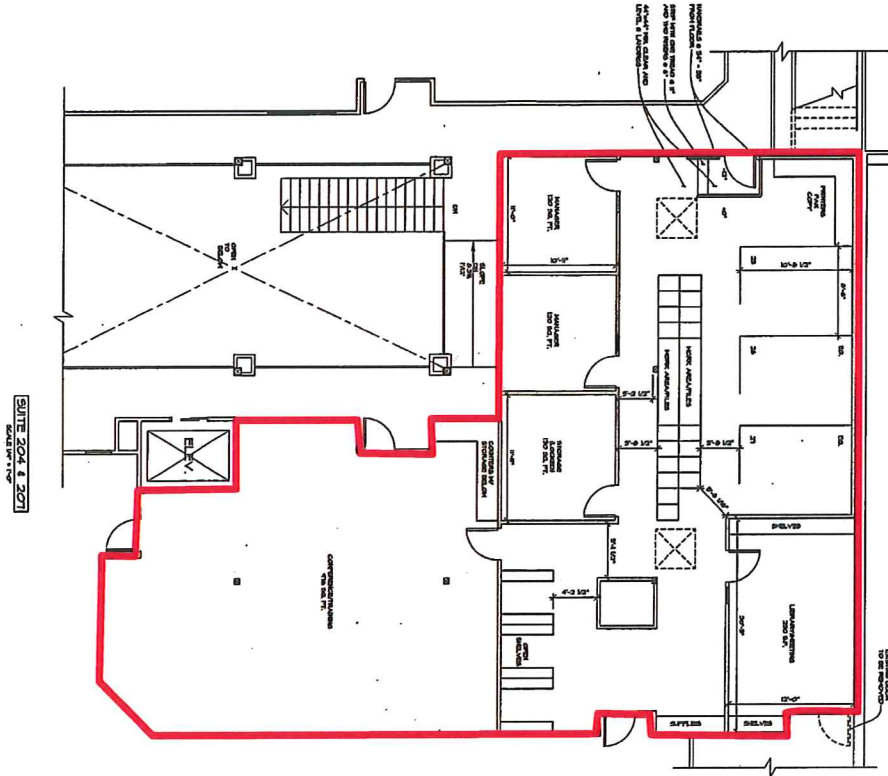


Current leased space.
This space is currently occupied by HPPE Health Communities. Current occupants to move to new leased space.

SHEET NO: 07046	JOB NO: SUITES 202 & 205	DESIGN FOR: 490 HEDDING AVE. SANTA ROSA, CA	CONTRACTOR: WEST BAY REDWOOD, CA	DATE PRINTED: DATE CHECKED:	NOTES:	DATE: 8-07
avila architects, inc.		(707) 535-3111 (707) 793-4511 FAX: 535-3112	Merle Ayila - architect 5350 Commerce Blvd., Robert Park, CA. 94928			

Premises outlined in red

Attachment 1 - Page 4



**Current leased space.
This space is currently occupied by
Public Health - First 5. Current
occupants to remain in this space.**

SHEET NO:	JOB NO:	DESIGN FOR:	CONTRACTOR:	NOTES:	DATE:
07046	SUITE 204 & 207	WEST BAY	WEST BAY	DATE PRINTED:	8 • 07
	410 HEDGECOCK AVE. SANTA ROSA, CA	SANTA ROSA, CA	SANTA ROSA, CA	DATE CHECKED:	
avila architects, inc.		(707) 535-3711 (707) 755-4511 FAX: 707-535-2493	Merle Avila architect 5850 Commerce Blvd. Rehnet Park, CA. 94928		

Premises outlined in red

Attachment 2

Proposed Lease Terms

- Premises:** Approximately 9,605 rentable sq. ft. of improved office space in a two-story, office building located at 490 Mendocino Avenue, Santa Rosa. Please see the attached preliminary floor plan and site map.
- Parking:** 30 spaces in the parking area associated with the building.
- Initial Term:** Five years.
- Rental Rate:** The initial rental rate is \$1.87 per rentable sq. ft. per month, full-service, or \$17,961 per month. PG&E expense is estimated at \$0.20 per rentable sq. ft. per month. Rent shall be subject to 3% annual increases for the initial term.
- Tenant Improvements:** Landlord, at Landlord's sole cost and expense, shall: 1) remove two closets and repair/replace ceilings and flooring, as needed; 2) remove portion of pony walls at reception area and repair/replace flooring, as needed; 3) install single door in Suite 101; 4) install a single, unisex shower and changing room in Suite 103; and 5) relocate kitchenette.
- Extension Option:** Three (3) options to extend the term for three (3) years each. Rent for each year of each extended term shall be adjusted by 3% per sq. ft. for the then current rental rate.
- Cancellation Option:** The County has the right to cancel the lease, upon 90 days' notice and by payment of unamortized costs of tenant improvements, for non-appropriation of funds. County also has the right to cancel the lease, for any reason, upon 90 days' notice and payment of a termination fee, which is the product of nine (9) times the then current monthly lease rent at the effective date of termination.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 21
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): General Services, Sheriff, Probation, CAO

Staff Name and Phone Number:

Ed Buonaccorsi (707) 565-2550, GS

Supervisorial District(s):

All

Title: Community Corrections Center

Recommended Actions:

Adopt a Resolution authorizing Sonoma County to conditionally accept the AB 900 Phase II funding in the amount of \$36,295,000 conditional award to be combined with potential funding from SB 1022 application in the amount of \$24,000,000, and to start the time lines for both AB 900 and SB 1022 grant processes upon receipt of conditional award from SB 1022 for the construction of the proposed justice facility, which includes 80 minimum security detention beds and an 80 bed Community Corrections Center.

Executive Summary:

Sonoma County has the opportunity to leverage substantial funding for adult criminal justice facilities. By taking advantage of State funding that has become available to Sonoma County through the 2011 A.B. 900 financing process and by submitting a companion funding request for additional funds now available through S.B. 1022, the County can address certain detention facility needs and pursue the construction of a justice facility that includes 80 minimum security beds and an 80 bed Community Corrections Center (C.C.C.). Senator Wolk authored SB 365, which moved the funding from A.B. 900 Phase I to Phase II, allowing the County of Sonoma to be potentially eligible for \$36,295,000 funding combined with the most recent S.B. 1022 application for \$24,000,000. Sonoma County appreciates Senator Wolk's efforts on our behalf.

With the County matching funds, the County could develop a justice facility that includes 80 minimum security detention beds and an 80 bed Community Corrections Center which is one of the key elements of the Sonoma County Criminal Justice Master Plan. If successful with its application, the County could receive up to 9 dollars in state bond proceeds funding for every 1 dollar the county expends to build a new justice facility that will contain an 80 bed Community Corrections Center, 80 minimum security detention beds, programming and administrative space and a new cook chill kitchen with a total value estimated at \$67 million.

The proposed resolution has been requested by the Board of State and Community Corrections (BSCC), and will be submitted to them for approval at their Board meeting on November 14, 2013. Along with submitting the resolution, staff will be in attendance at the November 14, 2013 meeting to demonstrate Sonoma

County's interest in moving forward in this process. This is a conditional acceptance that simply allows Sonoma County to maintain eligibility for the A.B. 900 funds pending the outcome of the S.B. 1022 competitive process. If we are successful in receiving a conditional award from S.B. 1022, we will begin the consolidated due diligence process regarding the facility development, including the operations plan.

Recommendation:

Staff recommends your Board approve the resolution of conditional acceptance of the available funding from AB 900 Phase II with the conditional award of SB 1022 funding and support the time line start from both funding sources based on the conditional award of SB 1022.

Prior Board Actions:

10/15/13 – 80 bed minimum security detention facility and an 80 bed Community Corrections Center – Adopt a Resolution authorizing the application for State S.B. 1022 funding in the amount of \$24,000,000
 1/10/12 – Community Corrections Center - Adopt a Resolution authorizing the application for State A.B.900 Phase 2 Funding in the amount of \$43,000,000 for a Community Corrections Center
 2/11/07 – Adult Detention Consolidation Planning - Authorize the County Administrator to sign the attached contract amendment for an expanded Scope of Services and authorize expenditure of \$30,300 to David Bennett for additional services provided as part of phase 1 of the Analysis of the Criminal Justice System and Alternatives to Incarceration Project. (costs for field visits, analysis of AB 900 impact).

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The C.C.C. provides a model for the use of alternate detention facilities and strategies for reducing incarceration costs, reducing recidivism rates, and improving offender re-entry outcomes.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$ 1,100,000	State/Federal	\$ 1,100,000*
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 1,100,000	Total Sources	\$ 1,100,000

Narrative Explanation of Fiscal Impacts (If Required):

Should the State award funds to the County, it is expected that an additional \$1,100,000 will be expended in F.Y. 13-14 to work with the State to establish the project and initiate design. This \$1,100,000 will be considered eligible project costs. Staff will return in a future Consolidated Budget Adjustment to appropriate these funds, if the project is funded by the State.

*AB 900 \$36,295,000 and SB 1022 \$24,000,000 = \$60,295,000 funding

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			
This will be incorporated in operations plan, if a Conditional Award is received.			



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors of The County Of Sonoma, State of California, authorizing Sonoma County to accept the AB 900 Phase II funding in the amount of \$36,295,000 conditional award combine with potential funding from SB 1022 application in the amount of \$24,000,000 and start the time lines for both AB 900 and SB 1022 grant processes with the time lines established under SB 1022 for the construction of a Community Corrections Center.

Whereas, the County of Sonoma submitted to this Board an application to the Board of State and Community Corrections for lease-revenue bond financing in the amount of \$43,000,000 from funds made available per Assembly Bill Number 900, authorizing State lease-revenue bond financing for the acquisition, design and construction of adult local criminal justice facilities (“Application”); and

Whereas, the County of Sonoma has been informed by the Board of State and Community Corrections that the County of Sonoma is eligible to receive \$36,295,000 as partial conditional award of AB 900 Phase II funding; and

Whereas, the County of Sonoma has subsequently submitted an application for funding to SB 1022; and

Whereas, the County of Sonoma needs funds from both AB 900 and SB 1022 to complete the proposed Community Correction Center project; and

Whereas, the County of Sonoma requests that the timelines pursuant to AB900 Phase II funding do not begin until and if the Conditional Award for SB 1022 funds is accepted; and

Whereas, the County of Sonoma is prepared to accept the Conditional Award of AB 900 Phase II funds pending Conditional Award of SB 1022 funds; and

Whereas, the County of Sonoma understands and will continue to work with the program guidelines pursuant to AB 900 Phase II.

Resolution #

Date:

Page 2

Now, Therefore, Be It Resolved that the County of Sonoma will accept the partial conditional award of \$36,295,000 from AB 900 Phase II from the Board of State and Community Corrections.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 22
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Department of Health Services

Staff Name and Phone Number:

Rita Scardaci, 565-7876

Supervisorial District(s):

Countywide

Title: Investments in Health Access III

Recommended Actions:

Adopt resolutions authorizing the Director of Health Services to execute Grant Agreements providing funding for capital costs and service expansion to: Santa Rosa Community Health Centers in the amount of \$100,000; PDI Surgery Center in the amount of \$100,000; and Sonoma County Indian Health Project, Inc. in the amount of \$100,000.

Executive Summary:

This item requests approval of three capital and/or service expansion grants to community health centers and service providers to improve access to care for Sonoma County residents under the Patient Protection and Affordable Care Act (ACA). These grants consist of a one-time \$100,000 grant to Santa Rosa Community Health Centers to provide funds to keep a program serving the homeless in place until services can be reimbursed through the ACA; a one-time \$100,000 grant to PDI Surgery Center to fund a two year family education and outreach program; and a one-time grant of \$100,000 for Sonoma County Indian Health Project, Inc. for facility improvements and renovation.

On June 25, 2013 the Board of Supervisors adopted resolutions approving capital and service capacity expansion grants to Santa Rosa Community Health Centers, Alliance Medical Center, and Alexander Valley Healthcare. On September 24, 2013, the Board of Supervisors adopted resolutions approving capital and service capacity expansion grants to the Sonoma Valley Community Health Center, Petaluma Health Center, and West County Health Centers. At that time, the Department reported being engaged in conversations with the PDI Surgery Center, Santa Rosa Community Health Centers, and Sonoma County Indian Health Project, Inc. to identify specific needs and opportunities, and committed to return to the Board for similar one-time grant approvals as appropriate.

The capital and service expansion grants requested in this Board item are funded with federal Intergovernmental Transfer (IGT) funds. For several years, California counties participating in Medi-Cal Managed Care have entered into IGT agreements with the California Department of Health Care Services (DHCS) to increase federal funding available for state payments to Medi-Cal Managed Care

health plans. IGT funds are used to expand and enhance Medi-Cal programs and services provided by County and community based organizations.

The IGT plan approved by Partnership HealthPlan of California in April 2013 identified priority areas of improved behavioral health and substance use disorder services, care coordination, system development, and access to specialty care for Medi-Cal beneficiaries and other underserved populations. Approved by the Sonoma County Board of Supervisors in March 2013, Department projects include priority areas of clinic integration service and access expansion, ACA implementation support activities, care coordination for individuals with high utilization of health care services, and upstream investments.

Santa Rosa Community Health Center

Santa Rosa Community Health Centers (SRCHC), a Federally Qualified Health Center (FQHC), began a pilot project two years ago called the Local Health Connections Care Transitions Program. The Care Transitions Program provides tailored, intensive care management for chronically ill homeless patients to demonstrably improve health outcomes, improve health care access, and keep these patients from returning to emergency rooms and hospitals unnecessarily. Care coordinators work closely with each patient to coordinate their care across medical settings and engage them in a primary care medical home. The program emphasizes four key areas: 1) Relationship of staff with patients to support advocacy; 2) Self-activation; 3) Ease of access to services, including cell phone contact and visits with the patient outside of health care settings; and 4) Data analysis to measure the impact of care transition approaches on hospital admissions and emergency room utilization.

Since the Care Transitions Program was created, it has helped almost one hundred homeless people with complex health conditions get the shelter, medications, and basic services they need to begin a meaningful healing process and transition back into the community. Given that an emergency room visit costs the health care system an average of \$1,349 and each day spent in the hospital averages \$2,325, the Care Transitions Program represents a huge cost savings. In 2012, Care Transitions prevented 30-day hospital readmissions for 70 percent of enrolled patients, saving hospitals and taxpayers an estimated \$685,410 in health care utilization (compared to baseline for 67 patients out of 96 with no 30-day readmissions; average length of hospital stay for adults 18-65 is 4.4 days).

SRCHC operates the Care Transitions Program out of the Brookwood Health Center, which is the only full-time primary care facility devoted to serving the homeless population in Sonoma County. This grant will serve as bridge funding to keep the program operating until other funding sources can be identified.

PDI Surgery Center

PDI Surgery Center (PDI) provides dental surgery under general anesthesia for children suffering from early childhood tooth decay. Since opening its doors in 2008, PDI has treated more than 9,500 Northern California Medi-Cal and underinsured children suffering from serious dental disease. PDI Surgery Center is the only non-profit center in Northern California that provides oral surgery under general anesthesia for this population. According to a study by the Centers for Disease Control and Prevention (CDC) in 2007, the rate of cavities in preschoolers aged 2-5 had increased when compared to an identical study ten years earlier. Experts attribute lack of information among parents and lack of access to pediatric dentists willing to treat Medi-Cal patients as the leading cause of the increase (*California Health Report 4/15/12*). The average age of patients treated by PDI is 3 years, and the average number of teeth requiring treatment under anesthesia is 11.

For the past two years, PDI was able to utilize the services of a volunteer from HealthCorps who provided in-house oral health education to patient's parents, most of whom did not realize the severity of their child's tooth decay until examination at PDI. While their child was being treated, the HealthCorps volunteer worked with them to provide information about good oral health and nutritional habits. The parents received an oral health kit and a suggested routine to establish good dental health habits for their children. Signs of this program's success have been apparent in a steady decrease in the number of patients returning to PDI for additional treatment. HealthCorps is unable to continue to provide a volunteer, which has put the comprehensive one-on-one education with the parents during treatment on hold. This one time funding of \$100,000 will enable the program to continue for an additional two years while PDI works to secure other funding.

Sonoma County Indian Health Project, Inc.

The Sonoma County Indian Health Project, Inc. (SCIHP) was established in 1971, and has grown from a single dental chair and exam table into a multimillion dollar comprehensive health care facility. They provide medical, dental, nutritional, behavioral health, pharmacy, and health education services to Native Americans of Sonoma County as well as other Medi-Cal beneficiaries.

This one time grant will enable SCIHP to renovate and repair the medical reception area, the pharmacy reception area, the dental reception area, and the behavioral health reception area. The remodel will increase patient flow and staff efficiency, improve patient privacy and staff safety, and meet ADA accessibility requirements.

With these one-time investments in health access, the Department aims to benefit as many members of the community as possible. These investments address both the anticipated increase in demand due to the Medi-Cal expansion under the ACA and to assist community health centers in serving their existing patient population. Eighty percent of all Medi-Cal beneficiaries in Sonoma County seek health care at community health centers, underscoring the importance of Sonoma County having a robust health care infrastructure capable of providing Sonoma County residents with access to high-quality health care services.

The Department has no additional grants planned for this fiscal year.

Prior Board Actions:

On January 26, 2010 the Board authorized agreements with Southwest Community Health Center for \$222,000 and with Santa Rosa Community Health Centers for \$155,190 for the purchase of equipment.

On February 2, 2010 the Board authorized a one-time grant of \$500,000 to Santa Rosa Community Health Centers for capital costs and service expansion.

On June 26, 2012 the Board authorized agreement with Redwood Community Health Coalition for \$100,000 and with Alliance Medical Center for \$50,000 for Certified Application Assistors.

On September 25, 2012 the Board authorized a funding agreement with Santa Rosa Memorial Hospital Foundation for \$100,000 for a mobile dental clinic.

On March 19, 2013 the Board authorized DHS to execute an Intergovernmental Transfer with California Department of Health Care Services.

On June 25, 2013 the Board authorized grants consisting of a one-time \$500,000 grant to Santa Rosa Community Health Centers toward the capital costs of building a comprehensive community dental clinic and one-time grants of \$100,000 each for Alliance Medical Center and Alexander Valley Healthcare for capital costs and service expansion.

On September 24, 2013 the Board authorized grants consisting of a one-time \$200,000 grant to Sonoma Valley Community Health Center toward the capital costs of purchasing a facility for use as an integrated community health center; a one-time \$150,000 grant to Petaluma Health Center toward construction and equipment for modular clinic facilities; and a one-time grant of \$100,000 for West County Health Centers for facility improvements, health center renovation and equipment, and website upgrades.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Santa Rosa Community Health Centers, PDI Surgery Center, and Sonoma County Indian Health Project, Inc. agreements will support the Sonoma County Board of Supervisors’ goal of becoming “the healthiest county in California by the year 2020” by implementing community infrastructure improvements and services designed to improve systems and individual abilities to access health care benefits and other services, leveraging opportunities presented by the implementation of the ACA.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 300,000	State/Federal	\$ 0
	\$	Fees/Other	\$ 0
	\$	Use of Fund Balance	\$ 300,000
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 300,000	Total Sources	\$ 300,000

Narrative Explanation of Fiscal Impacts (If Required):

Funding source is Intergovernmental Transfer (IGT) funds. The use of fund balance of \$300,000 will be added in 2nd Quarter Consolidated Budget Adjustments. Today’s action will appropriate \$300,000.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Resolutions for Santa Rosa Community Health Centers, PDI Surgery Center, and Sonoma County Indian Health Project, Inc. Agreements with Santa Rosa Community Health Centers, PDI Surgery Center, and Sonoma County Indian Health Project, Inc.

Related Items “On File” with the Clerk of the Board:

None



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Authorizing A \$100,000 Service Expansion Grant To Santa Rosa Community Health Centers.

Whereas, the Santa Rosa Community Health Centers, a Federally Qualified Health Center (FQHC), serves the Santa Rosa area and provides a broad range of health care services to low-income and medically underserved residents of Sonoma County;

Whereas, Santa Rosa Community Health Centers developed and implemented a Care Transitions Program that provides complex case management for homeless individuals with serious chronic illness;

Whereas, Santa Rosa Community Health Centers needs funds to continue the Care Transitions program until other funding sources can be secured; and

Whereas, Government Code Section 26227 authorizes the Board of Supervisors to expend County funds to support programs deemed by the Board of Supervisors to be necessary to meet the social needs of the population of the County, including but not limited to, providing health services and meeting the needs of physically, mentally, and financially handicapped persons and aged persons.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma hereby finds, declares, and determines as follows:

1. All of the above findings are true and correct;
2. Approval of a \$100,000 grant to Santa Rosa Community Health Centers to fund the Local Health Connections Care Transition program ("Grant") is deemed by this Board to be necessary to meet the health needs of low income and medically underserved residents of Sonoma County;
3. The Grant to Santa Rosa Community Health Centers is in the best interests of the County and general public;

Resolution #

Date: November 5, 2013

Page 2

4. The Grant is hereby approved and the Director of the Department of Health Services is authorized to execute a Grant Agreement with Santa Rosa Community Health Centers, subject to approval by County Counsel; and
5. Pursuant to CEQA Guidelines sections 15332, 15301, 15303, and 15061(b)(3), the Grant is exempt from the requirements of CEQA because it is for the use, conversion and minor alteration of an existing facility within city limits, that is consistent with the applicable general plan and zoning designation, and it can be seen with certainty that the activity will not have a significant effect on the environment. The Director of Health Services or her designee is directed to file a Notice of Exemption in the form required by CEQA and CEQA guidelines.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Authorizing A \$100,000 Service Expansion Grant To PDI Surgery Center.

Whereas, PDI Surgery Center, a non-profit pediatric surgery center, focuses on treating children in Sonoma County with severe tooth decay, which is a childhood health epidemic;

Whereas, PDI Surgery Center needs funding to continue an intensive one-on-one educational program delivered to parents while their children receive treatment;

Whereas, the one-time funding ("Grant") will allow the educational program to be extended for two years; and

Whereas, Government Code Section 26227 authorizes the Board of Supervisors to expend County funds to support programs deemed by the Board of Supervisors to be necessary to meet the social needs of the population of the County, including but not limited to, providing health services and meeting the needs of physically, mentally, and financially handicapped persons and aged persons.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma hereby finds, declares, and determines as follows:

1. All of the above findings are true and correct;
2. Approval of a \$100,000 grant to PDI Surgery Center to continue a parent or guardian educational program for two years ("Grant") is deemed by this Board to be necessary to meet the health needs of low income and medically underserved residents of Sonoma County;
3. The Grant to PDI Surgery Center is in the best interests of the County and general public;
4. The Grant is hereby approved and the Director of the Department of Health Services is authorized to execute a Grant Agreement with PDI Surgery Center, subject to approval by County Counsel; and
5. Pursuant to CEQA Guidelines sections 15332, 15301, 15303, and 15061(b)(3), the

Resolution #

Date: November 5, 2013

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Grant is exempt from the requirements of CEQA because it is for the use, conversion and minor alteration of an existing facility within city limits, that is consistent with the applicable general plan and zoning designation, and it can be seen with certainty that the activity will not have a significant effect on the environment. The Director of Health Services or her designee is directed to file a Notice of Exemption in the form required by CEQA and CEQA guidelines.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Authorizing A \$100,000 Capital Costs and Service Expansion Grant To Sonoma County Indian Health Project, Inc.

Whereas, Sonoma County Indian Health Project, Inc., a non-profit organization providing health care services in a manner sensitive to the cultural traditions of the local Native American Tribes to low-income and medically underserved residents of Sonoma County;

Whereas, Sonoma County Indian Health Project, Inc. needs additional funding in preparation for the full implementation of the Patient Protection and Affordable Care Act;

Whereas, Sonoma County Indian Health Project, Inc. will utilize funds to make renovations of waiting and reception areas for their behavioral health, dental, medical and pharmacy departments to better accommodate and more easily facilitate access to services for low-income and medically underserved residents in Sonoma County; and

Whereas, Government Code Section 26227 authorizes the Board of Supervisors to expend County funds to support programs deemed by the Board of Supervisors to be necessary to meet the social needs of the population of the County, including but not limited to, providing health services and meeting the needs of physically, mentally, and financially handicapped persons and aged persons.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma hereby finds, declares, and determines as follows:

1. All of the above findings are true and correct;
2. Approval of a \$100,000 grant to Sonoma County Indian Health Project, Inc. for the renovation of waiting and receptions areas ("Grant") is deemed by this Board to be necessary to meet the health needs of low-income and medically underserved residents of Sonoma County;
3. The Grant to Sonoma County Indian Health Project, Inc. is in the best interests of the County and general public;

Resolution #

Date: November 5, 2013

Page 2

4. The Grant is hereby approved and the Director of the Department of Health Services is authorized to execute a Grant Agreement with Sonoma County Indian Health Project, Inc., subject to approval by County Counsel; and
5. Pursuant to CEQA Guidelines sections 15332, 15301, 15303, and 15061(b)(3), the Grant is exempt from the requirements of CEQA because it is for the use, conversion and minor alteration of an existing facility within city limits, that is consistent with the applicable general plan and zoning designation, and it can be seen with certainty that the activity will not have a significant effect on the environment. The Director of Health Services or her designee is directed to file a Notice of Exemption in the form required by CEQA and CEQA guidelines.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

**COUNTY OF SONOMA
GRANT AGREEMENT**

Grantee: Santa Rosa Community Health Centers
Grant Amount: \$100,000

This agreement (hereinafter "Agreement") on _____, 2013, (hereinafter "Effective Date") is by and between the County of Sonoma, a political subdivision of the State of California, (hereinafter "County") and Santa Rosa Community Health Centers (hereinafter "Grantee").

RECITALS

- A. Grantee operates the Local Health Connections (LHC) Care Transitions Program out of their Brookwood Health Center in Santa Rosa, which is the only full-time primary care facility devoted to serving the homeless population in Sonoma County. Broad spectrum support includes outreach, case management, mental health services, substance abuse treatment, support for wellness activities such as smoking cessation, and links to other community programs. The LHC Care Transitions Program target population is homeless and transient individuals in Sonoma County with a history of multiple hospital admissions and emergency room visits.
- B. Grantee has requested funding to expand and continue the LHC Care Transitions Program, with the goals of reducing emergency room utilization and hospital readmissions, improved health outcomes, increased patient engagement, and reduced health care system costs.
- C. The Sonoma County Board of Supervisors has determined that a grant of \$100,000 to Grantee to expand and continue the LHC Care Transitions Program is necessary to meet the needs of the homeless and transient individuals in Sonoma County.

Therefore, the parties agree as follows:

1. Grant. County agrees to grant Grantee the sum of ONE HUNDRED THOUSAND DOLLARS (**\$100,000**) (hereinafter "Grant Funds"). County shall release Grant Funds to Grantee upon execution of this Agreement.
2. Use of Funds. Grantee shall use Grant Funds exclusively for the expansion and continuation of the LHC Care Transitions Program, with the goals of reducing emergency room utilization and hospital readmissions, improved health outcomes, increased patient engagement, and reduced health care system costs. Grantee understands and agrees that under no circumstance shall Grant Funds be used for any other purpose. In the event Grantee is unable to utilize Grant Funds in support of the LHC Care Transitions Program within 2 years of the Effective Date of this Agreement, Grantee shall return to the County all unused funds provided to Grantee under this agreement.
3. Documentation of Project. Grantee will provide a written report on the use of Grant Funds and progress of project 1 year and 2 years after execution of this Agreement, and any other reasonable information the County should request.
4. Term of Agreement. The term of this Agreement shall be from **November 5, 2013**, to **November 4, 2015**.

5. Publicity. Publicity generated by Grantee for work performed or services offered or funded by this Agreement during the term of this Agreement and for 1 year following expiration of this Agreement shall make reference to the contribution of the County in making the project possible.
6. Non-Discrimination. Grantee agrees to comply with applicable federal state and local laws prohibiting discrimination in employment or in the provision of services because of race, color, religion, national origin, age, sex, sexual orientation or mental or physical handicap. Grantee agrees to comply with Sections 19-30 through 19-40 of the Sonoma County Code, prohibiting discrimination due to HIV infection or a related condition.
7. Indemnity. Grantee agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to County, and to defend, indemnify, hold harmless, reimburse and release County, its officers, agents and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense, including but not limited to attorney's fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in the defense of claims as to which this indemnity applies or incurred in an action by County to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by an person or entity, including Grantee, arising out of or in connection with the performance of Grantee hereunder, whether or not there is concurrent negligence on the part of the County, but to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of the County. If there is a possible obligation to indemnify, Grantee's duty to defend exists regardless of whether it is ultimately determined that there is not a duty to indemnify. County shall have the right to select its own legal counsel at the expense of Grantee. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Grantee or its agents under workers' compensation acts, disability, benefit acts, or other employee benefit acts.

As part of this Agreement, Grantee agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul the approval of this Grant Agreement. This indemnification shall include but not be limited to, damages, costs, expenses, attorneys' fees or expert witness fees that may be asserted by any person or entity, including Grantee, arising out of or in conjunction with the approval of this Grant Agreement, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification provision is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

8. Compliance with Laws, Prevailing Wages. Unless and until the County or Grantee obtains a written opinion from the California Department of Industrial Relations stating that it is not required to comply with prevailing wage laws as set forth in California Labor Code, Grantee understands and agrees that use of County funds in connection with the purchase of the property shall require the payment of prevailing wages in accordance with the California Labor Code. Grantee agrees to comply with all applicable laws and regulations affecting its

health care services clinic, and agrees to provide reasonable documentation of such compliance promptly upon County's request.

9. Right to Audit and Inspect. Grantee understands and agrees to permit County the right to audit and inspect all records, notes and writings of any kind to the extent permitted by law, for the purpose of monitoring Grantee compliance with the terms and conditions of this Agreement. On an annual basis, Grantee shall provide to County a copy of its annual filing with the California Office of Statewide Health Planning and Development.
10. Obligations after Termination. The following sections shall remain in full force and effect after termination of this Agreement: (1) Paragraph 6, Non-Discrimination and (2) Paragraph 7, Indemnification.
11. No Political or Religious Activity. County funds shall be used only for the purposes specified in this agreement and in any attachments thereto. No County funds shall be used for any political activity, or to further the election or defeat of any candidate for political office. No County funds shall be used for purposes of religious worship, instruction, or proselytizing.
12. Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.
13. Severability. In the event that any provision of this Agreement shall be held by a court to be invalid or illegal for any reason, said invalidity or illegality shall not affect the remaining provisions of this Agreement.
14. Method and Place of Giving Notice. All notices, bills and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

<u>COUNTY</u> Rita Scardaci, Director Department of Health Services 3313 Chanate Road Santa Rosa CA 95404	<u>Grantee</u> Naomi Fuchs Chief Executive Officer Santa Rosa Community Health Center 3569 Found Barn Circle Santa Rosa, CA 95403 707-303-3091 naomif@srhealthcenters.org
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And when so addressed, shall be deemed given upon deposit United States mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills and payments are to be given by giving notice pursuant to this paragraph.

15. Assignment/Delegation. Neither party shall assign, sublet, or transfer any interest in or delegate any duty under this Agreement without the written consent of the other, and no assignment shall have any force or effect whatsoever unless and until the other party shall have so consented.

- 16. Status of Parties. This Agreement shall not be construed to create a joint venture or partnership. Neither party is the agent of the other for any purpose. There are no third party beneficiaries to this Agreement, and it may be enforced only by the parties hereto.
- 17. Insurance. With respect to performance of work under this Agreement, Contractor shall maintain and shall require all of its subcontractors, contractors, and other agents to maintain insurance as described in Exhibit A, which is attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as set forth below.

GRANTEE: Santa Rosa Community Health Centers

By: _____ Dated: _____
Naomi Fuchs
Chief Executive Officer

COUNTY OF SONOMA

By: _____ Dated: _____
Rita Scardaci
Director, Department of Health Services

Approved as to substance:

By: _____ Dated: _____
Division Director or Designee

Approved as to form:

By: _____ Dated: _____
County Counsel

**Exhibit A. Insurance Requirements
(Template 17)**

Section I - Insurance to be Maintained by Grantee

Grantee shall maintain insurance as described below unless such insurance has been expressly waived by the attachment of a **Waiver of Insurance Requirements**. The insurance shall be maintained for the entire term of this Agreement.

County reserves the right to review any and all of the required insurance policies and/or endorsements, but has no obligation to do so. Failure to demand evidence of full compliance with the insurance requirements set forth in this Agreement or failure to identify any insurance deficiency shall not relieve Grantee from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Agreement.

1. Workers' Compensation and Employer's Liability Insurance
 - a. Required if Grantee has employees.
 - b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
 - c. Employer's Liability with minimum limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.

If Grantee currently has no employees, Grantee agrees to obtain the above-specified Workers' Compensation and Employer's Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

2. General Liability Insurance
 - a. Commercial General Liability Insurance on a standard occurrence form, no less broad than Insurance Services Office (ISO) Form CG 00 01.
 - b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate. The required limits may be provided by a combination of General Liability Insurance and Commercial Umbrella Liability Insurance. If Grantee maintains higher limits than the specified minimum limits, County requires and shall be entitled to coverage for the higher limits maintained by Grantee.
 - c. Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds \$25,000, it must be approved in advance by County. Grantee is responsible for any deductible or self-insured retention and shall fund it upon County's written request, regardless of whether Grantee has a claim against the insurance or is named as a party in any action involving the County.
 - d. County of Sonoma, its Officers, Agents, and Employees shall be additional insureds for liability arising out of Grantee's ongoing operations. (ISO Endorsement CG 20 26 or equivalent).
 - e. The insurance provided to the additional insureds shall be primary to, and non-contributory with, any insurance or self-insurance program maintained by them.
 - f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage, including the "f" definition of insured contract in ISO Form CG 00 01 or equivalent).

-
- g. The policy shall cover inter-insured suits between County and Grantee and include a "separation of insureds" or "severability" clause which treats each insured separately.
 - h. **Required Evidence of Insurance**
 - i. Copy of the additional-insured endorsement or policy language granting additional-insured status; and
 - ii. Certificate of Insurance.
3. Automobile Liability Insurance
- a. Minimum Limits: \$1,000,000 combined single limit per accident.
 - b. Insurance shall apply to all owned vehicles if Grantee owns vehicles.
 - c. Insurance shall apply to hired and non-owned vehicles.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.
4. Professional Liability/Errors and Omissions Insurance (only required of Grantees whose normal operations include professional services)
- a. Minimum Limit: \$1,000,000 per claim or per occurrence.
 - b. Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds \$25,000, it must be approved in advance by County.
 - c. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.
5. Standards for Insurance Companies
 Insurers, other than the California State Compensation Insurance Fund, shall have an A.M. Best's rating of at least A:VII.
6. Documentation
- a. All required Evidence of Insurance shall be submitted prior to the execution of this Agreement. Grantee agrees to maintain current Evidence of Insurance on file with County for the required period of insurance.
 - b. The name and address for Additional Insured endorsements and Certificates of Insurance are:
 - County of Sonoma (DHS)
 - Contract & Board Item Development Unit
 - 3313 Chanate Road
 - Santa Rosa CA 95404
 - c. Required Evidence of Insurance shall be submitted for any renewal or replacement of a policy that already exists at least 10 days before expiration or other termination of the existing policy.
 - d. Grantee shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
 - e. Upon written request, certified copies of required insurance policies must be provided within 30 days.
7. Policy Obligations
 Grantee's indemnity and other obligations shall not be limited by the foregoing insurance requirements.
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**COUNTY OF SONOMA
GRANT AGREEMENT**

**Grantee: PDI Dental Surgery
Grant Amount: \$100,000**

This agreement (hereinafter "Agreement") on _____, 2013, (hereinafter "Effective Date") is by and between the County of Sonoma, a political subdivision of the State of California, (hereinafter "County") and PDI Dental Surgery (hereinafter "Grantee").

RECITALS

- A. Grantee operates a dental surgery center in Windsor and provides dental surgery under general anesthesia for children suffering from severe early childhood caries (tooth decay). Since opening its doors in 2008, Grantee has treated more than 9,500 Northern California Medi-Cal and underinsured children suffering from serious dental disease.
- B. Grantee has requested funding for costs associated with an Oral Health Educator Program to provide in-house oral health education to patients' parents, most of whom don't realize how severe their child's decay is until they arrive at the surgery center, and to encourage families to follow good oral and nutritional health practices and provide supplies that can be used at home..
- C. The Sonoma County Board of Supervisors has determined that a grant of \$100,000 to Grantee to support an Oral Health Educator Program is necessary to meet the needs of Northern California Medi-Cal and underinsured children suffering from serious dental disease.

Therefore, the parties agree as follows:

- 1. Grant. County agrees to grant Grantee the sum of ONE HUNDRED THOUSAND DOLLARS (**\$100,000**) (hereinafter "Grant Funds"). County shall release Grant Funds to Grantee upon execution of this Agreement.
- 2. Use of Funds. Grantee shall use Grant Funds exclusively for the Oral Health Educator Program to provide in-house oral health education to patients' parents and to encourage families to follow good oral and nutritional health practices. Grantee understands and agrees that under no circumstance shall Grant Funds be used for any other purpose. In the event Grantee is unable to utilize Grant Funds in support of the Oral Health Educator Program within the term of this Agreement, Grantee shall return to the County all unused funds provided to Grantee under this agreement.
- 3. Documentation of Project. Grantee will provide a written report on the use of Grant Funds and progress of project 1 year and 2 years after execution of this Agreement, and any other reasonable information the County should request.
- 4. Term of Agreement. The term of this Agreement shall be from **November 5, 2013**, to **June 30, 2016**.
- 5. Publicity. Publicity generated by Grantee for work performed or services offered or funded by this Agreement during the term of this Agreement and for 1 year following expiration of

this Agreement shall make reference to the contribution of the County in making the project possible.

6. Non-Discrimination. Grantee agrees to comply with applicable federal state and local laws prohibiting discrimination in employment or in the provision of services because of race, color, religion, national origin, age, sex, sexual orientation or mental or physical handicap. Grantee agrees to comply with Sections 19-30 through 19-40 of the Sonoma County Code, prohibiting discrimination due to HIV infection or a related condition.
7. Indemnity. Grantee agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to County, and to defend, indemnify, hold harmless, reimburse and release County, its officers, agents and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense, including but not limited to attorney's fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in the defense of claims as to which this indemnity applies or incurred in an action by County to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by an person or entity, including Grantee, arising out of or in connection with the performance of Grantee hereunder, whether or not there is concurrent negligence on the part of the County, but to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of the County. If there is a possible obligation to indemnify, Grantee's duty to defend exists regardless of whether it is ultimately determined that there is not a duty to indemnify. County shall have the right to select its own legal counsel at the expense of Grantee. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Grantee or its agents under workers' compensation acts, disability, benefit acts, or other employee benefit acts.

As part of this Agreement, Grantee agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul the approval of this Grant Agreement. This indemnification shall include but not be limited to, damages, costs, expenses, attorneys' fees or expert witness fees that may be asserted by any person or entity, including Grantee, arising out of or in conjunction with the approval of this Grant Agreement, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification provision is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

8. Compliance with Laws, Prevailing Wages. Unless and until the County or Grantee obtains a written opinion from the California Department of Industrial Relations stating that it is not required to comply with prevailing wage laws as set forth in California Labor Code, Grantee understands and agrees that use of County funds in connection with the purchase of the property shall require the payment of prevailing wages in accordance with the California Labor Code. Grantee agrees to comply with all applicable laws and regulations affecting its health care services clinic, and agrees to provide reasonable documentation of such compliance promptly upon County's request.

9. Right to Audit and Inspect. Grantee understands and agrees to permit County the right to audit and inspect all records, notes and writings of any kind to the extent permitted by law, for the purpose of monitoring Grantee compliance with the terms and conditions of this Agreement. On an annual basis, Grantee shall provide to County a copy of its annual filing with the California Office of Statewide Health Planning and Development.
10. Obligations after Termination. The following sections shall remain in full force and effect after termination of this Agreement: (1) Paragraph 6, Non-Discrimination and (2) Paragraph 7, Indemnification.
11. No Political or Religious Activity. County funds shall be used only for the purposes specified in this agreement and in any attachments thereto. No County funds shall be used for any political activity, or to further the election or defeat of any candidate for political office. No County funds shall be used for purposes of religious worship, instruction, or proselytizing.
12. Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.
13. Severability. In the event that any provision of this Agreement shall be held by a court to be invalid or illegal for any reason, said invalidity or illegality shall not affect the remaining provisions of this Agreement.
14. Method and Place of Giving Notice. All notices, bills and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

<u>COUNTY</u> Rita Scardaci, Director Department of Health Services 3313 Chanate Road Santa Rosa CA 95404	<u>Grantee</u> Viveka Rydell, CEO PDI Surgery Center 1380 - 19th Hole Drive Windsor, CA 95492 Telephone: 707-837-8882 Fax: 707-838-8464 Email: vrydell@pedidental.org
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And when so addressed, shall be deemed given upon deposit United States mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills and payments are to be given by giving notice pursuant to this paragraph.

15. Assignment/Delegation. Neither party shall assign, sublet, or transfer any interest in or delegate any duty under this Agreement without the written consent of the other, and no assignment shall have any force or effect whatsoever unless and until the other party shall have so consented.

- 16. Status of Parties. This Agreement shall not be construed to create a joint venture or partnership. Neither party is the agent of the other for any purpose. There are no third party beneficiaries to this Agreement, and it may be enforced only by the parties hereto.
- 17. Insurance. With respect to performance of work under this Agreement, Contractor shall maintain and shall require all of its subcontractors, contractors, and other agents to maintain insurance as described in Exhibit A, which is attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as set forth below.

GRANTEE: PDI Dental Surgery

By: _____ Dated: _____
Viveka Rydell
Chief Executive Officer

COUNTY OF SONOMA

By: _____ Dated: _____
Rita Scardaci
Director, Department of Health Services

Approved as to substance:

By: _____ Dated: _____
Division Director or Designee

Approved as to form:

By: _____ Dated: _____
County Counsel

**Exhibit A. Insurance Requirements
(Template 17)**

Section I - Insurance to be Maintained by Grantee

Grantee shall maintain insurance as described below unless such insurance has been expressly waived by the attachment of a **Waiver of Insurance Requirements**. The insurance shall be maintained for the entire term of this Agreement.

County reserves the right to review any and all of the required insurance policies and/or endorsements, but has no obligation to do so. Failure to demand evidence of full compliance with the insurance requirements set forth in this Agreement or failure to identify any insurance deficiency shall not relieve Grantee from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Agreement.

1. Workers' Compensation and Employer's Liability Insurance
 - a. Required if Grantee has employees.
 - b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
 - c. Employer's Liability with minimum limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.

If Grantee currently has no employees, Grantee agrees to obtain the above-specified Workers' Compensation and Employer's Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

2. General Liability Insurance
 - a. Commercial General Liability Insurance on a standard occurrence form, no less broad than Insurance Services Office (ISO) Form CG 00 01.
 - b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate. The required limits may be provided by a combination of General Liability Insurance and Commercial Umbrella Liability Insurance. If Grantee maintains higher limits than the specified minimum limits, County requires and shall be entitled to coverage for the higher limits maintained by Grantee.
 - c. Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds \$25,000, it must be approved in advance by County. Grantee is responsible for any deductible or self-insured retention and shall fund it upon County's written request, regardless of whether Grantee has a claim against the insurance or is named as a party in any action involving the County.
 - d. County of Sonoma, its Officers, Agents, and Employees shall be additional insureds for liability arising out of Grantee's ongoing operations. (ISO Endorsement CG 20 26 or equivalent).
 - e. The insurance provided to the additional insureds shall be primary to, and non-contributory with, any insurance or self-insurance program maintained by them.
 - f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage, including the "f" definition of insured contract in ISO Form CG 00 01 or equivalent).

-
- g. The policy shall cover inter-insured suits between County and Grantee and include a "separation of insureds" or "severability" clause which treats each insured separately.
 - h. **Required Evidence of Insurance**
 - i. Copy of the additional-insured endorsement or policy language granting additional-insured status; and
 - ii. Certificate of Insurance.
3. Automobile Liability Insurance
- a. Minimum Limits: \$1,000,000 combined single limit per accident.
 - b. Insurance shall apply to all owned vehicles if Grantee owns vehicles.
 - c. Insurance shall apply to hired and non-owned vehicles.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.
4. Professional Liability/Errors and Omissions Insurance (only required of Grantees whose normal operations include professional services)
- a. Minimum Limit: \$1,000,000 per claim or per occurrence.
 - b. Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds \$25,000, it must be approved in advance by County.
 - c. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.
5. Standards for Insurance Companies
Insurers, other than the California State Compensation Insurance Fund, shall have an A.M. Best's rating of at least A:VII.
6. Documentation
- a. All required Evidence of Insurance shall be submitted prior to the execution of this Agreement. Grantee agrees to maintain current Evidence of Insurance on file with County for the required period of insurance.
 - b. The name and address for Additional Insured endorsements and Certificates of Insurance are:
 - County of Sonoma (DHS)
 - Contract & Board Item Development Unit
 - 3313 Chanate Road
 - Santa Rosa CA 95404
 - c. Required Evidence of Insurance shall be submitted for any renewal or replacement of a policy that already exists at least 10 days before expiration or other termination of the existing policy.
 - d. Grantee shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
 - e. Upon written request, certified copies of required insurance policies must be provided within 30 days.
7. Policy Obligations
Grantee's indemnity and other obligations shall not be limited by the foregoing insurance requirements.
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**COUNTY OF SONOMA
GRANT AGREEMENT**

**Grantee: Sonoma County Indian Health Project, Inc.
Grant Amount: \$100,000**

This agreement (hereinafter "Agreement") on _____, 2013, (hereinafter "Effective Date") is by and between the County of Sonoma, a political subdivision of the State of California, (hereinafter "County") and Sonoma County Indian Health Project, Inc. (hereinafter "Grantee").

RECITALS

- A. Grantee operates a health care facility in Santa Rosa and provides a broad range of health care services in a manner which is sensitive to the culture and traditions of the local Indian Tribes. These services include, but are not limited to, immunizations, prenatal and perinatal care, family planning services, dental care, pharmacy services, and mental health services.
- B. Grantee has requested funding for costs associated with renovation and repair of an existing facility located at 144 Stony Point Road in Santa Rosa. This funding will allow Grantee to complete renovation and repair projects to improve reception areas for medical, pharmacy, behavioral health, and dental portions of the facility, including design work and building permits.
- C. The Sonoma County Board of Supervisors has determined that a grant of \$100,000 to Grantee to assist with the renovation and repair of the above-described health care facility is necessary to meet the needs of the American Indian Community of Sonoma County.

Therefore, the parties agree as follows:

- 1. Grant. County agrees to grant Grantee the sum of ONE HUNDRED THOUSAND DOLLARS (**\$100,000**) (hereinafter "Grant Funds"). County shall release Grant Funds to Grantee upon execution of this Agreement.
- 2. Use of Funds. Grantee shall use Grant Funds exclusively for renovation and repair of the facility located at 144 Stony Point Road in Santa Rosa. Projects to be completed include renovation and repair to reception areas for medical, pharmacy, behavioral health, and dental portions of the facility, including design work and building permits. Grantee understands and agrees that under no circumstance shall Grant Funds be used for any other purpose. In the event Grantee does not proceed with the facilities improvements within 2 years of the Effective Date of this Agreement, Grantee shall return to the County all unused funds provided to Grantee under this agreement.
- 3. Documentation of Project. Grantee will provide a written report on the use of Grant Funds and progress of project 1 year and 2 years after execution of this Agreement, and any other reasonable information the County should request.
- 4. Term of Agreement. The term of this Agreement shall be from **November 5, 2013**, to **November 4, 2015**.

5. Publicity. Publicity generated by Grantee for work performed or services offered or funded by this Agreement during the term of this Agreement and for 1 year following expiration of this Agreement shall make reference to the contribution of the County in making the project possible.
6. Non-Discrimination. Grantee agrees to comply with applicable federal state and local laws prohibiting discrimination in employment or in the provision of services because of race, color, religion, national origin, age, sex, sexual orientation or mental or physical handicap. Grantee agrees to comply with Sections 19-30 through 19-40 of the Sonoma County Code, prohibiting discrimination due to HIV infection or a related condition.
7. Indemnity. Grantee agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to County, and to defend, indemnify, hold harmless, reimburse and release County, its officers, agents and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense, including but not limited to attorney's fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in the defense of claims as to which this indemnity applies or incurred in an action by County to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by an person or entity, including Grantee, arising out of or in connection with the performance of Grantee hereunder, whether or not there is concurrent negligence on the part of the County, but to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of the County. If there is a possible obligation to indemnify, Grantee's duty to defend exists regardless of whether it is ultimately determined that there is not a duty to indemnify. County shall have the right to select its own legal counsel at the expense of Grantee. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Grantee or its agents under workers' compensation acts, disability, benefit acts, or other employee benefit acts.

As part of this Agreement, Grantee agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or annul the approval of this Grant Agreement. This indemnification shall include but not be limited to, damages, costs, expenses, attorneys' fees or expert witness fees that may be asserted by any person or entity, including Grantee, arising out of or in conjunction with the approval of this Grant Agreement, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification provision is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

8. Compliance with Laws, Prevailing Wages. Unless and until the County or Grantee obtains a written opinion from the California Department of Industrial Relations stating that it is not required to comply with prevailing wage laws as set forth in California Labor Code, Grantee understands and agrees that use of County funds in connection with the purchase of the property shall require the payment of prevailing wages in accordance with the California Labor Code. Grantee agrees to comply with all applicable laws and regulations affecting its

health care services clinic, and agrees to provide reasonable documentation of such compliance promptly upon County's request.

9. Right to Audit and Inspect. Grantee understands and agrees to permit County the right to audit and inspect all records, notes and writings of any kind to the extent permitted by law, for the purpose of monitoring Grantee compliance with the terms and conditions of this Agreement. On an annual basis, Grantee shall provide to County a copy of its annual filing with the California Office of Statewide Health Planning and Development.
10. Obligations after Termination. The following sections shall remain in full force and effect after termination of this Agreement: (1) Paragraph 6, Non-Discrimination and (2) Paragraph 7, Indemnification.
11. No Political or Religious Activity. County funds shall be used only for the purposes specified in this agreement and in any attachments thereto. No County funds shall be used for any political activity, or to further the election or defeat of any candidate for political office. No County funds shall be used for purposes of religious worship, instruction, or proselytizing.
12. Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.
13. Severability. In the event that any provision of this Agreement shall be held by a court to be invalid or illegal for any reason, said invalidity or illegality shall not affect the remaining provisions of this Agreement.
14. Method and Place of Giving Notice. All notices, bills and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

<p><u>COUNTY</u> Rita Scardaci, Director Department of Health Services 3313 Chanate Road Santa Rosa CA 95404</p>	<p><u>Grantee</u> Molin Malicay, CEO Sonoma County Indian Health Project 144 Stony Point Road Santa Rosa, CA 95401 707-521-4545</p>
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And when so addressed, shall be deemed given upon deposit United States mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills and payments are to be given by giving notice pursuant to this paragraph.

15. Assignment/Delegation. Neither party shall assign, sublet, or transfer any interest in or delegate any duty under this Agreement without the written consent of the other, and no assignment shall have any force or effect whatsoever unless and until the other party shall have so consented.

- 16. Status of Parties. This Agreement shall not be construed to create a joint venture or partnership. Neither party is the agent of the other for any purpose. There are no third party beneficiaries to this Agreement, and it may be enforced only by the parties hereto.
- 17. Insurance. With respect to performance of work under this Agreement, Contractor shall maintain and shall require all of its subcontractors, contractors, and other agents to maintain insurance as described in Exhibit A, which is attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as set forth below.

GRANTEE: Sonoma County Indian Health Project, Inc.

By: _____ Dated: _____
Molin Malicay
Chief Executive Officer

COUNTY OF SONOMA

By: _____ Dated: _____
Rita Scardaci
Director, Department of Health Services

Approved as to substance:

By: _____ Dated: _____
Division Director or Designee

Approved as to form:

By: _____ Dated: _____
County Counsel

**Exhibit A. Insurance Requirements
(Template 17)**

Section I - Insurance to be Maintained by Grantee

Grantee shall maintain insurance as described below unless such insurance has been expressly waived by the attachment of a **Waiver of Insurance Requirements**. The insurance shall be maintained for the entire term of this Agreement.

County reserves the right to review any and all of the required insurance policies and/or endorsements, but has no obligation to do so. Failure to demand evidence of full compliance with the insurance requirements set forth in this Agreement or failure to identify any insurance deficiency shall not relieve Grantee from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Agreement.

1. Workers' Compensation and Employer's Liability Insurance
 - a. Required if Grantee has employees.
 - b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
 - c. Employer's Liability with minimum limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.

If Grantee currently has no employees, Grantee agrees to obtain the above-specified Workers' Compensation and Employer's Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

2. General Liability Insurance
 - a. Commercial General Liability Insurance on a standard occurrence form, no less broad than Insurance Services Office (ISO) Form CG 00 01.
 - b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate. The required limits may be provided by a combination of General Liability Insurance and Commercial Umbrella Liability Insurance. If Grantee maintains higher limits than the specified minimum limits, County requires and shall be entitled to coverage for the higher limits maintained by Grantee.
 - c. Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds \$25,000, it must be approved in advance by County. Grantee is responsible for any deductible or self-insured retention and shall fund it upon County's written request, regardless of whether Grantee has a claim against the insurance or is named as a party in any action involving the County.
 - d. County of Sonoma, its Officers, Agents, and Employees shall be additional insureds for liability arising out of Grantee's ongoing operations. (ISO Endorsement CG 20 26 or equivalent).
 - e. The insurance provided to the additional insureds shall be primary to, and non-contributory with, any insurance or self-insurance program maintained by them.
 - f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage, including the "f" definition of insured contract in ISO Form CG 00 01 or equivalent).

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- g. The policy shall cover inter-insured suits between County and Grantee and include a "separation of insureds" or "severability" clause which treats each insured separately.
- h. **Required Evidence of Insurance**
- i. Copy of the additional-insured endorsement or policy language granting additional-insured status; and
 - ii. Certificate of Insurance.
3. Automobile Liability Insurance
- a. Minimum Limits: \$1,000,000 combined single limit per accident.
 - b. Insurance shall apply to all owned vehicles if Grantee owns vehicles.
 - c. Insurance shall apply to hired and non-owned vehicles.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.
4. Professional Liability/Errors and Omissions Insurance (only required of Grantees whose normal operations include professional services)
- a. Minimum Limit: \$1,000,000 per claim or per occurrence.
 - b. Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds \$25,000, it must be approved in advance by County.
 - c. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
 - d. **Required Evidence of Insurance:** Certificate of Insurance.
5. Standards for Insurance Companies
Insurers, other than the California State Compensation Insurance Fund, shall have an A.M. Best's rating of at least A:VII.
6. Documentation
- a. All required Evidence of Insurance shall be submitted prior to the execution of this Agreement. Grantee agrees to maintain current Evidence of Insurance on file with County for the required period of insurance.
 - b. The name and address for Additional Insured endorsements and Certificates of Insurance are:

County of Sonoma (DHS)
Contract & Board Item Development Unit
3313 Chanate Road
Santa Rosa CA 95404
 - c. Required Evidence of Insurance shall be submitted for any renewal or replacement of a policy that already exists at least 10 days before expiration or other termination of the existing policy.
 - d. Grantee shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
 - e. Upon written request, certified copies of required insurance policies must be provided within 30 days.
7. Policy Obligations
Grantee's indemnity and other obligations shall not be limited by the foregoing insurance requirements.
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County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 23
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of the County of Sonoma
Board of Directors of the Sonoma County Water Agency
Board of Directors of the Sonoma County Agricultural Preservation and Open Space District
Board of Commissioners of the Community Development Commission
Board of Directors of the Northern Sonoma County Air Pollution Control District

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Human Resources

Staff Name and Phone Number:

Marcia Chadbourne (707) 565-2473

Supervisorial District(s):

All

Title: Investigative Services Agreements

Recommended Actions:

Authorize the Director of Human Resources to execute agreements with 14 selected employment investigative firms, in amounts not to exceed \$100,000 per agreement, per annum, for 4 year terms.

Executive Summary:

The requested Board action authorizes the Human Resources Director to execute agreements for investigative services with 14 individuals and firms which were selected through a Request for Proposal (RFP) process conducted in July 2013.

Background:

The Human Resources (HR) Department is responsible for providing consultation and support to County departments and agencies on all employment-related matters. This includes County employees' on-the-job work performance and conduct in the workplace. With the size of the County's workforce there is frequent need to conduct investigations of employees involving issues directly related to their employment with the County. The most common investigations are in the areas of employee performance, harassment, discrimination, retaliation, hostile work environment, etc., and other situations impacting the employment relationship.

Often County departments conduct their own employment investigations; however under certain circumstances, employment investigations are assigned to an outside investigative firm. Reasons typically include complexity and potential risk of the case, the level of department experience and

expertise, department resources and insufficient staff time to conduct a timely investigation due to work load constraints or conflict of interests.

It is best practice to utilize outside investigators for the purpose of conducting employment investigations as they are credible, thorough, impartial, and act as neutral fact finders. Timely, thorough, accurate and well written investigations are critical in mitigating the County's risk and liability, and in supporting personnel actions before the Civil Service Commission.

HR initially conducted an RFP in 2008 and implemented master agreements with investigative firms in September 2008, and these agreements expired on 9/30/2013. These former agreements, and the proposed agreements, have provided a qualified pool of employment investigators for County departments and with the approval of Human Resources, access to these services has ensured employment related matters are addressed in a timely manner. The past, and proposed agreements, are used on an as-needed basis and results in providing an efficient resource to County departments by eliminating administrative time developing separate agreements.

Summary:

To ensure the County continues to receive the best services at the most competitive rates, and to increase the number of available resources for County departments, Human Resources conducted a Request for Proposal (RFP) in July 2013. The RFP was widely circulated, to over 100 employment investigative firms, many of whom are attorney firms, and was posted on the County's website. Twenty two proposals were received and a comprehensive evaluation was conducted involving representatives of Human Services, Transportation and Public Works, Human Resources and County Counsel.

As a result of the selection process, HR recommends the County execute agreements, administered by the Human Resources Department via the use of blanket purchase orders (BPO's) with the following 14 firms as they are best qualified and most appropriate to meet the needs of the County: J.M. Bova & Associates; Kronick, Moskovitz, Tiedemann & Girard; Linda Daube; McMillan & Shureen LLP; Renne, Sloan, Holtzman & Sakai LLP; Hirschfeld Kraemer LLP; Wise Gleicher; G4S Compliance & Investigations; CPS HR Consulting; Meyers Nave; Liebert Cassidy Whitmore; Jackson Lewis LLP; Porter Scott; and Whitestar Group, Inc. The BPO's will direct departments to contact Human Resources for advice regarding the use of employment investigative services and authorization to utilize the selected firm at the agreed rates.

Fees range from \$70 to \$360 per hour, depending upon level of expertise, experience and area of specialty. Over the last four years, County departments spent in total, approximately \$155,000 annually under the current agreements. To provide maximum flexibility and available resources to departments, it is recommended that individual agreements with each of the selected vendors provide for up to \$100,000 per annum maximum. These agreements are all fee for service contracts with no minimum amount of work guaranteed to the firm. Implementation of these agreements does not preclude HR or other County departments from contracting with other employment investigative firms.

Prior Board Actions:

9/09/2008 – Approved initial master service agreements with (6) firms.
9/27/2011 – Approved 2 year amendments to master services agreements with (6) firms.

Strategic Plan Alignment Not Applicable

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

Costs depend upon future service needs, as budgeted within each department utilizing services. The appropriations have been included in the 13/14 budget for the HR department.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Not applicable.

Attachments:

None

Related Items "On File" with the Clerk of the Board:

Sample Agreement for Investigative Services



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 24
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of the County of Sonoma
Board of Directors of the Sonoma County Water Agency
Board of Directors of the Sonoma County Agricultural Preservation and Open Space District
Board of Commissioners of the Community Development Commission
Board of Directors of the Northern Sonoma County Air Pollution Control District

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Human Resources

Staff Name and Phone Number:

Christina Cramer (707) 565-2473

Supervisorial District(s):

All

Title: Biddle Consulting Group, Inc. – Contract Amendment

Recommended Actions:

Authorize the Director of Human Resources to execute an amendment to the current contract with Biddle Consulting Group, Inc. for Equal Employment Opportunity (EEO) consulting services to increase the maximum contract amount from \$25,000 to \$50,000 for the term August 1, 2013 through July 31, 2014.

Executive Summary:

The County of Sonoma as an employer is legally obligated to select employees through processes that are free from discrimination and provides equal opportunity as required and defined in laws such as the Civil Rights Act, Title VII, Americans with Disabilities Act, the Uniform Guidelines on Employee Selection Procedures, and the County's own Civil Service Rules, adopted Equal Employment Opportunity Policy and other related policies.

Earlier this year, the Department of Fair Employment and Housing (DFEH)/Equal Employment Opportunity Commission (EEOC) notified the County that it received a complaint alleging disparate impact in a promotional examination. To address this particular type of complaint, it was necessary to secure the services of a specialist in statistical job analysis. A full job analysis is a highly complex process that uses a survey mechanism to statistically evaluate a position and assess the validity and reliability of a selection process. While much of the information is compiled by HR staff, due to the highly specialized nature of statistical analysis in this field, Biddle Consulting Group was selected through a Request for Information evaluation process. Biddle Consulting Group, Inc. (BCG) specializes in Equal Employment Opportunity (EEO) consulting, personnel testing and adverse impact analysis, and Affirmative Action Plan (AAP) consulting

Initially, information from two other consultant firms who specialize in this area of Human Resources management was considered, and Biddle was selected due to their knowledge and experience and they were highly recommended by other counties who have utilized their services to conduct this type of analysis.

An initial \$25,000 agreement was executed by the County Purchasing Agent on July 31, 2013, and due to the size and scope of this project, an amendment to the agreement is necessary in order to complete the work, and to also allow for a contingency should additional expertise be needed to appropriately respond to further investigation from the DFEH/EEOC or other actions, as required.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 50,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 50,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 50,000	Total Sources	\$ 50,000

Narrative Explanation of Fiscal Impacts (If Required):

Costs associated with this analysis are budgeted in the Liability Index (#596148) of the Risk Internal Service Fund.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Not applicable.

Attachments:

None

Related Items “On File” with the Clerk of the Board:

- | |
|--|
| <ol style="list-style-type: none">1) Initial Agreement with Biddle Consulting Group2) Amendment to Agreement with Biddle Consulting Group |
|--|



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 25
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Scott Hunsperger 565-2404

Supervisorial District(s):

Fifth

Title: Grant Deed of Agricultural Easement and Covenant. Jean Kapolchok and Associates for Bruce Aidells, owner, ZPE13-0086.

Recommended Actions:

Authorize the Chair of the Board of Supervisors to execute a Deed and Covenant to allow one detached farm family dwelling unit on property located at 2450 Sweetwater Springs Road, Healdsburg APN 110-200-019.

Executive Summary:

The Land Extensive Agriculture zoning district allows for one (1) detached farm family dwelling unit per lot. A farm family dwelling unit is defined as an additional single-family dwelling incidental to the main dwelling in terms of size, location and architecture which is not leased, subleased, rented or sub-rented separately from the main dwelling nor divided by sale, and which is inhabited by a member of the farm operator's family.

The primary dwelling on the parcel is over 4,233 square feet in size and constructed in 2004. The design of the proposed farm family unit has not been finalized, but will be required to be smaller and incidental to the primary dwelling. The owner of the property operates a grazing operation and gardens on the subject 92.15 acre site. The applicant has stated that the residence will be occupied by a family member of the farm operator.

The following requirements must be met:

(i) An agricultural easement having a term equal to the useful life of the structure, but in no event less than twenty (20) years, shall be offered to the county at the time of application,

(ii) A covenant shall be recorded, in a form satisfactory to county counsel, which acknowledges that, in the event that the agricultural use is terminated on the property, the farm family dwelling shall become a nonconforming residential use,

A Grant Deed of Agricultural Easement and Covenant (Farm Family Housing) has been prepared for the request. The easement will cover the whole property.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The provision of the farm family units helps sustain agriculture and agricultural business while providing affordable housing for the farm family members.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

None.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

None.

Related Items "On File" with the Clerk of the Board:

Original Grant Deed of Agricultural Easement and Covenant.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 26
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Probation

Staff Name and Phone Number:

Robert Ochs, Probation: 565-2732

Supervisorial District(s):

Countywide

Title: Public Safety Realignment Safe Streets Task Force Officer MOU

Recommended Actions:

Authorize the Chief Probation Officer to execute a Memorandum of Understanding (MOU) with the City of Santa Rosa Police Department allowing the Probation Department to reimburse costs associated with SRPD's Safe Streets Task Force Officer (\$93,923) during the period July 1, 2013 through June 30, 2014.

Executive Summary:

The Probation Department seeks Board approval to execute a Memorandum of Understanding (MOU) with the City of Santa Rosa Police Department to reimburse SRPD's costs associated with its Safe Streets Task Force Officer position. The Community Corrections Partnership (CCP) recommended funding the Safe Streets Task Force Officer as part of the County's FY 13-14 Public Safety Realignment Plan, which the Board subsequently approved on June 4, 2013. Funding for the 0.5 Full-Time Equivalent (FTE) SRPD Safe Streets Task Force Officer position will cover the period from July 1, 2013 through June 30, 2014.

The Santa Rosa Police Department participates in the North Bay Regional Gang Task Force (Safe Streets) with other local law enforcement agencies and the Federal Bureau of Investigations. Members of the task force are tasked with gathering intelligence to identify criminal gang activity and criminal gang members in Sonoma County, along with conducting proactive law enforcement operations targeting violent criminal enterprises. Funding for the Safe Streets Task Force Officer will help ensure SRPD's continued participation in the North Bay Regional Gang Task Force, and it will allow SRPD to meet the increase in investigative workload resulting from AB 109.

Prior Board Actions:

6/4/2013: The Board approved the CCP's Recommended Public Safety Realignment Plan and associated budget for FY 13-14 (Year 3).

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The Safe Streets Task Force Officer position contributes to public safety due to its investigative work targeting the local gang population and collaboration with law enforcement partners.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 93,923	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 93,923
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 93,923	Total Sources	\$ 93,923

Narrative Explanation of Fiscal Impacts (If Required):

On June 04, 2013, the Board unanimously approved the Community Corrections Partnership’s recommended Public Safety Realignment Plan for Year 3. The \$93,923 budget for the SRPD Safe Streets Task Force Officer was included as part of the Board-approved FY 13-14 Realignment Plan and Probation’s adopted budget. The recurring annualized cost for SRPD’s 0.5 FTE position is estimated to be \$93,923. The 0.5 FTE Task Force Officer will be funded by revenues received from the State for AB 109 Public Safety Realignment. The City of Santa Rosa Police Department may request AB 109 funds in future fiscal years to continue operating both programs; however, all future funding allocations must be approved by both the Community Corrections Partnership Executive Committee and the Board of Supervisors.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
N/A	N/A	N/A	N/A

Narrative Explanation of Staffing Impacts (If Required):

Not applicable.

Attachments:

None

Related Items “On File” with the Clerk of the Board:

Memorandum of Understanding with City of Santa Rosa Police Department



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 27
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks

Staff Name and Phone Number:

Bert Whitaker

Supervisorial District(s):

Fourth District

Title: Cloverdale River Park JPA with the City of Cloverdale

Recommended Actions:

Authorize the Chair to execute a Joint Powers Agreement with the City of Cloverdale for landscape maintenance services at Cloverdale River Park from July 1, 2013 through June 30, 2016, not to exceed \$80,000 over 3 years.

Executive Summary:

Cloverdale River Park is a 44 acre County owned facility along the Russian River at the north end of the City of Cloverdale adjacent to the City of Cloverdale's 59 acre River Park. Since 2001 Regional Parks has contracted with the City of Cloverdale to provide regular landscape maintenance and inspection services at Cloverdale River Park. The City of Cloverdale has been a good partner with Regional Parks and maintenance agreements with the City have provided positive operational and cost efficiencies for both the City of Cloverdale and Regional Parks. In 2009 the City of Cloverdale requested that the agreement format be changed from a Professional Services Agreement to a Joint Powers Agreement (JPA) and Regional Parks complied with that request. This is the second agreement in a JPA format.

Cloverdale River Park is 21 miles north of the closest Regional Park, Healdsburg Veterans Memorial Beach. Travel time from the maintenance hub at Healdsburg Memorial Beach to Cloverdale River Park and back adds considerable cost to operating the park. It would cost more than \$140,000 over the term of the Agreement to provide comparable services with Regional Parks' staff. This agreement with the City of Cloverdale also reduces wear and tear on vehicles and equipment and helps to reduce our carbon footprint. The City of Cloverdale provides a daily presence at Cloverdale River Park due in part to its proximity to the City's River Park. Additionally, Cloverdale City staff work closely with Regional Parks staff to communicate timely information critical to operating the facility.

Regional Parks request the Chair of the Board to execute the attached Joint Powers Agreement with the City of Cloverdale

Prior Board Actions:			
June 15, 2010: Board of Supervisors approved a Joint Powers Agreement with the City of Cloverdale for maintenance services at Cloverdale River Park.			
Strategic Plan Alignment		Goal 2: Economic and Environmental Stewardship	
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 22,870	County General Fund	\$ 22,870
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 22,870	Total Sources	\$ 22,870
Narrative Explanation of Fiscal Impacts (If Required):			
\$22,870 in year one, \$23,330 in year two, and \$23,800 in year three, plus \$10,000 for emergency work all funded by on-going County General Fund contributions.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Related Items "On File" with the Clerk of the Board:			
Coverdale River Park JPA.pdf			



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 28
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks

Staff Name and Phone Number:

Bert Whitaker 707 565-2041

Supervisorial District(s):

Third and First Districts

Title: Taylor Mountain Grazing

Recommended Actions:

Authorize the Director of Regional Parks to execute a one year Revocable License agreement with Jeff and Kim Jones for grazing at Taylor Mountain Regional Park for a term of July 1, 2013-June 30, 2014 resulting in revenue of \$8,160 per year, and approve up to two 6 month extensions at the expiration of the initial term, upon satisfactory performance by the licensee.

Executive Summary:

Taylor Mountain Regional Park consists of 1,100 acres of grassland and oak woodlands at the southeastern boundary of Santa Rosa. The land was purchased by the Agricultural Preservation and Open Space District between 1995 and 2011 with the goal of preserving this scenic natural landmark and to provide recreation for Sonoma County residents. It was transferred to Regional Parks in 2012 and opened to the public in February 2013. Taylor Mountain currently has 4 miles of trails with plans to build up to 17 miles of trails to increase public utilization of the facility.

Taylor Mountain has been grazed by cattle for more than 130 years. Grazing is widely acknowledged to play an important role in maintaining species diversity in California's grasslands and the Taylor Mountain Master Plan lists that as one of the principal reasons that grazing should be continued at the park. Grazing helps to preserve grassland habitats by preventing encroachment of shrubs like coyote brush, reducing fuel loads, and preventing the accumulation of thatch. Grazing also helps maintain native wildflower fields and grassland bird habitat. While other local public agencies have years of experience combining grazing operations and public access, this is new to Sonoma County Regional Parks. After some initial concerns from the public, Regional Parks installed additional fencing at Taylor Mountain to separate cow-calf pairs from heavily used parts of the park during winter months and had some cows removed from the property.

Grazing operations at Taylor Mountain are currently run by local ranchers Jeff and Kim Jones in conformity with the Taylor Mountain Master Plan. Jeff and Kim Jones have run a cow-calf operation on

Taylor Mountain since 1992 and have operated under a license agreement with the Open Space District since 2006. Regional Parks recommends that the Board approve this agreement through June 30, 2014 while we evaluate the compatibility of grazing and Regional Parks operations at the facility. At the end of this evaluation period, Regional Parks will assess the compatibility of grazing and public access at Taylor Mountain Regional Park and will develop and implement a long-term strategy related to grazing operations at the facility.

Prior Board Actions:

February 5, 2013: Board of Supervisors authorized the transfer of Taylor Mountain from the SCAPOSD to Sonoma County Regional Parks.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 8,160.00	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 8,160.00
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 8,160.00	Total Sources	\$ 8160.00

Narrative Explanation of Fiscal Impacts (If Required):

Revenues based on 40 Animal Units of cattle at a rate of \$17 per Animal Unit per month.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Related Items “On File” with the Clerk of the Board:

Taylor Mountain Grazing RLA.docx



County of Sonoma Agenda Item Summary Report

Agenda Item Number: 29
(This Section for use by Clerk of the Board Only.)

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks & Human Services

Staff Name and Phone Number:

Supervisory District(s):

Caryl Hart 565-3342 & Diane Kaljian 565-5932

All

Title: Regional Parks Day Use Fee Waiver to Honor Veterans

Recommended Actions:

Adopt a Resolution waiving day use fees (\$7 per vehicle) for eligible military personnel and dependents for Veterans Day weekend, starting on Friday, November 8, 2013 through Monday, November 11, 2013.

Executive Summary:

Veterans Day was established in 1919 as Armistice Day to commemorate the signing of the peace agreement that ended World War I on the 11th hour of the 11th day of the 11th month of 1918. Veterans Day has been set aside as both a federal, state, and county holiday to honor our American patriots who answered the call of duty, preserving our freedoms, and often making the ultimate sacrifice

On Veterans Day weekend, starting on Friday, November 8, 2013 through Monday, November 11, 2013, it is recommended that Sonoma County recognize the sacrifice and contributions of those who currently serve and the over 33,000 residents who have served in the United States armed services and their families, by waiving their day use fees at all parks operated by Sonoma County. Through their military service, individual sacrifice and sacrifices in their family lives, these individuals have provided a valuable public benefit to the citizens of Sonoma County, and moreover the United States of America. Active Duty, veteran or retired military personnel and dependents would be eligible for a waiver of the day use fee (\$7 per vehicle). All other County Park fees (e.g. camping, picnic area rental, etc.) would still apply.

A Veterans Day Weekend Pass would be provided to all individuals (both in-County and out-of-County residents) who present their valid United States military identification card, honorable discharge record (DD-214 or World War II service record) or Veterans Affairs identification card to a Park Ranger or fee station attendant at a park or available for pickup at the Regional Parks Main Office or Human Services Veterans Service Office.

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement			
To publically celebrate and honor veterans of the armed services for their patriotism, bravery, and loyal dedication to serving our country.			
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$ (2,310)
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$ (2,310)
Narrative Explanation of Fiscal Impacts (If Required):			
Sonoma County has approximately 33,000 veterans per Human Services, we have assumed that approximately 1% of veterans or qualified family member (approx. 330 visitors) will visit a park over the four days covered resulting in an estimated revenue impact of \$2,310. We will be tracking visitors that avail themselves of this program and submitting a fee waiver item for General Fund contingency use at mid-year, if necessary.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Resolution			
Related Items "On File" with the Clerk of the Board:			



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, To Waive Day Use Fees For Eligible Military Personnel And Dependents On Veterans Day Weekend, November 8, 9, 10 And 11, 2013.

Whereas, Veterans Day, November 11, is a day established annually to honor the sacrifice and contributions of those who have served in the United States armed services; and

Whereas, active-duty, veteran or retired United States military personnel and dependents, through their military service and dedicated sacrifice, have provided a valued public benefit to the citizens of Sonoma County and the nation; and

Whereas, in recognition of this, on Veterans Day weekend, Friday, November 8 through Monday, November 11, Sonoma County wishes to invite active-duty, veteran or retired military personnel and dependents to visit the parks operated by Sonoma County by waiving their day use fee (\$7 per vehicle); and

Whereas, said privileges for these fee waivers will provide minimal loss of revenue to Regional Parks (estimated total of \$2,310); and

Whereas, the Board of Supervisors is authorized to expend money from the General Fund to meet the social needs of the county pursuant to GC 26227.

Now, Therefore, Be It Resolved that the Sonoma County Board of Supervisors waives the day use fees (\$7 per vehicle), starting on Friday, November 8, 2013 through Monday, November 11, 2013, for active duty, veteran or retired military personnel and dependents (both in-County and out-of-County residents) who present their valid United States military identification card, honorable discharge record (DD-214 or World War II service record) or Veterans Affairs identification card to the Park Ranger or fee station attendant.

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 30
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan Klassen (707) 565-2231

Supervisorial District(s):

First, Second, Third, Fourth and Fifth

Title: Award of Contract for 2012-13 Rural Road Safety – Striping Various County Roads

Recommended Actions:

1. Approve plans and specifications for the 2012-13 Rural Road Safety – Striping Various County Roads project (M12015).
2. Award contract for construction to low bidder, Chrisp Company, for the base bid plus Alternate A, in the amount of \$640,446.05 and authorize the Chair to execute the construction contract.

Executive Summary:

The 2012-13 Rural Road Safety – Striping Various County Roads project is one component of the spending plan recommended by the Ad Hoc Committee on Roads and approved by the Board on October 23, 2012 for the FY 12-13 One-Time General Fund Allocation. The work includes striping various County roads, as listed on the attached 3 location maps.

Project was advertised for bids: September 9 to October 9, 2013

Bids were opened: October 9, 2013

Base bids were received as follows:

Chrisp Company: \$483,749.30

Sterndahl Enterprises Inc: \$581,819.00

Central Striping Service Inc: \$583,911.07

The Engineer's Estimate was \$1,029,550.00

The low bid of \$483,749.30 is \$545,801, 53% below the Engineer's Estimate. The second bid is 20% above the low bid. The major differences between the bid and the estimate are the costs for the striping items and the traffic control items. The Department recommends awarding the base bid of \$483,749.30

plus Alternate A at \$156,696.75 for at total contract award of \$640,446.05. The total estimated cost of construction for the Base Bid plus Alternate A is \$704,490.66, including 10% for construction contingency.

Chrisp Company is experienced in this type of work. They have been licensed since 1979 and have recently completed numerous jobs for our department, including the 2013 Pavement Preservation Program-Bonded Wearing Course.

Prior Board Actions:

10/23/12: Board approved Ad Hoc Committee on Roads spending plan for one-time General Fund Allocation of \$8M.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

This project will improve the safe passage of vehicles, bicyclists and pedestrians over these various County roads.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 704,491	County General Fund	\$ 704,491
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 704,491	Total Sources	\$ 704,491

Narrative Explanation of Fiscal Impacts (If Required):

Sufficient appropriations are available on the FY 13-14 Road Maintenance budget. Project funded with FY2012-13 One-time General Fund allocation of \$8M.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

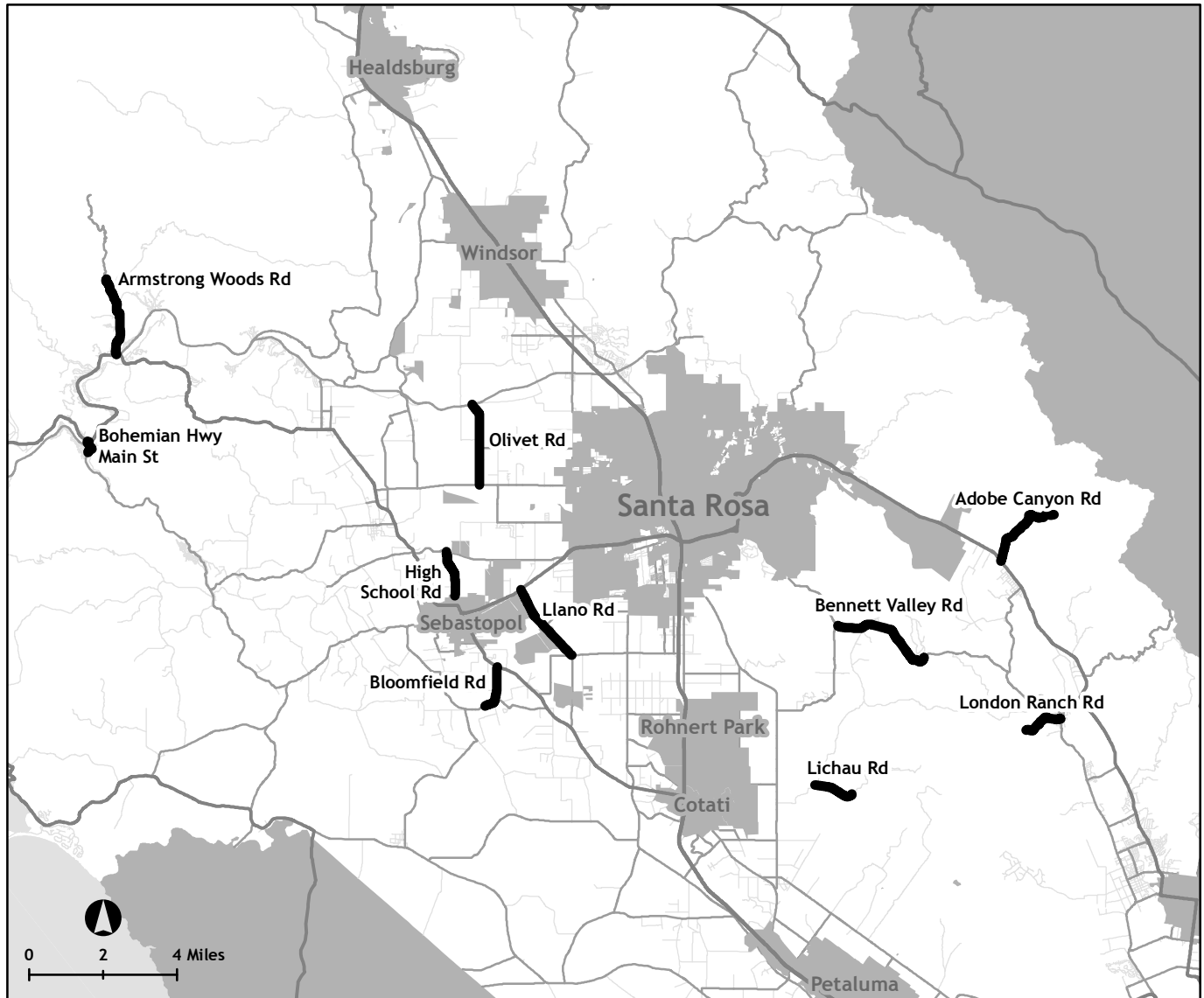
Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:
Location Map- Group 1; Location Map- Group 2; Location Map- Group 3
Related Items "On File" with the Clerk of the Board:
Special Provisions Book; Clarification No. 1; Bid Book

Location Map: Striping Various County Roads (M12015)

Group 1 - Install New Striping on New Pavement

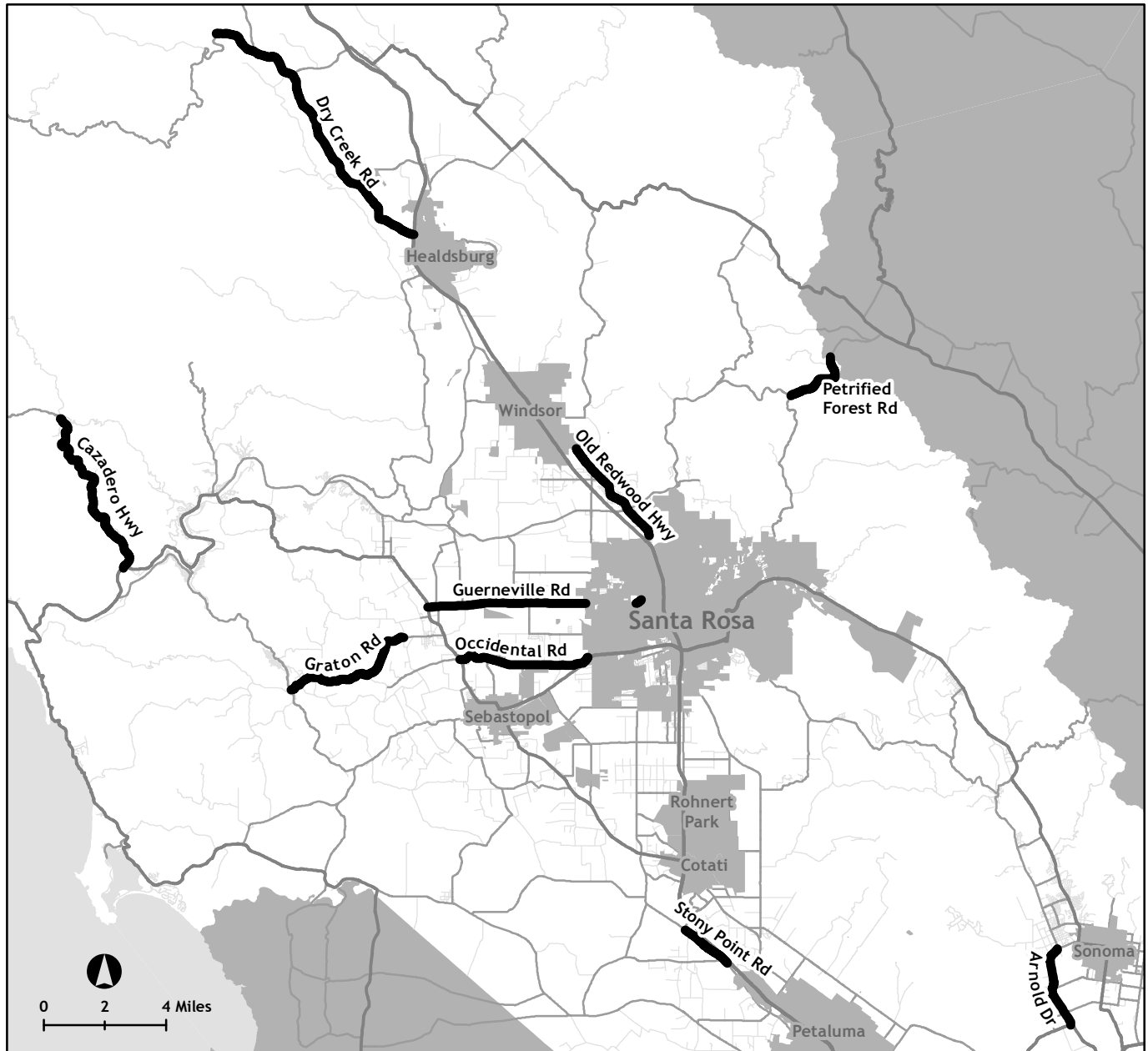


— Striping Location

Road Name	Location	Road ID	Begin PM	End PM	Length
ADOBE CANYON RD	Hwy 12 to the Park Entrance	76021	10.00	12.32	2.32
ARMSTRONG WOODS RD	Hwy 116 to Sweetwater Springs Rd	8902B	10.00	11.85	1.85
ARMSTRONG WOODS RD	Sweetwater Springs Rd to Park Entrance	80131	11.85	12.16	0.31
BOHEMIAN HWY	Monte Rio Bridge to Hwy 116	6002A	20.18	20.40	0.22
BOHEMIAN HWY	River Dr to bridge	70126	20.15	20.18	0.03
BOHEMIAN HWY	Bohemian Hwy to Hwy 116	70150	29.98	30.00	0.02
MAIN ST	Fir Rd to Bohemian Hwy	6002B	20.03	20.18	0.15
LICHAU RD	Roberts Rd to Coldsprings Rd	67002	11.36	12.27	0.91
LONDON RANCH RD	Arnold Dr to Park Entrance	66045	10.20	11.34	1.14
HIGH SCHOOL RD	Occidental Rd to Sebastopol City Limit	79002	10.13	11.42	1.29
LLANO RD	Hwy 12 to Todd Rd	6805	11.96	14.23	2.27
OLIVET RD	River Rd to Guerneville Rd	7902	10.00	12.25	2.25
BLOOMFIELD RD	Hwy 116 to Tiller Lane	5901	15.62	16.85	1.23
BENNETT VALLEY ROAD	Grange Rd to Old Bennett Ridge Rd	6604	14.45	17.34	2.89

Location Map: Striping Various County Roads (M12015)

Group 2 - Install New Striping on Existing Roads, Existing RPMs to Remain

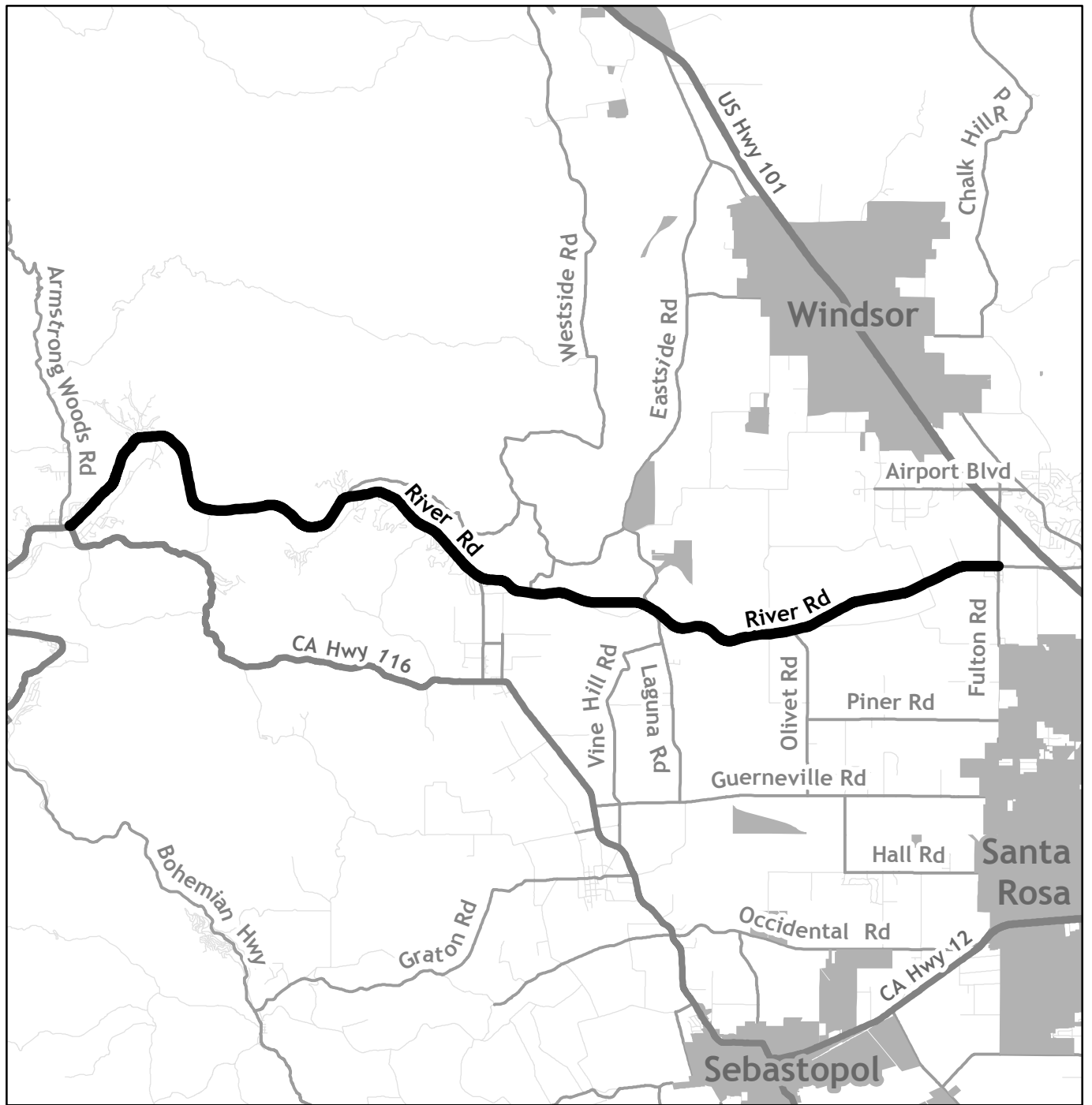


Striping Location

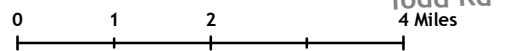
Road Name	Location	Road ID	Begin PM	End PM	Length
STONY POINT ROAD	Petaluma City limits to Mecham Road	5709	11.38	13.13	1.75
OCCIDENTAL ROAD	Hwy 116 to City of Santa Rosa limit	7803	16.68	21.09	4.41
CAZADERO HWY	Hwy 116 to King Ridge Rd	71009	10.00	13.47	3.47
CAZADERO HWY	Austin Creek Rd to King Ridge Rd	8101	13.61	16.68	3.07
PETRIFIED FOREST ROAD	Napa County limits to Porter Creek Rd	8801C	20.19	22.55	2.36
OLD REDWOOD HWY	City of Santa Rosa Limit to Windsor	7812	10.68	14.51	3.83
DRY CREEK ROAD	Skaggs Springs Road to Healdsburg City limit	9901	10.30	20.42	10.12
GUERNEVILLE ROAD	Hwy 116 to City of Santa Rosa limit	7807	10.00	15.10	5.10
GUERNEVILLE ROAD	Just past Ridley Ave to Lance Dr	7807	16.77	17.02	0.25
GRATON ROAD	Hwy 116 to Sullivan	7901	14.76	16.10	1.34
ARNOLD DRIVE	Hwy 116 to Petaluma Avenue	5603	10.05	12.83	2.78

Location Map: Striping Various County Roads (M12015)

Group 3 - Alternate A



— Striping Location



Road Name	Location	Road ID	Begin PM	End PM	Length
RIVER ROAD	Fulton Road to Hwy 116	8802B	10.10	24.74	14.64



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 31
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan Klassen (707) 565-2231

Supervisorial District(s):

Fourth

Title: REACH-CSC, LLC Consent to Transfer

Recommended Actions:

Approve and authorize the Chair to execute the Consent to Transfer of ownership of tenant regarding property located at the Charles M. Schulz – Sonoma County Airport currently leased to Reach-CSC, LLC and any other documents reasonably required to effect said Consent to Transfer.

Executive Summary:

Background:

In October 28, 2003, the County of Sonoma ("County") and Reach-CSC, LLC ("Reach") entered into a long-term lease agreement ("Lease") at the Charles M. Schulz-Sonoma County Airport ("Airport").

Consent to Transfer:

For internal business purposes, Reach now desires to modify its limited liability company interests and requests County's consent to the transfer. By this proposed transaction, one of two current members of Reach will transfer its fifty percent ownership interest in Reach to the remaining member of the limited liability company, which will remain the sole tenant under the Lease. The Lease requires the County's consent when a transfer involves a forty percent (or higher) change in total ownership interest of a tenant. Reach has complied with Section 10 of the Lease pertaining to such transfer.

Prior Board Actions:

10-28-03 Approved Airport Ground Lease to REACH-CSC, LLC and Consent to Sublease to Mediplane, Inc.
08-05-03: Approved the Mitigation Negative Declaration and Mitigation Monitoring Program for two proposed hangar buildings and associated improvements.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The operation of the REACH helicopter out of the Sonoma County Airport provides important emergency response services to residents and visitors in Sonoma County and surrounding areas.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

This is a transfer of ownership and has no impact on rent revenues; and there are no associated expenditures.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

None.

Related Items "On File" with the Clerk of the Board:

Consent to Transfer; Original Lease



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 32
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan Klassen (707) 565-2231

Supervisorial District(s):

Fifth District

Title: Summary Vacation of River Road Right-of-Way to F. Korbel & Bros., a Corporation

Recommended Actions:

Approve resolution vacating excess road right-of-way to F. Korbel & Bros., a Corporation; direct and authorize the Chair to execute a Quitclaim Deed transferring said right-of-way to F. Korbel & Bros., a Corporation; and direct the County Recorder to record said Resolution and Quitclaim Deed at no cost to the County as provided under Government Code 6103.

Executive Summary:

The purpose of this resolution is to vacate certain River Road right-of-way to F. Korbel & Bros., a Corporation.

The Sonoma County Department of Public Works realigned and reconstructed a portion of River Road in the mid-1960's. The County purchased right-of-way near the Korbel Winery entrance from F. Korbel & Bros., a Corporation, for that project. As part of the right-of-way transaction with Korbel, the County agreed to convey to Korbel three parcels of land no longer required for the River Road right-of-way in exchange for land required for the new River Road realignment project.

The original agreement was approved by the Board of Supervisors pursuant to Resolution No. 43825 dated September 7, 1965.

For reasons now unknown, the County's land conveyance to Korbel was not completed. However, one of the three parcels did eventually transfer to Korbel in 1983. That event may have been triggered by Korbel's efforts to improve a winery driveway entrance at that time. The other two parcels that were supposed to be part of the original land exchange were not transferred in 1983.

Korbel recently asked the Department to complete the transfer per the original right-of-way agreement.

Since the Board of Supervisors already approved the land exchange, a summary vacation is the

appropriate method to process the transfer of the remaining two parcels of land to Korbel.

The Board’s execution of a Quitclaim Deed for the fee and easement interests to be vacated will provide the grantee with an insurable title. For the sake of title clarity, the two remaining parcels of land to be conveyed have been identified and described as three parcels in order to separately identify the one fee simple area (“Parcel 1”) included in the conveyance. The other two identified parcels are easement interests, one of which adjoins Parcel 1.

The Sonoma County Permit and Resource Management Department has found the proposed vacation consistent with the General Plan. That document is included as an “On File” item with the Clerk of the Board for the Board’s review.

The attached resolution will authorize the vacation of excess road right-of-way to F. Korbel & Bros., a Corporation; authorize and direct the Chair to execute a Quitclaim Deed transferring said right-of-way to F. Korbel & Bros., a Corporation; and direct the County Recorder to record said Resolution and Quitclaim Deed at no cost to the County as provided under Government Code 6103.

Prior Board Actions:

9/27/65: Board approved right-of-way agreement including land exchange with F. Korbel & Bros. (Resolution No. 43825); 2/15/83: Board approved vacation of one of the 3 parcels required for conveyance to F. Korbel & Bros. per 1965 right-of-way agreement (Resolution No. 83-11945).

Strategic Plan Alignment Not Applicable

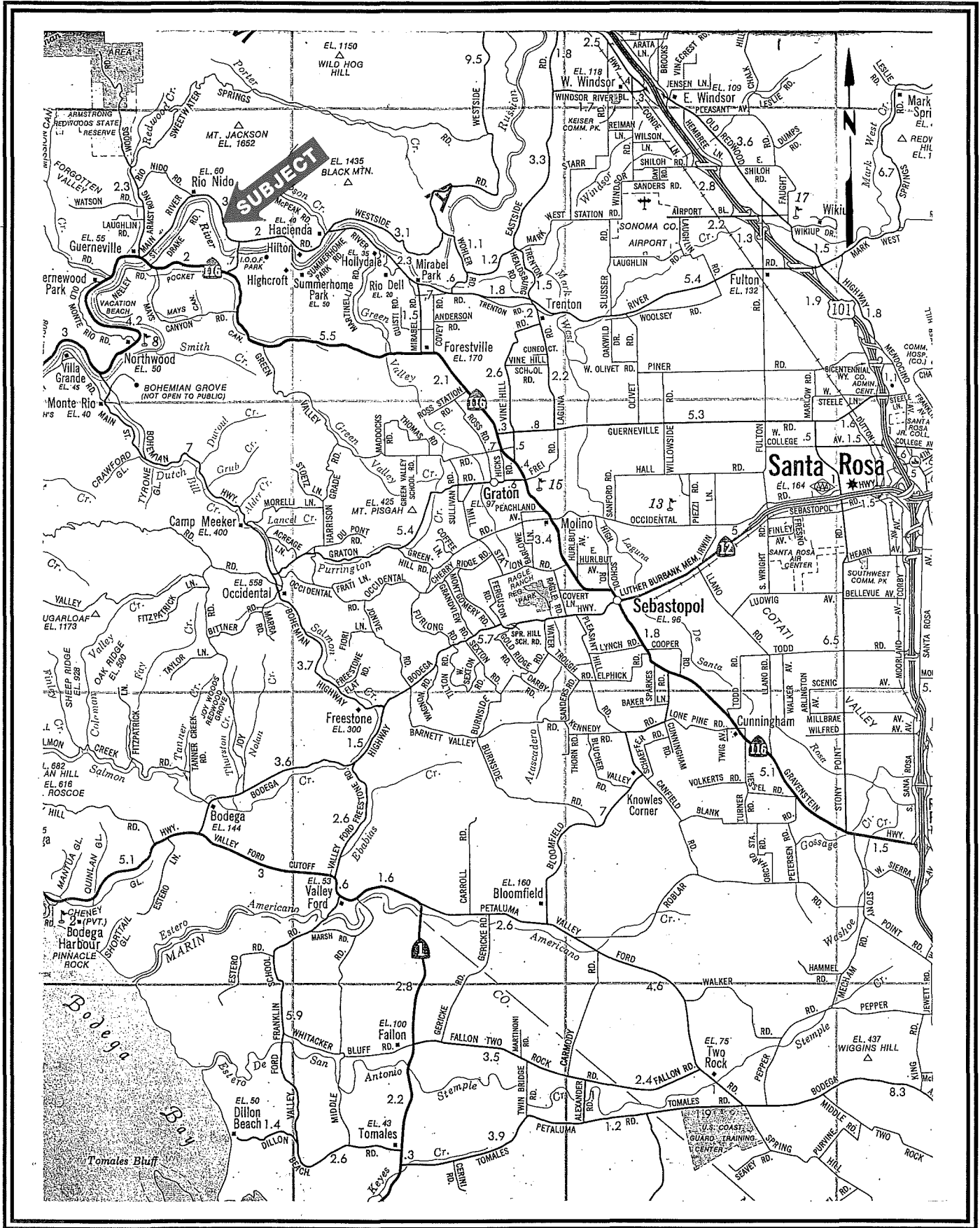
Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 5,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 5,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 5,000	Total Sources	\$ 5,000

Narrative Explanation of Fiscal Impacts (If Required):

Staff time to research and process paperwork for this transfer will be absorbed in Road Maintenance administration.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None.			
Attachments:			
Location Map; Land Conveyance Map; Resolution; Resolution’s Exhibit “A”			
Related Items “On File” with the Clerk of the Board:			
Quitclaim Deed; General Plan Consistency Determination			



Location Map

**CONVEYANCE MAP
SONOMA COUNTY TO KORBEL**



6,540 S.F. (0.15 AC.)

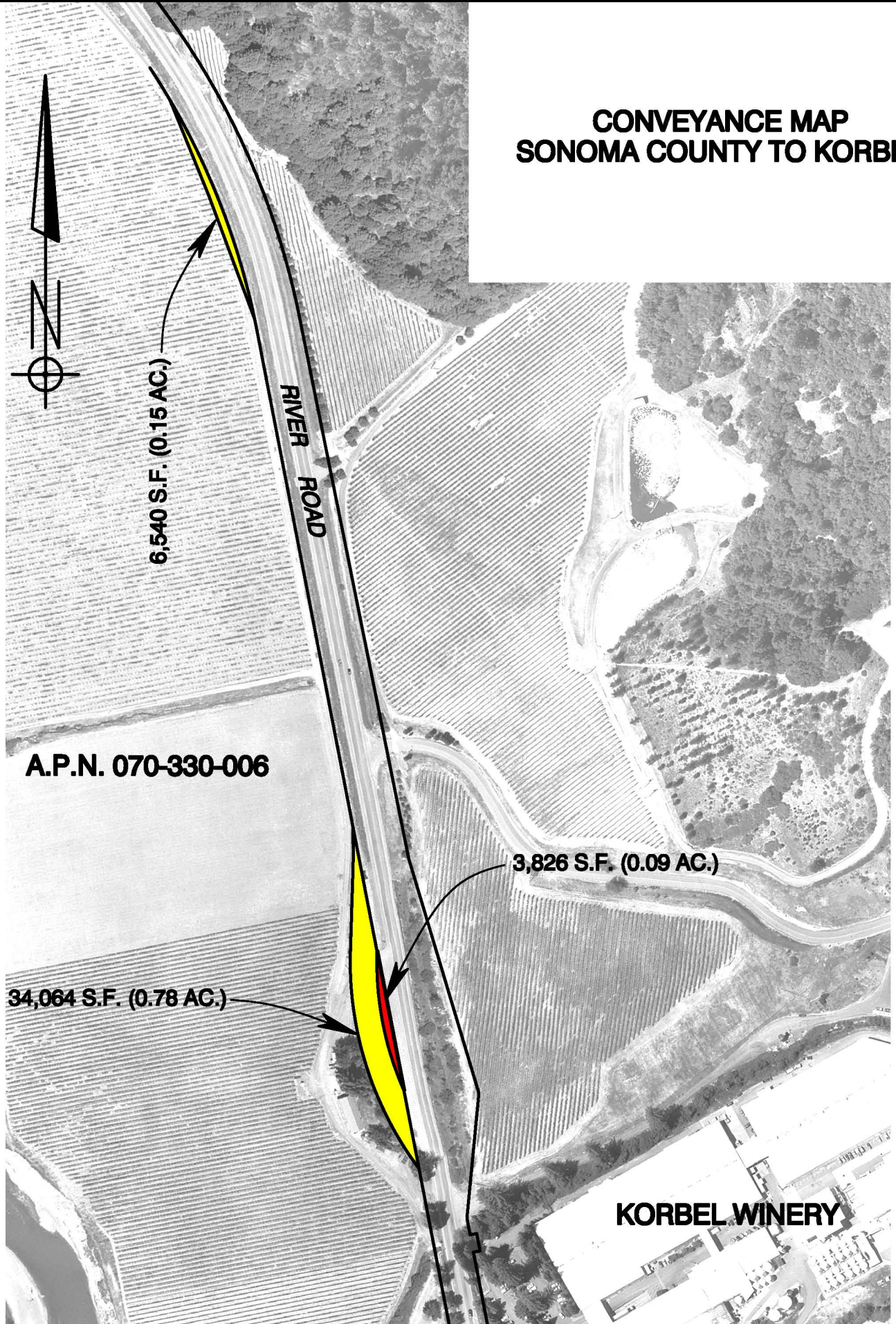
RIVER ROAD

A.P.N. 070-330-006

3,826 S.F. (0.09 AC.)

34,064 S.F. (0.78 AC.)

KORBEL WINERY





County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Ordering the Vacation of Excess Right-of-Way on River Road and Directing the Execution and
Recording of a Quitclaim Deed Conveying Said Right-of-Way (Fifth Supervisorial District).**

Whereas, Resolution No. 43825 authorizing execution of an agreement with F. Korbel & Bros., a Corporation, for the County's acquisition and exchange of right-of-way for the reconstruction of a portion of River Road was approved by the Board of Supervisors on September 7, 1965;

Whereas, for reasons now unknown, not all of the excess right-of-way identified in the 1965 Resolution was vacated by the County to F. Korbel & Bros., a Corporation; and

Whereas, to now honor the directives of the 1965 Resolution, County desires to complete the transaction and vacate to F. Korbel & Bros., a Corporation, the remaining excess road right-of-way consisting of fee simple and easement interests which are more particularly described as follows:

See Exhibit "A" Attached.

Whereas, the Sonoma County Permit and Resource Management Department found the proposed vacation consistent with the General Plan; and

Whereas, the Board of Supervisors has reviewed the report of the Sonoma County Permit and Resource Management Department; and

Whereas, pursuant to the provisions of Section 8333(c) of the Streets and Highways Code of the State of California, the right-of-way to be vacated has been determined to be excess by the County, and there are no other public facilities located within the right-of-way; and

Whereas, pursuant to the provisions of Section 8334(a) of the Streets and Highways Code of the State of California, the excess right-of-way is not required for street or highway purposes; and

Resolution #

Date:

Page 2

Whereas, pursuant to the provisions of Section 8334.5 of the Streets and Highways Code of the State of California, no public utility facilities are in use that would be affected by the vacation; and

Whereas, pursuant to the provisions of Section 8335(b) of the Streets and Highways Code of the State of California, the following statements are included in this resolution of vacation:

(1) The vacation is made pursuant to Division 9, Part 3, Chapter 4, Article 2, of said Streets and Highways Code of the State of California.

(2) The road right-of-way to be vacated consists of portions of River Road near Korbel and is more particularly described in Exhibit "A" attached.

(3) The vacation is made pursuant to the findings of this resolution.

(4) From and after the date the resolution is recorded, the right-of-way vacated no longer constitutes a street, highway, or public service easement; and

Whereas, except for any reservations cited in this resolution, the Board finds, from all evidence submitted, that the excess right-of-way described above is unnecessary for present or prospective public use; and

Whereas, the Board finds the expedient way to provide grantee with an insurable title to the vacated land is to execute a quitclaim deed; and

Now, Therefore, Be It Resolved by the Board of Supervisors of the County of Sonoma that the vacation of said excess right-of-way, located within the County of Sonoma, is hereby ordered.

Be It Further Resolved that the Chair of the Board be and is hereby authorized and directed to execute a quitclaim deed to F. Korbel & Bros., a Corporation; and

Be It Further Resolved that the County Recorder be and is hereby authorized and directed to record this resolution and said quitclaim deed at no cost to the county as provided under Government Code 6103; and

Be It Further Resolved that upon recordation of this resolution and said quitclaim deed, the vacation is complete.

Resolution #

Date:

Page 3

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

Resolution's Exhibit A

Exhibit "A"

Parcel 1

Being a portion of the lands of the County of Sonoma, as described in Parcel 2 of that deed recorded in Book 2155 of Official Records at Page 286, Sonoma County Records, said portion being more particularly described as follows.

Being that portion of said lands lying westerly of and coincident with a line drawn from a point 50 feet left of Station 665+08.58 to a point 50 feet left of Station 672+97.32, said Stations being shown on a map titled "River Road", dated May 1965, and on file in the Sonoma County Department of Transportation and Public Works as Microfiche Number 001609.

Containing 0.09 acres, more or less.

APN 070-330-006 Ptn.

Road Name: River Road
Road #: 8802B
Postmile: 12.62 to 12.68 Rt.

Parcel 2

Being a portion of the right of way of the County of Sonoma, as described in that deed recorded in Book 423 of Official Records at Page 244, Sonoma County Records, said portion being more particularly described as follows.

Being that portion of said right of way lying westerly of and contiguous with a line drawn from a point 50 feet left of Station 665+08.58 to a point 50 feet left of Station 672+97.32, said Stations being shown on a map titled "River Road", dated May 1965, and on file in the Sonoma County Department of Transportation and Public Works as Microfiche Number 001609.

Containing 0.78 acres, more or less.

APN 070-330-006 Ptn.

Road Name: River Road
Road #: 8802B
Postmile: 12.57 to 12.72 Rt.

Parcel 3

Being a portion of the right of way of the County of Sonoma, as described in that deed recorded in Book 423 of Official Records at Page 244, Sonoma County Records, said portion being more particularly described as follows.

Resolution's Exhibit A


Being that portion of said right of way lying westerly of and coincident with a curve being 50 feet left of the centerline of River Road between Stations 684+34.56 and Station 691+00.00, said centerline being shown on a map titled "River Road", dated May 1965, and on file in the Sonoma County Department of Transportation and Public Works as Microfiche Number 001610.

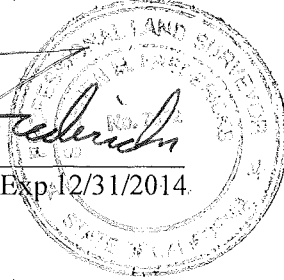
Containing 0.15 acres, more or less.

APN 070-330-006 Ptn.

Road Name: River Road
Road #: 8802B
Postmile: 12.25 to 12.35 Rt.

This description was prepared by me or under my direction in conformance with the requirements of the Land Surveyor's Act.


Stephen Fredericks, Exp: 12/31/2014.





County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 33
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works

Staff Name and Phone Number:

Susan Klassen (707) 565-2231

Supervisorial District(s):

Fifth

Title: Town of Bodega Crosswalk

Recommended Actions:

Adopt a resolution approving the installation of a mid-block crosswalk on Bodega Highway in the Town of Bodega.

Executive Summary:

California Vehicle Code Section 21106(a) specifies that "Local authorities, by ordinance or resolution, may establish crosswalks between intersections." In that regard, staff is requesting that the Board of Supervisors adopt a resolution approving the installation of a mid-block crosswalk on Bodega Highway in the Town of Bodega.

In 2011, staff received a request from the Town of Bodega business community to formalize a community painted crosswalk on Bodega Highway. The businesses within the Town of Bodega are very concentrated, with most being located within a distance of 1500 feet. Bodega Highway is posted 25 miles per hour (MPH) through town with advanced speed limit warning signage approaching town. As a busy destination, tourists and residents have traditionally crossed the roadway without the benefit of an authorized crosswalk or other traffic calming enhancements. During the investigation, staff met with business representatives on site and agreed that not all motorists adhered to the posted limit and that there was not adequate signage to identify and warn drivers of the presence of pedestrians attempting to cross Bodega Highway.

In acknowledging the concerns, staff developed, internally vetted and implemented an action plan to address these concerns. In February 2011, County forces placed "rumble strips" prior to the westerly and easterly entrances to the town in advance of the 25 MPH speed limit signs to alert the motorist to the posted speed limit. In addition, staff ensured that the pavement markings ("25 MPH"), speed limit and advanced speed limit signs were appropriately placed and in good condition.

Staff also installed signage to alert motorists of the potential presence of pedestrians. This included standard pedestrian crossing signs (pedestrian silhouette) with "Ahead" plaques prior to entering town,

pedestrian crossing signs with downward arrow plaques at the crosswalk, marked crosswalk and pavement legends noting "PED XING". The marked crosswalk was installed immediately to the east of McCaughy Hall and the Post Office and was based on both field observations and recognition of where the community had painted their crossing.

Prior Board Actions:

None

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

This crosswalk helps to ensure the safety of residents and visitors to the town of Bodega.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 1,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 1,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ \$1,000	Total Sources	\$ 1,000

Narrative Explanation of Fiscal Impacts (If Required):

General road maintenance dollars which are largely gas tax were used to fund the installation of the crosswalk.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Resolution; Location Map

Related Items "On File" with the Clerk of the Board:

None



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, APPROVING THE INSTALLATION OF A MID-BLOCK CROSSWALK ON BODEGA HIGHWAY IN THE TOWN OF BODEGA

Whereas, the residents and business owners of the Town of Bodega desire to enhance their community by reducing vehicle speeds on Bodega Highway and to improve the identification and recognition by drivers to the presence of pedestrians attempting to cross Bodega Highway; and

Whereas, California Vehicle Code Section 21106(a) specifies that “Local authorities, by ordinance or resolution, may establish crosswalks between intersections”; and

Whereas, a crosswalk placed at a location other than at an intersection is typically referred to as a “mid-block” crosswalk; and

Whereas, staff has evaluated conditions on Bodega Highway in the Town of Bodega and determined that speed and pedestrian advisory enhancements are appropriate; and

Whereas, staff implemented measures to improve driver awareness of the 25 mile per hour speed limit entering the Town of Bodega; and

Whereas, staff has concluded that the installation of a mid-block crosswalk and associated, including advanced warning signage is appropriate.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma hereby approves the placement of a mid-block crosswalk and associated signage in the Town of Bodega to improve the identification and recognition by drivers to the presence of pedestrians attempting to cross Bodega Highway

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

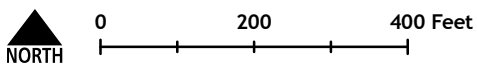
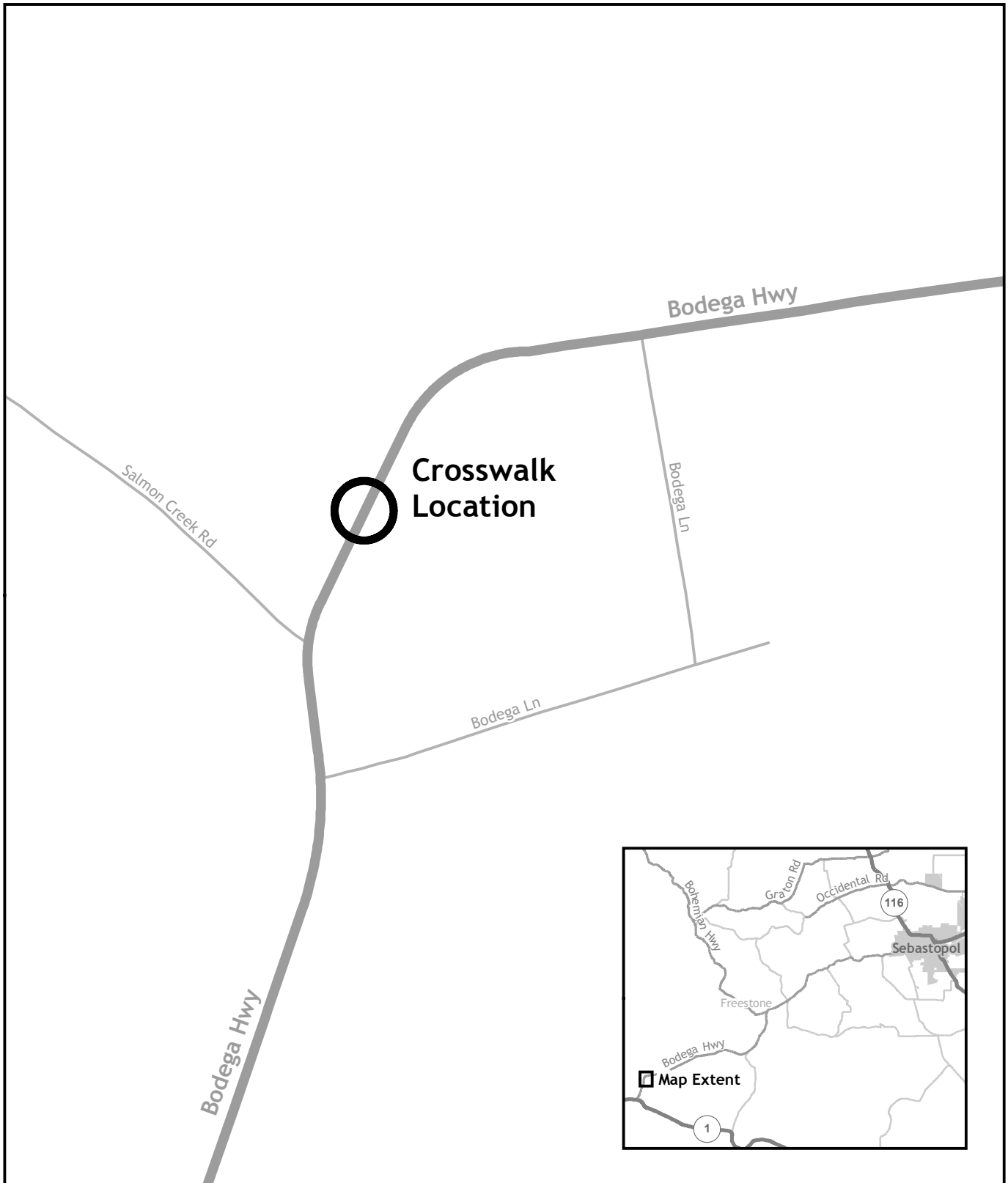
Absent:

Abstain:

So Ordered.

Location Map

Town of Bodega Crosswalk





County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 34
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Board of Supervisors (707) 565-2241

Supervisorial District(s):

Title: Minutes of October 15 and October 22, 2013

Recommended Actions:

Approval.

Executive Summary:

Approval of Minutes:

- (A) Minutes of the Meeting of October 15, 2013 for the following: Agricultural Preservation and Open Space District, Northern Sonoma County Air Pollution Control District, Sonoma County Water Agency, and Board of Supervisors; and
- (B) Minutes of the Meeting of October 22, 2013 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Occidental County Sanitation District, Russian River County Sanitation District, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and
- (C) Minutes of the Meeting of October 22, 2013 of the Sonoma Valley County Sanitation District.

Prior Board Actions:

None.

Strategic Plan Alignment Not Applicable

Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (If Required):			
N/A			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None			
Attachments:			
Minutes			
Related Items "On File" with the Clerk of the Board:			
None			

ACTION SUMMARY
BOARD OF SUPERVISORS
SONOMA COUNTY
575 ADMINISTRATION DRIVE, ROOM 102A
SANTA ROSA, CA 95403

TUESDAY

OCTOBER 15, 2013

8:30 A.M.

Susan Gorin	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, and as the governing board of all special districts having business on the agenda to be heard this date.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

AGENDAS AND MATERIALS: Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

SUPPLEMENTAL MATERIALS: Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

Public Transit Access to the County Administration Center:

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or <http://www.sctransit.com/>.

APPROVAL OF THE CONSENT CALENDAR

The Consent Calendar includes routine financial and administrative actions, are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

PUBLIC COMMENT

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. Closed session items may be added prior to the Board adjourning to closed session. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

8:31 A.M. CALL TO ORDER

8:31 A.M. Chairman Rabbitt called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica A. Ferguson, County Administrator and Bruce Goldstein, County Counsel

Chairman Rabbitt presiding.

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

Chairman Rabbit announced a correction to the Agenda for Consent Item #9 - Electric Vehicle Grant MOU and Sonoma County Water Agency Property Grant of Right-of-Way, the title should reflect that the authorizing Resolution confirms that the Water Agency owns the right-of-way for properties on which it plans to install electric vehicle chargers, and that this is an action of the Board of Directors of the Sonoma County Water Agency, not the Board of Supervisors.

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Carrillo announced that he participated in the California State Association of Counties Executive Session meeting; provided a Water Bond Coalition update and announced an upcoming Water Bond Coalition conference call set for October 24, 2013.

Supervisor Gorin announced that she attended the Roads Summit in the City of Sonoma; participated in the Springs Community Town Hall meeting; toured the bike paths and trails throughout the Sonoma area with the Regional Parks Department staff; and attended the Tolay Fall Fest.

Supervisor Zane reported that she attended the Latino Health Forum's 21st Anniversary celebration and will participate in a Rohnert Park Town Hall meeting on the Affordable Health Care Forum on October 17, 2013.

Supervisor McGuire announced that he will be attending the Business Journal's Economic Impacts Conference with Airport Manager Jon Stout with focus on the Sonoma County Airport Safety and Improvement project on October 16, 2013; he gave an update on the presentation of the draft amended Joint Powers Authority Agreement to the Sonoma County Library Mayors and Councilmembers Association meeting; and informed the Board about a Geyserville River Road issue that he will be meeting to discuss with Congressman Huffman, Assemblymember Chesbro and Senator Evan's office. He shared a few words about the late former Cloverdale City Manager Nina Regor.

BOARD ANNOUNCEMENTS (Continued)

Chairman Rabbitt announced that he attended the Sonoma County Employees Retirement Association Investment Committee; spoke at the opening ceremony of the American Veterans Traveling Tribute, a Replica of the Vietnam Veterans Memorial Wall; attended the Golden Gate Bridge Highway and Transportation Board meeting; and will be attending the Affordable Health Care Forum at the Petaluma Community Center on October 17, 2013.

III. CONSENT CALENDAR

(Items 1 through 15)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 4)

PRESENTATIONS AT BOARD MEETING

1. Present Certificates of Honor to the generous sponsors of the Schulz Celebrity Golf Classic held on June 4, 2013, raising \$400,000 to benefit Sonoma County Children's Charities: Fifth Third Bank, American Ag Credit, Northern California Medical Associates, Avant Air, Cobra Puma Golf, Nissan/Kia of Santa Rosa, M. Draxton, Inc., Codding Enterprises, Trione Winery, Zinna Family Trust, Jackson Family Wines, First Community Bank, and Lytton Rancheria. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

2. Adopt a Gold Resolution celebrating the 50th Anniversary of the Rohnert Park Chamber of Commerce. (Third District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0402

PRESENTATIONS AT DIFFERENT DATE

3. Adopt a Gold Resolution honoring and acknowledging the Sonoma County Beekeepers Association as recipients of the North Bay Leadership Council's 2013 Leaders of the North Bay Award for "Paint the Community Green". (Second District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0403

4. Adopt a Gold Resolution congratulating Chuck Williams for being named Sonoma's 2013 Muse. (First District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0404

CONSENT CALENDAR (Continued)

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

AND

REGIONAL PARKS

5. Adopt a Resolution of the Directors of the Sonoma County Agricultural Preservation and Open Space District (District) approving submission of an application for a \$950,000 grant from the California Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to fund the acquisition of approximately 75 acres for the Copeland Creek Watershed Project and authorizing the District's General Manager to execute all documents that may be necessary to apply for and administer the grant. (First and Third Districts)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0405

BOARD OF SUPERVISORS

6. Disbursement of Fiscal Year 2013-14 Advertising Funds (First District) - Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entity for advertising and promotions activities for Fiscal Year 2013-14: Sonoma International Film Festival, \$1,500.

Board Action: Approved as Recommended

UNANIMOUS VOTE

7. Disbursement of Fiscal Year 2013-14 Advertising Funds (Third District) - Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entity for advertising and promotions activities for Fiscal Year 2013-14: Sunny Hills Services, \$500.

Board Action: Approved as Recommended

UNANIMOUS VOTE

8. Disbursement of Fiscal Year 2013-14 Advertising Funds (Fourth District) - Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entity for advertising and promotions activities for Fiscal Year 2013-14: Kiwanis Club of Cloverdale Foundation, \$250.

Board Action: Approved as Recommended

UNANIMOUS VOTE

GENERAL SERVICES

AND

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

9. Concurrently, acting as Sonoma County Board of Supervisors and Sonoma County Water Agency Board of Directors, Authorize the Chair to execute renewal of MOU between the

CONSENT CALENDAR (Continued)

Item #9 Continued

County of Alameda and County of Sonoma/Sonoma County Water Agency for the Local Government Electric Vehicle (EV) Fleet National Demonstration Project to allow Alameda County's continued administration and facilitation of a regional electric vehicle fleet and infrastructure grant; and Acting as the Sonoma County Water Agency Board of Directors, Adopt a resolution authorizing the Agency's General Manager to certify that interests in land have been acquired by the Agency to meet the grant requirement that participants exhibit proof of right-of-way on properties on which charging stations will be installed.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0406

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

10. Adopt a Resolution authorizing the Air Pollution Control Officer of the Northern Sonoma County Air Pollution Control District to: Execute funding agreement with Lloyd Group Holdings, Inc. for electric vehicle charging stations, for the amount of \$23,616 to fund the purchase and installation of two dual-unit phase II Electric Vehicle charging stations at the Dry Creek Center Parking Lot in Healdsburg.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution 13-0407

TRANSPORTATION AND PUBLIC WORKS

11. Approve out-of-state travel requests for the Airport Manager for up to six (6) trips in Fiscal Year 2013-14.

Board Action: Approved as Recommended

UNANIMOUS VOTE

MISCELLANEOUS

12. Approval of Minutes - (A) Minutes of the Meeting of September 24, 2013 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Sonoma County Public Financing Authority, Sonoma County Water Agency, and Board of Supervisors; (B) Minutes of the Special Meeting of October 1, 2013 for the Board of Supervisors.

Board Action: Approved as Recommended

UNANIMOUS VOTE

APPOINTMENTS/REAPPOINTMENTS

(Items 13 through 15)

13. Reappoint Mike Sangiacomo to the Agricultural Preservation and Open Space Fiscal Oversight Commission effective November 8, 2013 and expiring on November 7, 2015. (First District)

CONSENT CALENDAR (Continued)

Item #13 Continued

Board Action: Approved as Recommended
UNANIMOUS VOTE

14. Reappoint Wendy Peterson to the Sonoma County Tourism Board effective January 1, 2014 and expiring on December 31, 2015. (First District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

15. Reappoint Jennifer Buffo to the Sonoma County Tourism Board representing the Second District for a term of two years ending December 31, 2015. (Second District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

IV. REGULAR CALENDAR

(Items 16 through 18)

GENERAL SERVICES / COUNTY ADMINISTRATOR / PROBATION / SHERIFF'S OFFICE

16. Endorse the new facilities project concept as presented; and adopt a Resolution authorizing the application for State S.B.1022 funding in the amount of \$24,000,000 for the construction of a Community Corrections Center.

9:16 A.M.

Present: Jose Obregon, General Services Director; Randall Walker, Assistant Sheriff; Bob Ochs, Chief Probation Officer, and Jennifer Murray, Deputy County Administrator

9:15 A.M. Supervisor Gorin left the meeting

9:16 A.M. Supervisor Zane left the meeting

9:18 A.M. Supervisor Gorin rejoined the meeting

9:19 A.M. Supervisor Zane rejoined the meeting

Speaker:

Peter Tscherneff

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0408

TRANSPORTATION AND PUBLIC WORKS

17. Conduct a public hearing and (A) Authorize the Chair to execute the purchase agreement for 1480 Sanders Road, Windsor, CA (APN 164-150-010) to protect runway approaches and setbacks at the Charles M. Schulz -Sonoma County Airport; (B) Authorize the Director of Transportation and Public Works to execute any other documents reasonably required to effect said purchase; and give direction to staff; and (C) Adopt a Resolution authorizing the issuance and sale of a note in the principal amount of \$1,000,000 to purchase real property commonly known as 1480 Sanders Road, Windsor, CA. (Fourth District)

10:57 A.M.

Present: Jon Stout, Airport Manager

10:58 A.M. Public Hearing opened

10:58 A.M. Public Hearing closed

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0409

REGULAR CALENDAR (Continued)

10:58 A.M. The Board recessed

11:13 A.M. The Board reconvened

INFORMATION SYSTEMS

18. Authorize the Director of the Information Systems Department to execute an agreement for purchase of equipment and professional services agreement with Nexus IS, Inc. (Nexus) for procurement, installation, implementation, and training for Cisco Systems enterprise unified communications system for a total amount not to exceed \$4,076,000 including a \$194,000 contingency for a two year period commencing October 16, 2013.

11:18 A.M.

Present: John Hartwig, Director of Information Systems; Dan Fruchey, Information Systems Division Director, and Susanne Lake, Information Systems Administrative Services Officer

Board Action: Approved as Recommended
UNANIMOUS VOTE

11:40 A.M. The Board recessed to closed session.

V. CLOSED SESSION CALENDAR (Items 19 through 22)

2:08 P.M. Chairman Rabbitt reported on Closed Session Item #19. Counsel Goldstein reported on Closed Session Items #20-22.

19. The Board of Supervisors will consider the following in closed session: Public Employee Appointment: Permit and Resource Management Department Head Recruitment. Agency Negotiator: Wendy Macy, Director of Human Resources (Govt. Code Section 54957).

Board Action: The Board appointed Tennis "J.T." Wick as the new Director for the Permit and Resource Management Department.

UNANIMOUS VOTE

20. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: Peter Justin Lang v. County of Sonoma. USDC Case No. CV 12-0983 (Govt. Code Section 54956.9(d)(1)).

Item was continued.

21. The Board of Supervisors will consider the following in closed session: Conference with Real Property Negotiator - Jose Obregon, General Services Department Director, for the lease of County property located at 1350 Bennett Valley Road, Santa Rosa, CA 95404, to the Sonoma County Riding and Driving Club (Govt. Code Section 54956.8).

Direction was given to staff and Counsel.

22. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiators: Wendy Macy/Carol Allen /Janae Novotny, Burke & Associates, Carol Stevens, Burke & Associates, and Janet Cory Sommer, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

Direction was given to labor negotiators.

VI. REGULAR AFTERNOON CALENDAR

(Items 23 through 27)

2:08 P.M. - RECONVENE FROM CLOSED SESSION

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

23. Report on Closed Session.

2:08 P.M. Chairman Rabbitt reported on Closed Session Item #19. Counsel Goldstein reported on Closed Session Items #20-22.

24. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board's jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting.)

2:12 P.M. Public Comment Opened

Mary E. Morrisson
Maureen DeVoe
Richard E. Hannan
John Jenkel

2:24 P.M. Public Comment Closed

25. Permit and Resource Management Department: Review and possible action on the following:
- a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments
 - b) Acts and Determinations of Project Review and Advisory Committee
 - c) Acts and Determinations of Design Review Committee
 - d) Acts and Determinations of Landmarks Commission
 - e) Administrative Determinations of the Director of Permit and Resource Management

2:24 P.M.

No Acts or Determinations were acted on or reviewed.

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

26. Hold a study session on lands acquired for recreation including: (1) Fiscal Overview; (2) Initial Public Access, Operation and Maintenance Policy, (3) Accounting Review, and (4) Fee Lands Strategy; and adopt a Resolution approving an update to the District's 2007 Initial Public Access, Operations and Maintenance Policy.

REGULAR AFTERNOON CALENDAR (Continued)

Item #26 Continued

2:24 P.M.

Present: Christine Williams, Administrative Analyst II, County Administrator's Office; Bill Keene, General Manager, Agricultural Preservation and Open Space District; Sheri Emerson, Program Manager, Agricultural Preservation and Open Space District; and David Sundstrom, Auditor-Controller-Treasurer-Tax Collector

Speakers:

Ken Wells
Caitlin Cornwall
Craig Anderson
Laurie Gallian
Ted Eliot
Ralph Benson
Dennis Rosatti
Jeff Owen
Liza Prunuske
David Bannister
Dee Swanhuysen
Eric Koenigshofer
Bob Anderson

Board Action: Adopt a resolution updating the district's initial public access, and operations and maintenance policy to include (1) costs of capital improvements, (2) limited initial payments to recreational land transfer recipients, (3) costs for recreational property management, and (4) costs to provide interim access, permit, and public outings and education programs, and (5) continued annual appropriations for initial public access and operation and maintenance expenditures and District Operation and Maintenance Reserve Fund contribution.

UNANIMOUS VOTE

Approved by Resolution No. 13-0410

Board Action: Approve the General Manager's recommendation that the Carrington, Occidental, and East Slope Sonoma Mountain properties owned by the District be moved to Tier 1 in the Fee Lands Strategy, with the designated recipient as Sonoma County Regional Parks, subject to action by the Sonoma County Board of Supervisors. Each property transfer transaction would be brought to the District Advisory Committee and Fiscal Oversight Commission for review, and then to the District Board of Directors for approval at a later date.

UNANIMOUS VOTE

4:51 P.M. Supervisor Zane left the meeting

REGULAR AFTERNOON CALENDAR (Continued)

27. ADJOURNMENTS

4:54 P.M. The Board adjourned the meeting in memory of Nina Regor, Mariah LeGrand, and Kerry Lindstrom. The meeting was adjourned to October 22, 2013 at 8:30 A.M.

Respectfully submitted,

Michelle Arellano, Chief Deputy Clerk of the Board

ACTION SUMMARY
BOARD OF SUPERVISORS
SONOMA COUNTY
575 ADMINISTRATION DRIVE, ROOM 102A
SANTA ROSA, CA 95403

TUESDAY

OCTOBER 22, 2013

8:30 A.M.

Susan Gorin	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, and as the governing board of all special districts having business on the agenda to be heard this date.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

AGENDAS AND MATERIALS: Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

SUPPLEMENTAL MATERIALS: Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

Public Transit Access to the County Administration Center:

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or <http://www.sctransit.com/>.

APPROVAL OF THE CONSENT CALENDAR

The Consent Calendar includes routine financial and administrative actions, are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

PUBLIC COMMENT

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. Closed session items may be added prior to the Board adjourning to closed session. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

8:34 A.M. CALL TO ORDER

8:34 A.M. Chairman Rabbitt called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica A. Ferguson, County Administrator and Bruce Goldstein, County Counsel

Chairman Rabbitt presiding.

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

Chairman Rabbitt announced Consent Item #28A Building Inspection Services Contract on the Agenda Addendum. He stated that there was a correction to the attachment for Consent Item #19 Animal Care and Control Contracts, the agreement with Becky Lunders incorrectly states the Consultant rate at \$150 per hour, it should be \$100 per hour (page 12 of the agreement).

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor McGuire provided the Board with an update on Quagga mussel and temporary farm worker housing as it relates to temporary septic holding tanks.

Supervisor Zane announced that she had attended the Sonoma County Waste Management Board of Directors meeting; the Sonoma Marin Area Rail Transit Board meeting; the Sonoma Clean Power Authority Board meeting; a Rohnert Park town hall meeting on Affordable Care Act with Congressman Mike Thompson; participated on a National Association of Counties conference call with healthcare leaders; and invited the public to attend the Rohnert Park City Council meeting to discuss the draft amended Joint Powers Authority Agreement for the Sonoma County Library.

Supervisor Gorin announced that she had attended the Sonoma Clean Power Authority Board meeting.

Supervisor Carrillo announced that he had made welcoming remarks at the 2013 California Emergency Services Association Conference and thanked the Board for attending the fourth year Latino Leaders Los Cien celebration. He also reported that he had attended a local government officials round table sponsored by the California Emerging Technology Fund with focus on broadband expansion and encouraged Sonoma County to take a proactive approach on the digital divide issue.

Chairman Rabbitt reported that he attended the Sonoma Marin Area Rail Transit Board meeting; the Sonoma County Employees Retirement Association Board meeting; the Affordable Care Act Forum in Petaluma; and the Volunteer Appreciation dinner.

III. CONSENT CALENDAR (Items 1 through 28)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 6)

PRESENTATIONS AT BOARD MEETING

1. Adopt a Gold Resolution proclaiming October 23-31, 2013 as Red Ribbon Week with the theme "A Healthy Me is Drug Free." (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0411

2. Adopt a Gold Resolution proclaiming October 24, 2013 as Food Day in Sonoma County. (Health Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0412

3. Adopt a Gold Resolution honoring the Cazadero Community Services District on 50 years of community service. (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0413

PRESENTATIONS AT DIFFERENT DATE

4. Adopt a Gold Resolution declaring October 20 - 26, 2013 as Freedom from Workplace Bullies Week. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0414

5. Adopt a Gold Resolution commending Pam Chanter for her recognition by the North Bay Leadership Council for "Caught in the Act of Leadership" Award. (Third District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0415

6. Adopt a Gold Resolution honoring Women Veterans of Sonoma County, October 20, 2013. (Third District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0416

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

7. Authorize the General Manager of Water Agency to execute an agreement with GHD Inc. to conduct site investigations, perform engineering evaluations, and prepare a Basis of Design Report for the Copeland Creek Stormwater Detention and Groundwater Recharge Project (\$397,000; agreement terminates on June 30, 2015); and Authorize General Manager of Water Agency to execute a License Agreement with University District, LLC, in an amount not to exceed \$1,000, to allow site investigation work. (Third District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

SONOMA COUNTY WATER AGENCY

SOUTH PARK COUNTY SANIATION DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

AND

TRANSPORTATION AND PUBLIC WORKS

8. Authorize the Chair to execute agreements between the Sonoma County Water Agency and Transportation and Public Works to perform sanitation and roadway improvements of: (A) Airport Boulevard Improvement Project for the amount of \$5,775; agreement terminates on June 30, 2014; (B) Old Redwood Highway Improvement Project (PM 13.20 to PM 16.50) for the amount of \$18,700; agreement terminates on September 30, 2014; (C) Main Street Overlay Project in Penngrove for the amount of \$2,750; agreement terminates on February 28, 2014; and an agreement between the South Park County Sanitation District and Transportation and Public Works for Burbank Avenue Improvement Project (PM 10.00 to PM 10.71) for the amount of \$12,320; agreement terminates on September 30, 2014; and Authorize the General Manager of the Water Agency and the Director of Transportation and Public Works to terminate the agreement(s), if appropriate. (First, Fourth, and Fifth Districts)

Board Action: Approved as Recommended

UNANIMOUS VOTE

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, K. Brown)

9. Authorize the Chair to execute an agreement with Larry Walker Associates, Inc., to provide regulatory and permitting assistance for the amount of \$491,665; agreement terminates on December 31, 2018. (2/3 vote required) (First District)

AYES: Susan Gorin, David Rabbitt

ABSENT: Ken Brown

AUDITOR CONTROLLER-TREASURER TAX COLLECTOR

10. Adopt a Resolution authorizing transfer of certain unclaimed funds in the amount of \$5,000 or more totaling \$9,042.53 to the County General Fund.

CONSENT CALENDAR (Continued)

Item #10 Continued

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0417

BOARD OF SUPERVISORS

11. Adopt a Resolution in support of Gun Violence Prevention.

The Board gave direction to amend the Resolution by adding a paragraph that makes reference to the relationship between firearms and suicide.

Speaker:

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0418

COUNTY COUNSEL

12. Adopt a Resolution approving conflict of interest code for the Landmarks Commission.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0419

ECONOMIC DEVELOPMENT BOARD

13. Receive the Sonoma County Economic Development Board Foundation's Annual Report for fiscal year ending June 30, 2013.

Board Action: Approved as Recommended

UNANIMOUS VOTE

14. Approve and authorize the Chair to execute a one year agreement with the option to renew for up to two years with Moody's Analytics, Inc. for economic and technical research services in the amount of \$57,550 per year.

Board Action: Approved as Recommended

UNANIMOUS VOTE

FIRE AND EMERGENCY SERVICES

15. Adopt a Resolution introducing, reading the title of, and waiving further reading of an ordinance amending Chapter 13 of the Sonoma County Code, relating to the California Fire Code, 2013 edition, making technical and administrative revisions; and direct the Clerk of the Board to set a public hearing on November 5, 2013 at 10:00 a.m. to consider the ordinance for adoption. (First Reading)

CONSENT CALENDAR (Continued)

Item #15 Continued

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0420

16. Adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 29 of the Sonoma County Code, relating to the California Fire Code, 2013 edition, making technical and administrative revisions; and direct the Clerk of the Board to set a public hearing on November 5, 2013 at 10:00 a.m. to consider the ordinance for adoption. (First Reading)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0421

GENERAL SERVICES / SHERIFF'S OFFICE

17. Authorize the Chair to execute amendment #4 to the consulting services agreement with G Squared Consulting, Inc., for real estate consulting services for communication sites, expanding the scope of services and increasing the contract sum by \$81,450 for a total contract not to exceed \$145,450 and extending the term of the contract through June 30, 2015.

Board Action: Approved as Recommended

UNANIMOUS VOTE

HEALTH SERVICES

18. Authorize the Director of Health Services to execute a Memorandum of Understanding with Humboldt County wherein Sonoma County agrees to provide interim Public Health Laboratory Director Services to Humboldt County, with a term end date of December 31, 2013.

Board Action: Approved as Recommended

UNANIMOUS VOTE

19. Authorize the Director of Health Services to execute agreements for facilitation and support services for the Animal Services Partnership with: (A) Becky Lunders, dba teamWorks, in an amount not to exceed \$16,000 for the period October 22, 2013 through June 30, 2014, with the option to extend the term for two additional years (Fiscal Year 2014-15 and Fiscal Year 2015-16) for a total contract amount not to exceed \$56,000; and (B) Tickler and Thomas, expanding the current agreement to include organization and documentation of Animal Care and Control procedures as well as facilitation services, increasing the contract by \$20,000 and extending the term through June 30, 2014, with the option to extend for two additional years (Fiscal Year 2014-15 and Fiscal Year 2015-16) for a total contract amount not to exceed \$56,900.

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

20. Approve the Northern Sonoma County Air Pollution Control District's 2013 Woodstove Change-Out Rebate Incentive Program for a maximum of \$44,318 in grant rebates; and Authorize the Air Pollution Control Officer to adjust timelines as needed to ensure program effectiveness.

Board Action: Approved as Recommended
UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

21. Adopt a Resolution authorizing the Chair to execute the two Land Conservation Contracts (Williamson Act Contract) and attached Land Conservation Plans for Paul J. and Constance E. Mitterbach. PRMD File No. PLP12-0014 (AGP 10-0018 /AGP 12-0005). (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0422

22. Adopt Resolution introducing, reading the title of, and waiving further reading of an Ordinance amending Chapters 7, Building Regulations and 7D2, Local Energy Efficiency Standards, of the Sonoma County Code to adopt with local amendments, the Title 24 California Code of Regulations, 2013 Codes referenced therein (Building Codes, Volumes 1 and 2, California Residential Code, Green Building Standards Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Referenced Standards Code, and Administrative Code), and making other technical and administrative revisions to Chapters 7, and 7D2; and direct the Clerk of the Board to set a public hearing for November 5, 2013 at 10:00 a.m. to consider for adoption. (First Reading)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0423

TRANSPORTATION AND PUBLIC WORKS

23. Authorize the Director of Transportation and Public Works to execute an agreement with East Austin LLC, totaling \$360,038.25 and any other documents required for purchase of conservation credit for mitigation related to Charles M. Schulz - Sonoma County Airport Runway Safety Improvement Project. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

MISCELLANEOUS

24. Approve Minutes of the Meeting of October 8, 2013 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern

CONSENT CALENDAR (Continued)

Item #24 Continued

Sonoma County Air Pollution Control District, Sonoma County Water Agency, and Board of Supervisors.

Board Action: Approved as Recommended

UNANIMOUS VOTE

APPOINTMENTS/REAPPOINTMENTS

(Items 25 through 28)

25. Approve appointments to the Emergency Medical Care Council as follows: (A) Dr. Mark Lagrave and Malissa Oplencia for the term of October 22, 2013 through October 21, 2015; (B) Mike Duvall for the term of October 22, 2013 until a replacement is appointed by the Board of Supervisors; (C) Reappointment of Dean Anderson, Bob Norrbom, Randy Lyman, Jim Levy, Phil Garcia, Mark McCormick, and John Marty for the term of October 22, 2013 through October 21, 2015. (Health Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

26. Appoint Caroline Banuelos to the AB939 Task Force for a 3-year term beginning October 23, 2013 and expiring October 22, 2016. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

27. Appoint Gary Saperstein to the Sonoma County Tourism Board effective October 22, 2013 and expiring on December 31, 2015. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

28. Appoint Karissa Kruse to the Sonoma County Tourism Board from October 1, 2013 through December 31, 2013. (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

28A. Authorize the Chair to execute a second amendment to agreement for professional services related to building plan check and inspection with Phillips Seabrook Associates to add an additional \$200,000 and extend the agreement term by four months to October 30, 2014 new not-to-exceed agreement total of \$277,450.

Board Action: Approved as Recommended

UNANIMOUS VOTE

9:29 A.M. Supervisor Zane left the meeting.

9:30 A.M. Supervisor Carrillo left the meeting.

9:31 A.M. The Board recessed

9:44 A.M. The Board reconvened

IV. REGULAR CALENDAR

(Items 29 through 33)

COUNTY ADMINISTRATOR

29. Receive a presentation on the California State Association of Counties 2013 Challenge Award for Sonoma County Probation Department's The Club at Juvenile Hall.

9:44 A.M.

Present: Kiana Buss, California State Association of Counties Legislative Representative, and Chris Lee, California State Association of Counties Legislative Representative

Information Only.

HUMAN SERVICES / ECONOMIC DEVELOPMENT BOARD

30. Accept presentation and the 2013 Report on Senior Needs in Sonoma County and the Economic Development Board 2013 Long-range Demographic Trends Report; and Authorize the Human Services Department and the Economic Development Board to convene a task force in 2014 to review trends and develop an action plan to address needs reflected in senior and youth demographic trends.

10:06 A.M.

Present: Jerry Dunn, Human Services Director; Diane Kaljian, Human Services Division Director; Ben Stone, Executive Director of the Economic Development Board; and Palista Kharel, Intern, Economic Development Board

Board Action: Approved as Recommended
UNANIMOUS VOTE

COUNTY ADMINISTRATOR / SHERIFF'S OFFICE

31. Conduct a public hearing and adopt a Resolution setting the Criminal Justice Administrative Fee (Jail Booking Fee) at \$164 per applicable booking and the Jail Access Fee (JAF) at \$339 per applicable non-felony bookings, effective July 1, 2013, in accordance with Government Code.

10:49 A.M.

Present: Mary Booher, County Administrator Administrative Analyst

10:52 A.M. Public Hearing opened

10:52 A.M. Public Hearing closed

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0424

REGULAR CALENDAR (Continued)

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

32. Receive a presentation on the Forever Forestville Matching Grant Project and adopt a Resolution approving a \$400,500 grant to the Forestville Planning Association towards the acquisition of property in downtown Forestville under the Matching Grant Program; determining that the grant is consistent with the Sonoma County General Plan 2020 and the District's Expenditure Plan; authorizing execution of a matching grant agreement with the Forestville Planning Association; authorizing and directing the President to execute a conservation easement and recreation covenant over the property; authorizing execution of certificates of acceptance; consenting to the recordation of irrevocable offers of dedication; directing preparation of escrow instructions; and directing the filing of a Notice of Exemption in compliance with the California Environmental Quality Act. (Fifth District)

10:52 A.M.

Present: Bill Keene, Open Space General Manager and Sara Press, Open Space Planner

Speakers:

Caryl Hart, Director, Regional Parks Department

Max Broome

Mike Reilly

Joanie Blechel

Dan Northern

Vesta Copestakes

Bob Anderson

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0425

11:38 A.M. Supervisor Zane left the meeting

11:39 A.M. The Board recessed

11:46 A.M. The Board reconvened

REGULAR CALENDAR (Continued)

COUNTY ADMINISTRATOR
AND
AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT
COMMUNITY DEVELOPMENT COMMISSION
NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT
OCCIDENTAL COUNTY SANITATION DISTRICT
RUSSIAN RIVER COUNTY SANITATION DISTRICT
SONOMA COUNTY WATER AGENCY
SOUTH PARK COUNTY SANITATION DISTRICT
(Directors/Commissioners: Brown, Rabbitt, Zane, McGuire, Carrillo)
AND
SONOMA VALLEY COUNTY SANITATION DISTRICT
(Directors: Gorin, Rabbitt, K. Brown)

33. Fiscal Year 2013-14 First Quarter Budget Update and Appropriation Adjustments - (A) Receive First Quarter Budget Update; (B) Adopt a Concurrent Resolution of the Board of Supervisors, Agricultural Preservation & Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Russian River County Sanitation District, Occidental County Sanitation District, South Park County Sanitation District, and Sonoma County Water Agency adjusting Fiscal Year 2013-14 appropriations as well as departmental position allocation changes (4/5 vote required); (C) Adopt a Resolution of the Sonoma Valley County Sanitation District adjusting Fiscal Year 2013-14 appropriations.

11:46 P.M.

Present: Veronica A. Ferguson, County Administrator; Chris Thomas, Assistant County Administrator; and Christina Rivera, Deputy County Administrator

Speakers:

Randall Walker, Assistant Sheriff
Jerry Dunn, Director of Human Services Department
Tom O'Kane, Transportation and Public Works Deputy Director Engineering
Peter Rumble, Deputy County Administrator
Mike Gossman, Sonoma County Water Agency

The Board engaged in a dialog about the need for the proposed increase of \$79k for programming in constituent services delivered by the Board of Supervisors' district extra help for a total of 30 hours per week per district.

Action A and B:

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0426

REGULAR CALENDAR (Continued)

Sonoma Valley County Sanitation District

Action C:

AYES: Susan Gorin, David Rabbitt

ABSENT: Ken Brown

Approved by Resolution No. 13-0427

1:08 P.M. The Board recessed to closed session.

V. CLOSED SESSION CALENDAR (Items 34 through 35)

2:02 P.M. Counsel Goldstein reported on Closed Session Items #34-35.

34. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Initiation of Litigation (Govt. Code Section 54956.9(d)(4)).

Direction given to Counsel and staff.

35. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiators: Wendy Macy/Carol Allen/ Janae Novotny, Burke & Associates, Carol Stevens, Burke & Associates, and Janet Cory Sommer, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

Withdrawn

VI. REGULAR AFTERNOON CALENDAR (Items 36 through 39)

2:02 P.M. - RECONVENE FROM CLOSED SESSION

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire

Supervisor Absent: Efren Carrillo

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

36. Report on Closed Session.

2:02 P.M. Counsel Goldstein reported on Closed Session Items #34-35.

37. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board's jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting.)

2:03 P.M. Public Comment Opened

Harvey Goldberg

2:04 P.M. Supervisor Carrillo joined the meeting.

Rachel Socrum

2:11 P.M. Supervisor Zane left the meeting.

Maureen De Voe

Richard Hannan

John Jenkel

2:23 P.M. Public Comment Closed

38. Permit and Resource Management Department: Review and possible action on the following:

- a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments
- b) Acts and Determinations of Project Review and Advisory Committee
- c) Acts and Determinations of Design Review Committee
- d) Acts and Determinations of Landmarks Commission
- e) Administrative Determinations of the Director of Permit and Resource Management

2:23 P.M. No Acts or Determinations were acted on or reviewed.

39. ADJOURNMENT

2:23 P.M. The Board adjourned the meeting to November 5, 2013 at 8:30 A.M.

Respectfully submitted,

Michelle Arellano, Chief Deputy Clerk of the Board



County of Sonoma
Agenda Item
Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 35
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board Of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 575-3758

Supervisorial District(s):

Fourth District

Title: Appointment

Recommended Actions:

Appoint John B. Suazo, J.D. to the Mental Health Board for a 3 year term effective November 1, 2013 through December 31, 2016.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 36A
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

DeWayne Starnes, (707) 565-1146

Supervisorial District(s):

All (First through Fifth)

Title: Ordinance amending Chapters 7, Building Regulations, and 7D2, Local Energy Efficiency Standards of the Sonoma County Code, including adoption of 2013 California Codes, with local amendments.

Recommended Actions:

Conduct a public hearing on the proposed adoption of an Ordinance amending Chapters 7, Building Regulations, and 7D2, Local Energy Efficiency Standards, of the Sonoma County Code to adopt with local amendments, the Title 24 California Code of Regulations 2013 Codes referenced therein (Building Codes, Volumes 1 and 2, California Residential Code, Green Building Standards Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Referenced Standards Code, and Administrative Code), and making other technical and administrative revisions to Chapters 7, and 7D2.

Executive Summary:

The California Code of Regulations, Title 24, Parts 1-12 are commonly referred to as the "model codes". The model codes are amended by all the State agencies of California and were adopted in January of this year. The State of California, as required, subsequently published the documents within 180 days. Each local jurisdiction has 180 days to make any local amendments pertinent to the jurisdiction. The effective date of those local amendments must coincide with the effective date of the model codes of January, 1, 2014. Local amendments must be provided to the California Building Standards Commission along with findings upon adoption of the ordinance. Local amendments are permitted if reasonably necessary due to local conditions including: climatic, geographical, topographical, and with the advent of green building, environmental. This ordinance represents adoption of the model codes with local amendments, as well as other technical and administrative revisions to Chapter 7 and Chapter 7D2 of the Sonoma County Code summarized as follows: Sonoma County Code Chapter 7 – Building Regulations. The first reading of this ordinance occurred on October 22, 2013. This is the second reading and the ordinance is reading for adoption. If adopted, the effective date of the ordinance will be January 1, 2014.

With respect to the 2013 Building, Plumbing, Mechanical, Electrical, and Fire Codes, there are no

significant changes to report. The new 2013 Energy Code, however, represents a significant 25% increase in energy efficiency over the current 2010 Energy Code Requirements (see 7D2 below). Most of the proposed changes to Sonoma County Code Chapter 7 are very minor, due mainly to renumbering of state code sections, and there are no negative impacts to builders or homeowners as a result of these proposed changes. Section 17-48 of the proposed ordinance constitute changes to Chapter 9 of the Building Code for Fire Protection Systems. Although this appears to be significantly changed, changes are mostly formatting and reconciling the California Residential Code (CRC) with our current fire sprinkler ordinance and Fire Safe Standards. Because Sonoma County already has a fire sprinkler ordinance, the changes are minor and the practical impact of the new CRC is minimal.

Sonoma County Code Chapter 7D2 - Green Building/Energy Efficiency

The new California Green Building Standards Code (CalGreen) will be effective January 1, 2014. It is composed of certain mandatory measures and two tiers of voluntary measures for new residential and non-residential construction. Local agencies have the option of adopting these voluntary measures as mandatory requirements at the local level. CalGreen has mandatory measures for both residential and non-residential construction which are broken into 5 separate divisions as follows: (1) Planning & Design; (2) Energy Efficiency; (3) Water Efficiency and Conservation; (4) Material Conservation and Resource Efficiency; and (5) Environmental Quality. During the last code adoption cycle, your Board adopted CalGreen and added the voluntary provisions of Tier 1 for all 5 divisions as mandatory.

This code cycle, staff is recommending the adoption of CalGreen for new construction at the Tier 1 level for all divisions again except Energy Efficiency. The reason staff is not recommending adoption of voluntary Tier 1 for Energy Efficiency is that a software needed for a required climate zone study will not be available in time for this code adoption cycle. Anytime a jurisdiction decides to be more restrictive than Title 24 Energy Code, The California Energy Commission (CEC) must approve the jurisdiction's ordinance. Adoption of Tier 1 Energy Efficiency represents a 15% increase above Title 24. The CEC will not approve any Tier 1 application without an energy efficiency ordinance based on a climate zone study. The CEC also is responsible for providing the energy efficiency software the climate zone study is based upon, and this software is not expected to be available until November of this year. This is too late for the code adoption ordinance which must be effective by January 1, 2014. All jurisdictions within Sonoma County, and within the State will not be able to adopt Tier 1 level for energy efficiency until such time as the CEC software becomes available, climate studies are completed, and ensuing energy efficiency ordinance is submitted to the CEC for review and approval.

Additionally, as previously mentioned, the 2013 Building Energy Efficiency Standards already represent a 25% increase above the current Title 24 Energy Code regulations. It has been long been recognized that the California Energy Commission's goal is to be carbon neutral by 2020 and ramping up of both energy and green building codes will occur over time.

Prior Board Actions:

10/22/13 – First reading of proposed ordinance with second reading and hearing scheduled for 11/5/13. The entirety of Chapter 7 was last amended during the triennial adoption cycle of the California Building Codes, on November 2, 2010.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community			
Adopting model codes with local amendments allows implementation of the most current regulations for construction that are tailored to Sonoma County.			
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (If Required):			
No fiscal impacts.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
No staffing impacts.			
Attachments:			
1. Proposed Ordinance (clean version). 2. Proposed Ordinance (strikeout version).			
Related Items "On File" with the Clerk of the Board:			
2013 Editions of the California Building Standards Code, including: Building Code Volumes 1 and 2, Residential Code, Green Building Standards Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Referenced Standards Code and Administrative Code.			

Ordinance No.

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code Of Regulations, Title 24,2013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2.

The Board of Supervisors of the County of Sonoma, ordains as follows:

SECTION I. Chapter 7, Building Regulations, of the Sonoma County Code is hereby amended as follows:

(a) Section 7-5, Building permit required, is revised to read:

Sec. 7-5. - Building permit required.

(a) No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure in the unincorporated area of this county, or cause the same to be done, without first obtaining a separate building permit for each such building or structure as required by this chapter. Permits shall be issued and fees shall be collected by the permit and resource management department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division I, , of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance.

(b) Permits shall not be issued by the permit and resource management department for work which includes any of the following, unless and until written approval has been received:

(1) The construction, alteration or modification of:

(i) Any on-site disposal system (approval required from the well and septic section of permit and resource management department),

(ii) Any water supply system which under state law or county ordinance is required to have a permit to operate (approval required from the health officer or the state health services department),

(iii) Any establishment selling or preparing food or food products, any public or semi-public swimming pool as defined in the 2013 California Administrative Code (approval required from the health officer);

(2) The construction, alteration or modification of any structure which will result in the structure being connected to an on-site wastewater disposal system or water system; (approval required from the well and septic section of permit and resource management department),

(3) The alteration or modification of any existing structure which is connected to an on-site wastewater disposal system or water system requiring a permit, where the alteration or modification may impose additional burdens upon the existing system, such as, but not limited to, the addition of rooms or the modification of floor plans for potential additional occupancy. This section shall not apply to repairs, such as replacement of roofing or siding. Where the permit is for modification or alteration of an existing structure, no permit will be issued where, in the determination of the chief building official, such modification is likely to result in exceeding the capacity of the system;

(4) The construction, alteration or modification of any structure which may result in the property being improved in excess of its capacity to absorb sewage effluent. This section is intended to cover any change in the property which might adversely affect sewage disposal such as, but not limited to grading or the construction of a barn or swimming pool which might infringe on the leach field (approval required from the well and septic section of permit and resource management department);

(5) For the purposes of this section, approval by the well and septic section of permit and resource management department shall mean either an office clearance, field clearance, or issued well and septic permit for on-site wastewater disposal system.

(c) Whenever approval of the on-site wastewater disposal system is required, it shall be based upon the requirements imposed by this chapter and any other state or local law or regulation which may be applicable, including basin plans and other standards promulgated by the North Coast Water Quality Control Board and the San Francisco Bay Regional Water Quality Control Board.

(d) Building permits must be cleared as to zoning considerations in Chapter 26 or 26C, grading and drainage requirements in Chapter 11, and stormwater requirements in Chapter 11A of this code. Building permits for projects regulated by the California Fire Code and Sonoma County fire safe standards may be subject to review and approval by appropriate fire service agencies. Where county road encroachment is necessary, a permit

for same shall be first secured. A water and/or sewer clearance is first required in areas serviced by special districts and cities before building permits can be issued.

(e) Notwithstanding any other provision of this chapter or the codes adopted hereby, emergency maintenance work or repair of buildings and structures requiring a permit hereunder may be commenced before obtaining a permit without violating this chapter provided the permit and resource management department or the public health officer, in the appropriate case, is notified prior to noon of the next following business day and the permit required is obtained within twenty-four (24) hours thereafter, and provided further that no work shall be covered before it has been duly inspected and approved.

Compliance with the State Subdivision Map Act, the Sonoma County subdivision regulations, and the Sonoma County zoning regulations, including compliance with conditional permits issued thereunder, and compliance with all laws, is a condition precedent to the issuance of any permit required by this chapter for work to be done on any particular parcel of real property in the unincorporated area of this county.

(f) As a condition precedent to the issuance of a building permit required by this section for which an application was made on or after November, 1989, the applicant shall pay to the county development fee as specified in Section 26-98-660 of this code. The permit required for Section 105 of Appendix 1 of the California Building Code for structures subject to the requirements of this subsection shall not be issued unless and until the development fee has been paid.

(g) Within flood-prone urban areas as defined in Section 7-13(a)(10), a building permit authorizing excavation for foundations shall not be issued until a disposal location for excavated material has been designated. Acquisition of a building permit does not relieve the permittee of the responsibility for acquiring any other state and local permits required for the activity.

(h) In any unincorporated portion of Sonoma County where stormwater discharges are subject to the requirements of one or more NPDES permits, as referenced in Chapter 11, any construction site for which building permits are approved pursuant to Chapter 7 must be developed and used pursuant to any applicable requirements of said NPDES permit(s). Failure to adhere to applicable NPDES permit requirements at any time will be deemed to be a violation of this section and may subject the permittee to the penalties established by this chapter. Permittees may meet this requirement by filing with the Regional Water Quality Control Board the appropriate notice of intent to comply with the state general construction activity stormwater permit or by obtaining approval of an individual NPDES permit from the Regional Water Quality Control Board.

(b) Section 7-9, Refunds, is revised to read:

Sec. 7-9. - Refunds.

Pursuant to Section 109.6 of Chapter 1, Division II, of the California Building Code, 103.4.4 of Chapter 1, Division II, of the California Plumbing Code, Section 114.6 of Chapter 1, Division II, of the California Mechanical Code, and Section 89.108.4.2 of the California Electrical Code, refunds of fees paid may be made, subject to the following:

- (a) One hundred percent (100%) of a fee erroneously paid or collected may be refunded.
- (b) Ninety percent (90%) of the plan review fee may be refunded when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled or expires or becomes void before any plan review effort has been expended. No portion of the plan review fee shall be refunded when any plan review effort has been expended.
- (c) Ninety percent (90%) of the building, plumbing, electrical, and/or mechanical permit fee may be refunded when a permit for which some or all of these permit fees have been paid is withdrawn or cancelled or expires or becomes void before any work was done and before any inspections are performed. No portion of these fees shall be refunded when any work was done and/or any inspections have been performed.
- (d) The chief building official may authorize the refund of all or part of a fee in order to correct an error by the department. The details of such a refund shall be retained in project file.
- (e) Application for refund must be made within one (1) year of the date the fee is paid.

(c) Section 7-12, Building permits in water scarce areas and second dwelling units in marginal water areas, is revised to read:

1. No building permit for new or replacement residential dwelling units shall be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water availability area three (3) where the water supply is from individual wells, public water wells, or springs unless the following requirements are met:

(a) That the well or wells yield a minimum of one (1) gallon per minute per dwelling unit by a sustained yield, metered pump test of the following duration:

(1) Each dwelling unit is a connection to the well. Wells with one (1) to two (2) connections: test of twelve (12) hours or eight (8) hours in accordance with the Sonoma County Permit and Resource Management Department's well pump test guidelines,

(2) Wells with three (3) to four (4) connections: test of twenty-four (24) hours or sixteen (16) hours in accordance with the Sonoma County permit and resource management department's well pump test guidelines,

(3) Wells with five (5) to fourteen (14) connections: test of at least seventy-two (72) hours after the dynamic pumping level has been established. A reduction of the seventy-two (72) hour metered pumping test may be granted by the administrative authority if it is indicated that the sustained yield well production is two (2) or more times greater than required. Under no circumstances shall the test be less than forty-eight (48) hours.

(4) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water yield requirements.

(b) That a minimum storage capacity shall be provided as follows:

(1) Single-family dwelling (one (1) connection) — one thousand (1,000) gallons shall be provided in a storage tank, provided, however, that only five hundred (500) gallon storage shall be required if the yield is three (3) gallons per minute; provided further, however, that no storage is required if the well yield is five (5) gallons per minute, or greater,

(2) Two (2) to fourteen (14) connections — one thousand (1,000) gallons shall be provided per connection, in a storage tank, or as required by the county of Sonoma water system standards, whichever is greater,

(3) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water storage requirements.

(4) Note: These volumes are for domestic water storage. Additional storage volume is required for fire control.

(c) The tests shall be conducted from July 15 to October 1st. The test period may be extended by the . director of the permit and resource management department . Pump tests shall be performed by or under the direction of a licensed water well drilling contractor (C57), pumping contractor (C61/D21), a registered civil engineer or a registered geologist who shall report test results to the director of permit and resource management department. The director of permit and resource management department shall be notified a minimum of twenty-four (24) hours prior to the pump testing of wells or springs;

(d) That, if spring(s) are to be used as the primary domestic water source, yields and required storage capacity shall meet the same minimum requirements as for wells. Springs shall be perennial;

Repealed.

2. Notwithstanding Section 1., a building permit for new or replacement residential dwelling units may be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water available area three (3) if the permittee obtains an easement for water supply on a parcel that is entirely within a Groundwater Availability Area 1, major groundwater basin (Zone 1); or Area 2, major natural recharge area (Zone 2), in format approved by the permit and resource management department.

(d) Section 7-13, Codes adopted and modifications, is revised to read:

Sec. 7-13. – Codes adopted and modifications.

(A) 2013 California Building Code Volumes 1 and 2, Chapters 1-35, including Part 7, “California Elevator Safety Construction Code”, Part 8, “California Historical Building Code”, Part 10, “California Existing Building Code”, Appendix Chapter A1, Appendix C, Appendix H, and Appendix I; are hereby adopted and incorporated herein by reference, save and except such portions as are deleted, modified or revised as follows:

(1) Section 101.4.4 of Chapter 1, Division II, of the California Building Code is amended to read:

101.4.4. Property maintenance. The provisions of Sections 116 Unsafe Structures and Equipment of the California Building Code as amended by Sonoma County Code by adding Sections 116.1.1 and 116.1.2, shall apply to existing buildings and premises

(2) Intentionally left blank

(3) Section 105.2 of Chapter 1, Division II, of the California Building Code is amended to read:

105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Such exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines. Permits shall not be required for the following:

(a) Building Permit Exemptions:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet, and the height above grade does not exceed 12 feet. No more than one structure may be allowed under this exemption unless separated from another permit exempt structure by more than 50 feet.

2. Fences, not over 10 feet high, except that solid wood, concrete, metal, and masonry fences more than 7 feet in height measured from the lowest existing grade to the top of the fence shall require a building permit.
3. Oil derricks.
4. Retaining walls, which retain not more than 3 feet of material unless supporting a surcharge or impounding Class I, II, or IIIA liquids. For the purpose of this section, a retaining wall is considered to be supporting a surcharge if:
 - a. The wall retains more than one foot of material and the retained material slopes more than two units horizontal to one vertical within a distance equal to twice the height of the wall above the lowest existing grade, or
 - b. The wall retains more than one foot of material and any road or structure is located on the retained material within a distance equal to twice the height of the wall above the lowest existing grade.
5. Tanks, not containing Class I, II, or IIIA liquids supported directly upon grade, or below grade, if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks, platforms, driveways, non-structural slabs and decks not more than 30 inches above grade, and not over any basement or story below and are not part of a disabled access route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy which do not exceed 5,000 gallons, and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems. (Plumbing, electrical or mechanical systems associated with the structure require permits.)
11. Swings, play structures, and other playground equipment, treehouses with a floor area less than 120 square feet, and skateboard ramps, accessory to detached one and two family dwellings, which are not used for commercial purposes, and children's play structures when constructed on a parcel which contains a one or two- family dwelling or a State licensed school or day care center.
12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U Occupancies.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height for office work spaces and cubicles.
14. Minor repair of interior paneling or gypsum wallboard when it does not serve as a fire-resistive assembly or as lateral bracing for a structure. Minor repairs are limited to 100 square feet, on a one time basis. Subsequent minor repairs will require permits. This exemption shall not apply to structures subject to flood damage.

15. Replacement of windows or doors with others of the same size, and in the same location when the structural frame of the opening is not altered.

16. Prefabricated structures no more than 500 square feet in area, constructed of light frame materials and covered with cloth or flexible plastic which has a thickness no greater than 5/1000 of an inch, accessory to a single family dwelling, with no associated electrical, plumbing, or mechanical equipment and the height above grade does not exceed 12 feet.

17. Residential Arbors, trellises, and gazebos, when the height above grade does not exceed 12 feet. For the purpose of this section, arbors, trellises, and gazebos are considered for detached shade structures accessory to residential occupancies and are defined as follows:

- a. Structures which have a lattice or fabric roof structure, and
- b. 75% of the exterior walls are not less than 75% open, and
- c. Into which a motor vehicle cannot be driven due to the configuration of the structure or placement on the site.

If such a structure contains electrical, plumbing, or mechanical equipment, a permit is required for this work.

18. Removal of up to 25% of exterior and/or interior or roof coverings or other similar work for the purpose of determining the condition of structural members in a structure where work is being planned. Such work may remain exposed for a maximum of 90 days before being repaired. A permit must be obtained for the repairs unless exempted by this section of the Sonoma county code.

19. 2-bin trash enclosure covers with a height not exceeding 12 feet.

(b) Electrical Permit Exemptions:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electric equipment to approved permanently installed receptacles.
2. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Listed cord and plug connected temporary decorative lighting.
5. Reinstallation or replacement of attachment plug receptacles, but not the outlets therefor.
6. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.
7. Installation or maintenance of communications wiring, devices, appliances, apparatus, or equipment.

(c) Gas Permit Exemptions:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid

(d) Mechanical Permit Exemptions:

1. Portable heating appliance.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part that does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

8. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(e) Plumbing Permit Exemptions:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

3. replacement of existing plumbing fixtures for low flow plumbing fixtures in accordance with Section 1101.1 California Civil Code.

(4) Section 1.8.8.3.1 of the California Building Code is added to Chapter 1, Division 1, of the California Building Code, to read:

Section 1.8.8.3.1 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(5) Section 105.5 of Chapter 1, Division II, of the California Building Code is amended to read:

Section 105.5 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when

a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, or permit to legalize a violation, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division 1, Section 1.8.3.1 of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance. The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per the Permit and Resource Management Department Expired Permit Policy.

(6) Section 109.2 of Chapter 1, Division II, of the California Building Code is amended to read:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the Permit and Resource Management Department fee schedule.

When approved by the chief building official a reduction in plan review fees by twenty five percent (25%) of that otherwise required may be granted where a peer review or third party plan review or other process results in substantially reduced plan review effort by the Permit and Resource Management Department.

The chief building official may, in his or her discretion, waive the plan check fee for the second and all subsequent buildings or structures identical to a building or structure for which a plan check has been paid because there is a reduction in the cost of providing the service. This plan check fee waiver for subsequent submittals shall be limited to one (1) year following date of original fee payment. In each case the applicant must be the same for all permits.

(7) Section 105.3.2 of Chapter 1, Division II, "Time limitation of application", of the California Building Code is amended to read:

105.3.2 Expiration of plan review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the

building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) Section 109.7 is added to Chapter 1, Division II, of the California Building Code, to read:

109.7 Re-inspection Fees.

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection record card not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official. The re-inspection fee shall be established in the jurisdiction fee schedule. When a re-inspection fee has been assessed, no additional inspection of the work shall be performed until the required fees have been paid

(9) Section 112.4 is added to Chapter 1, Division II, of the California Building Code, to read:

112.4 Connection after order to disconnect. Persons shall not make connections from any energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

(10) Section 113 Chapter 1, Division II, of the California Building Code, Board of Appeals, is deleted.

(11) Section 114.4 of Chapter 1, Division II, of the California Building Code is amended to read:

114.4 Violation review fee. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. A review fee equal to the amount of the permit fee, whether or not a permit is then or subsequently issued, shall be assessed. The payment of such review fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(12) Sections 116.1.1 and 116.1.2 are added to Chapter 1, Division II, of the California Building Code, to read:

116.1.1 Definition of unsafe or dangerous building. Any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be an unsafe or dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered. The presence of an unsafe or dangerous building shall be considered a public nuisance subject to abatement pursuant to Chapter 1, Sonoma County Code.

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside wall or coverings.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement including construction without permit or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in this Code or Health and Safety Code section 17920.3 or Uniform Housing Code Chapters 4, 5, 6 and Sections 701.2, 701.3, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or is such a condition that is likely to cause sickness or disease.
16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or equity jurisprudence.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
19. Whenever any building or structure has been abandoned and unsecured for a period in excess of six months so as to constitute an attractive nuisance or hazard to the public.

(12.1) 116.1.2 Definition of nuisance. The following shall be defined as a nuisance:

- a. Any public nuisance know at common law or in equity jurisprudence.
- b. Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris, or vegetation that may prove a hazard for inquisitive minors.
- c. Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.
- d. Overcrowding a room with occupants.
- e. Insufficient ventilation or illumination.
- f. Inadequate or unsanitary sewage or plumbing facilities.
- g. Uncleanliness, as determined by the health officer.
- h. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

(13) Section 116.3 of Chapter 1, Division II, of the California Building Code is amended to read:

116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe per Section 1-7.3 of the Sonoma County Code.

(14) Section 117 is added to Chapter 1, Division II, of the California Building Code, to read:

SECTION 117
NOTICE TO VACATE

117.1 Posting. Every notice to vacate shall, in addition to being served as provided in Section 116.4, be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER
UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official
.....of.....

117.2 Posting during declared emergencies. During a declared local emergency or State of emergency as defined in Chapter 10 of this Code, each structure or property affected by the declaration and subsequently reviewed shall be evaluated and posted in accordance with the standards established in Applied Technology Council (ATC) 20, ATC 45 or the most recently adopted standard by the California Office of Emergency Services as an emergency response plan.

117.3 Compliance. Whenever such notice is posted, the building official shall include a notification thereof in the notice and order issued under Section 115.3 reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted unless specifically stated on the posting. Entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.

117.4 Appeals. Appeals of any notice and order to abate any violation of this Code shall be heard and decided by a hearing officer pursuant to Section 1-7.3 of the Sonoma County Code.

(15) Section 202 of the California Building Code is amended to revise the definition of "building" to read:

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the Vehicle Code.

(16) Section 202 of the California Building Code is amended to revise the definition of "building, existing" to read:

BUILDING, EXISTING. A building legally erected prior to the adoption of this code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this code.

(16.1) Section 202 of the California Building Code is amended to delete the definition of "Substantial Improvement." A new definition of "Substantial Improvement", is added as follows:

SUBSTANTIAL IMPROVEMENT: See Sonoma County Code Ch 7B-1.

(17) Section 903.2 of the California Building Code is amended to read:

Section 903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12

(18) Section 903.2.1 of the California Building Code is amended to read:

903.2.1 Group A.

An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1

An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2

An automatic sprinkler system shall be provided for any new Group A-2 occupancies. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 100 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by fire walls of less than four-hour fire resistance rating without openings.

903.2.1.3 Group A-3

An automatic sprinkler system shall be provided for any new Group A-3 occupancies. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2.
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4

An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5

An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

(19) Section 903.2.2 of the California Building Code is deleted

(20) New Section 903.2.2 of the California Building Code is added to read:

903.2.2 Group B

An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable
2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the level of exit discharge, and automatic sprinkler system shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest level of exit discharge.

(21) Section 903.2.3 of the California Building Code is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies, and where the fire area of an existing Group E occupancy exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.\

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.
5. For public schools state-funded construction projects see Section 903.2.19.

(22) Section 903.2.4 of the California Building Code is amended to read:

903.2.4 Group F-1

An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - a. The canopy and supporting structure are constructed of non-combustible materials.

- b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.
 - c. The crush pad is not used for storage of combustible materials.
 - d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.
2. Dairy milking facilities less than 12,000 feet in area.

903.2.4.1 Existing F-1 Woodworking operations

An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.

(23) Section 903.2.5.1 of the California Building Code is amended to read:

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies where the fire area exceeds the area increases permitted in TABLE 903.2 as a result of an addition or alteration.

(24) Section 903.2.6 of the California Fire Code is added to read:

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire areas exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.
2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:
 - 2.1 A hydraulic design information sign is located on the system riser;
 - 2.2 Exception 1 of Section 903.4 is not applied; and
 - 2.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.
3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.6.1 Group I-2. An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

903.2.6.2 Group I-3. Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

Exception: Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

1. Automatic fire sprinklers shall be mounted outside the cell a minimum of 6 feet (1829 mm) on center and 12 inches (305 mm) from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.

2. The maximum amount of combustibles, excluding linen and clothing, shall be maintained at three pounds per inmate.

3. For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).

4. The provisions of the exception in Section 804.4.2 shall not apply.

(25) Section 903.2.7 of the California Building Code is deleted

(26) New Section 903.2.7 of the California Building Code is added to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.

2. A Group M fire area is located more than three stories above grade plane.

3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5000 square feet (464 m²).

5. The structure exceeds 24,000 square feet (465 m²), contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating.

903.2.7.1 High-piled storage.

An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

(27) Section 903.2.8. of the California Building Code is deleted

(28) New Section 903.2.8 of the California Building Code is added to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.

Exceptions:

- 1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.*
- 2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.*
- 3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.*
- 4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).*
- 5. Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.*

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

903.2.8.1 Group R-3 congregate residences. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be permitted in group R-3 congregate living facilities with 16 or fewer residents.

903.2.8.2 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

903.2.8.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

903.2.8.3.1 Design and installation - one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3.2 Design and installation - factory built housing, mobile homes and manufactured homes. Automatic residential fire sprinkler systems installed in: factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

(29) Section 903.2.9 of the California Building Code is deleted

(30) New Section 903.2.9 of the California Building Code is added to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.

(31) Section 903.2.11.7 is added to read:

903.2.11.7 Group U Occupancy special requirements

An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

Exceptions:

1. Detached Group U occupancies 3000 square feet or less in area
2. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

903.2.11.7.1 Group U accessory areas

For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

(32) Table 903.2 is added to the California Building Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1000 sq ft:	200% (c)
1001-4000 sq ft:	100% (a)(c)
Greater than 4000 sq ft:	50% (a)(b)(c)

- (a) A 2000 sq ft. maximum increase is allowed
- (b) Maximum cumulative allowable area is 6000 square feet

- (c) Fire sprinklers are required when additions to Limited Density Owner-Built Rural Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 square feet in area.

(33) Section 903.2.11.8 is added to read:

903.2.11.8 Changes of Occupancy.

When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(34) Section 903.2.11.9 is added to read:

903.2.11.9 Elevation of existing buildings

An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than 35 feet in height, from grade to the exposed roof.

Exceptions:

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet is provided for aesthetic purposes only and is a non-habitable space.
2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:
 - (a) The elevation creates a building no more than three stories in height.
 - (b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.
 - (c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.
 - (d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.
 - (e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.

(35) Section 903.2.18 of the California Building Code is deleted.

(36) New Section 903.2.18 of the California Building Code is added to read:

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, and detached accessory structures less than 6000 square feet in area accessory to a one- or two-family dwelling which contain space in the building for living sleeping, eating or cooking, shall be protected by residential fire sprinklers in accordance with this section.

Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/ft² over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception

Detached structures less than 3000 square feet in area accessory to a one- or two-family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for, sleeping, eating or cooking.

(37)Section 903.4 of the California Building Code is deleted.

(38) New Section 903.4 of the California Building Code is added to read:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.

2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

903.4.2 Alarms. One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. *Visible and audible* alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings *and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access.*

(39) Section 903.6 is added to the California Building Code as follows:

903.6 Existing buildings. The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the California Building Code by requiring installation of an automatic fire-extinguishing system.

903.6.1 Pyroxylin plastics. All structures occupied for the manufacture or storage of articles of cellulose nitrate (pyroxylin) plastic shall be equipped with an approved automatic fire-extinguishing system where required in Chapter 46.

903.6.2 Group I-2. An automatic sprinkler system shall be provided throughout Group I-2 fire areas where required in Chapter 46.

(40) Section 905.3.1 is amended to read as follows:

905.3.1 Height.

In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.

2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.
5. On the roof of buildings three or more stories in height.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 5.1. Recessed loading docks for four vehicles or less; and
 - 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

(41) Section 905.9 is amended to read as follows:

905.9 Valve supervision

Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

(42) Section 907.2.8.1 is amended to read as follows:

907.2.8.1 Manual fire alarm system for R-1 Occupancies

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

Exceptions:

1. Manual fire alarm boxes are not required throughout the building when the following conditions are met.
 - 1.1 The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

1.2 Notification devices will activate within each residential unit upon sprinkler water flow.

1.3 At least one manual fire alarm box is installed in an approved location.

(43) Section 1505.1 of the California Building Code is amended to read:

1501.1 Scope.

1. General. Except as otherwise provided in subsection (2), the roof covering assembly on any structure regulated by this code shall be as specified in Table No. 1505.1 and as classified in Section 1505.

2. Roof Covering Assembly on Specified Structures. Notwithstanding any other provision of this code, the roof-covering assembly on the following structures regulated by this code shall be a Class A roof-covering assembly as classified in Section 1505.2.

(a) Any new structure regulated by this code;

(b) Any existing structure regulated by this code when more than fifty percent (50%) of the roof area of the structure is re-roofed;

(c) Any addition regulated by this code when the addition creates a new roof and the floor area of any single floor of the addition exceeds six hundred forty (640) square feet.

3. Roof-covering Assembly. The roof-covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which is assigned to a roof-covering classification.

4. The following types of structures are exempt from this requirement:

(a) Greenhouses.

(b) Patio covers.

(c) Fabric membrane structures when the fabric is certified as "flame retardant" by the State Fire Marshall.

(d) Residential vehicle covers.

(e) Awnings.

(f) Sod roofs.

(44) Section 1701.4 is added to Chapter 17, Section 1701 "General" of the California Building Code to read:

1701.4 Application. The provisions of this chapter shall be applicable to the California Building Code and California Residential Code, current editions.

(45) Section 3405.6 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.6 Seismic Design and Evaluation Procedures. Seismic design and evaluation procedures shall conform to the provisions of this chapter and Chapter 1, Section 101.5.4 of the 2012 International Existing Building Code.

(46) Section 3405.7 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.7 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

(47) Section 3405.8 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.8 Unsafe Conditions. Regardless of the extent of the structural damage, unsafe conditions shall be eliminated.

(48) Section 3405.9 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.9 Referenced Standards. Referenced standards for evaluation and rehabilitation of existing buildings shall conform with Chapter 15 of the 2012 International Existing Building Code.

(B) The 2013 California Mechanical Code Chapters 1-17 and Appendix B C, D, F and, is adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 1.8.8.3, Appeals, of Chapter 1, Division I, of the California Mechanical Code is amended to read as follows:

1.8.8.3. Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code. Except as otherwise provided in law, any person, firm or corporation adversely affected by a decision, order or determination by a city, county or city and county relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any lawfully enacted ordinance by a city, county or city and county, may appeal the issue for resolution to the local appeals board or housing appeals board as appropriate. The local appeals board shall hear appeals relating to new building construction and the housing appeals board shall hear appeals relating to existing buildings.

(2) Section 108.0 of the California Mechanical Code Chapter 1, Division II, entitled Board of Appeals, is hereby deleted.

(3) Section 114.4 of the California Mechanical Code Chapter 1, Division II, is amended to read as follows:

Section 114.4 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when a legal action prevents entire project from being completed within the three year time

frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish entire project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in Section 1.8.3.1, Chapter 1, Division I, as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy

(4) Section 115.1 of the California Mechanical Code Chapter 1, Division II, is hereby deleted.

(5) Section 114.2 of Chapter 1, Division II, of the California Mechanical Code is amended to read as follows:

114.2 Permit Fees. The fee for each permit shall be set forth by separate fee ordinance of the board of supervisors.

(6) Section 114.4 of the California Mechanical Code, Chapter 1, Division II, is amended to read as follows:

114.4 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(C) The 2013 California Plumbing Code Chapters 1-16, 17 and Appendices A, B, C, D, G, H, I, J, and K are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 108.8.3 of the California Plumbing Code is amended to read as follows:

108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 203.0 of the California Plumbing Code is amended to add the following definition: Administrative Authority - The chief building official.

(3) Section 320.0 is added to the California Plumbing Code as follows:

320.0 Sewers Required

320.1 Every building in which plumbing fixtures are installed shall have a connection to a public or private sewer except as provided in Section 320.2

320.2 When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved private sewerage disposal system.

320.3 In cities and/or counties where the installation of building sewers is under the jurisdiction of a department other than the Authority Having Jurisdiction, the provisions of this code relating to building sewer need not apply.

320.4 Every dwelling or other building or place where persons congregate, reside or are employed shall be provided with an adequate number of water flush toilets connected to a sewage disposal system which shall consist of a public sewer connection or a septic tank and a system of underground drains for the disposal of the tank effluent, or other systems approved by the chief building official. Such system shall be constructed to meet the requirements of construction and maintenance provided in this chapter and the codes adopted hereby.

Exception: A facility for boarding of horses as defined in Sonoma County Zoning Regulations Definitions § 26-02-140 may have one part time or full time employee without being required to meet this requirement.

320.5 No privy, including vault privies, chemical privies, pit privies, holding tanks or cesspools shall be constructed, maintained or used except upon written approval of the Director of Permit and Resource Management Department unless otherwise specifically permitted by law.

320.6 It is unlawful to discharge from any privy, cesspool, septic tank, container, sewer pipes or conduits not connected to a public sewer system, sewage, polluted or contaminated water or any matter of substance offensive, injurious or dangerous to public health where such water overflows any land whatsoever, including tideland, or where such water empties, flows, seeps or drains into or adversely affects any springs, streams, rivers, lakes, other waters or any public highway within the County of Sonoma.

(4) Section 103.3.3 of the California Plumbing Code is amended to read as follows:

Section 103.3. 3 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in Section 1.8.3.1, Chapter 1, Division I as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 103.4 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4 Permit Fees. Each applicant shall pay for each permit, at the time of issuance, a fee in accordance with fee schedule adopted by the board of supervisors.

(6) Section 103.4.1 is hereby deleted.

(7) Section 103.4.2 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4.2 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) The phrase "abutting lot" as used in Section 721.2 and Appendix Chapter H Section H 1.7 of the California Plumbing Code, includes:

(a) An unimproved lot connected to another lot by an easement provided the lots are in common ownership;

(b) An improved lot connected to another lot by an easement. The lots need not be under common ownership so long as the lot owner has an easement over the abutting lot sufficient for private sewage disposal subject to approval of the chief building official.

(9) In Table H 1.7 of the California Plumbing Code, "NOTE" number 8 shall be deleted due to the general topographic nature of Sonoma County. Horizontal distances between

parts of a leaching system shall be determined by the Director of Permit and Resource Management.

(10) Section H 3.0 of Appendix Chapter H of the California Plumbing Code, is amended by deleting Item 3, the exception thereto and Item 5.

(D) The 2013 California Electrical Code, including Annex H is adopted and incorporated herein by reference and amended as follows:

(1) Section 89.108.8.3, Appeals, of the California Electrical Code, is amended as follows:

89.108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 80.15 of Annex H of the California Electrical Code is hereby deleted.

(3) Section 80.23(B)(1) of Annex H of the California Electrical Code is amended to read as follows:

80.23(B)(1) Violation review fee. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of the a permit or certificate issued under the provisions of this code, shall be subject to a review fee equal to the amount of the permit fee, whether or not a permit is then or subsequently issued. The payment of such review fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(4) Section 80.19 of annex H of the California Electrical code is amended by adding the following: Section I: 80.19 (I) Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in the California Building Code, Section 1.8.3.1, Chapter 1, Division I as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to

expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 80.19 (E) of Annex H of the California Electrical Code is amended to read as follows:

80.19 (E) Permit Fees. The fee for each electrical permit shall be as set forth in a separate fee ordinance of the board of supervisors.

(6) Section 80.19 of Annex H of the California Electrical Code is amended by adding the following to Section J:

80.19(J) Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(7) Section 80.27 of Annex H of the California Electrical Code is hereby deleted.

(E) The 2013 California Residential Code Chapters 1-9 and Appendix H, are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Chapter 1, Division II, is hereby deleted. California Building Code Chapter 1, Division II shall be referenced and incorporated herein.

(2) Section 1.1.3.1.2 of the California Residential Code is amended to read as follows:

1.1.3.1.2 Utility and Miscellaneous Group U.

Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to the following:

Agricultural buildings

Aircraft hangars accessory to a one or two-family residence (See Section 412.5 of the California Building Code)

Barns

Carports

Fences more than 6 feet high

Grain silos accessory to a residential occupancy

Greenhouses

Livestock shelters

Private garages

Private riding arenas accessory to a one- or two-family residence

Retaining walls
Sheds
Storage building accessory to a one- or two-family residence
Stables
Tanks
Towers

(3) Section R109.1.5.2 of the California Residential Code is amended to read as follows:

R109.1.5.2 Fire sprinkler system inspections

Where a fire sprinkler system is required, the building official shall require: a pressure test and pre-concealment inspection, and flow test. Such inspections and tests shall be completed by the fire code official. The pressure test shall require that the installed piping be pressurized to 200 psig for not less than two-hours. Fire sprinkler piping shall not be concealed from view until inspected, pressure tested and approved.

(4) Section R309.6 of the California Residential Code is amended to read as follows:

R309.6 Fire sprinklers.

Carports with habitable space above and attached garages shall be protected by residential fire sprinkler systems in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, a fire sprinkler system that complies with Section R313 or NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/sq ft over the area of the garage and/or carport, but not to exceed four sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception 1: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic residential fire sprinkler system installed in accordance with this section.

Exception 2: Detached garages and carports without a dwelling unit above.

(5) Section R313.1 of the California Residential Code is amended to read as follows:

R313.1 Townhouses automatic fire sprinkler system

An automatic fire sprinkler system shall be installed in new townhouses. An automatic fire sprinkler system shall be required when additions or alterations are made to existing townhouses in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

(6) Section R313.2 of the California Residential Code is amended to read as follows:

R313.2 One and two-family dwellings automatic fire systems

An automatic residential fire sprinkler system shall be installed in one and two-family dwellings. An automatic fire sprinkler system shall be required when additions or

alterations are made to existing one- and two-family dwellings in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

Exceptions:

1. Single-story detached Group U occupancies 3,000 sq. ft. or less in area.
2. Single-story detached Group S occupancies 3,000 sq. ft. or less in area.
3. A room or area which is used for storage only and that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities which is constructed above a detached garage, Group U Occupancy, or Group S occupancy.
4. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.
5. Private riding arenas, provided that all of the following conditions are met:
 - a. The building has a minimum of 60 feet of clearance to property lines or other structures on all sides.
 - b. The building has an on-site water supply complying with the requirements of this code.
 - c. The building has an annual fire inspection by the chief.
 - d. The portions of the building that are not part of the private riding arena are equipped with an automatic fire-extinguishing system and are separated from the private riding arena by area separation walls meeting the requirements of the Building Code.

(7) Section R313.3.1.2 of the California Residential Code is added to read as follows:

R313.3.1.2 Water-flow alarm

One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

(8) Section R313.3.1.3 of the California Residential Code is added to read as follows:

R313.3.1.3 Spare sprinkler heads

A spare-head cabinet shall be installed in an approved location with a head wrench at least three spare heads of a type similar to those used in the system.

(9) Section R313.3.5.2 of the California Residential Code is added to read as follows:

R313.3.5.2 Required capacity

The water supply shall have the capacity to provide the required design flow rate for sprinklers for a period of 10 minutes. Where a well system, a water supply tank system, a pump, or a combination thereof is used, the water supply shall serve both domestic and

fire sprinkler systems. Any combination of well capacity and tank storage shall be permitted to meet the capacity requirements.

(10) Section R313.3.8.1 of the California Residential Code is amended to read as follows:

R313.3.8.1 Pre-concealment inspection

The following items shall be verified prior to the concealment of any sprinkler system:

1. Sprinklers are installed in all areas as required by Section R313.3.1.1
2. Where sprinkler water spray patterns are obstructed by construction features, luminaries or ceiling fans, additional sprinklers are installed as required by Section R313.3.2.4.2.
3. Sprinklers are the correct temperature rating and are installed at or beyond the required separation distances from heat sources as required by sections R313.3.2.1 and R313.3.2.2.
4. The pipe size equals or exceeds the size used in applying Tables R313.3.6.2(4) through R313.3.6.2(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, the size used in the hydraulic calculation.
5. The pipe length does not exceed the length permitted by Tables R313.3.6.2 (4) through R313.3.6.2.(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, pipe lengths and fittings do not exceed those used in the hydraulic calculations.
6. Nonmetallic piping that conveys water to sprinklers is listed for use with fire sprinklers.
7. Piping is supported in accordance with the pipe manufacturer's and sprinkler manufacturer's installation instructions.
8. The piping system is hydraulically pressure tested to 200 psig for at least 2 hours.

(11) Section R313.3.8.2 of the California Residential Code is amended to read as follows:

R313.3.8.2 Final inspection

The following items shall be verified upon completion of the system:

1. Sprinklers are not painted, damaged or otherwise hindered from operation.
2. Where a pump is required to provide water to the system, the pump starts automatically upon system water demand.
3. Pressure-reducing valves, water softeners, water filters, or other impairments to water flow that were not part of the original design have not been installed.
4. The sign or valve tag required by Section R313.3.7 is installed and the owner's manual for the system is present.
5. A spare-head cabinet is installed in an approved location with a wrench at least three spare heads of a type similar to those used in the system.

6. A flow tested is conducted to confirm system functions as designed.

(12) Section R322.1.6 and R322.1.7 are hereby deleted, new Section R322.1.6 is added as follows:

R322.1.6 Flood Damage Protection

see Sonoma County Code Chapter 7B-11A for Flood Damage Protection

(13) Section R327.1.3 of the California Residential Code is amended to read as follows:

R327.1.3 Application.

New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from property lines or an applicable building.
2. Buildings of an accessory character classified as Group U occupancy less than 1000 square feet in floor area located at least 50 feet from property lines or an applicable building, as determined by the fire official.
3. Buildings less than 3000 square feet in floor area classified as a Group U Agricultural Building, as defined in Section 202 of this code (also see Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building, as determined by the fire official.

(14) Section R327.1.3.1 is amended to add the following exceptions:

3. Additions to and remodels of buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, for which an application for a building permit is required, shall comply with all sections of this chapter, limited to the added or remodeled areas only.

4. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this chapter. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this chapter provided the new or proposed use is less hazardous, based on life and fire risk than the existing use.

(15) Section R327.7.3.2 is added to the California Residential Code as follows:

R327.7.3.2 Replacement of Exterior Wall Covering.

Materials for replacement of existing exterior wall covering shall meet or exceed the standards set forth in this chapter.

Exception: Where less than 50% of any wall surface is being replaced or repaired and the matching of the new plane to the existing plane on that wall is not possible.

(16) Section R327.11 is added to the California Residential Code as follows:

R327.11 Setbacks For Structure Defensible Space

See California Fire Code as amended, Chapter 49, Section 4905.4 “Building Setbacks”, Table 4905.4(a) and Table 4905.4(b), as set forth in Sonoma County Code Chapter 13.

(F) The 2013 California Green Building Standards Code Chapters 1-9 and Appendix A4 (Tier 1) and Appendix A5 (Tier 1) for new construction only, excepting A4.2 and A5.2 respectively, are adopted as mandatory provisions and incorporated herein by reference.

(G) 2013 California Energy Code is adopted and incorporated by reference.

(H) 2013 California Historical Building Code is adopted and incorporated by reference.

(I) 2013 California Referenced Standards Code is adopted and incorporated by reference.

(J) 2013 California Administrative Code is adopted and incorporated by reference.

(K) The 2009 California Existing Building Code Chapter 1, Section 101.5.4 and Chapter 15 is adopted and incorporated herein by reference

(e) Section 7-14.5, Stream setback for structures requiring a building permit, is revised to read:

Sec. 7-14.5. - Stream setback for structures requiring a building permit.

All new or relocated structures requiring a building permit or an agricultural exemption shall be set back from streams, as measured from the toe of the stream bank outward, a distance of 2.5 times the height of the stream bank plus thirty (30) feet, or thirty (30) feet outward from the top of the stream bank, whichever distance is greater, unless a greater distance is established in the general plan, local coastal program, and/or zoning code. If the top of the stream bank cannot be determined by visual analysis, it shall be determined by hydraulic analysis as the water surface elevation for the 100 year event plus 1.5 feet. Stream bank height is the change in elevation from the top of bank and the lowest toe of bank.

- (a) An exception to the entire set back restriction may be allowed for (i) projects sponsored by a public agency or resource conservation district where there is a clear benefit to the community or environment; and (ii) projects related to

elevating existing structures per federal flood regulations which maintain the existing building footprint.

(b) Exceptions. An exception to the 30 feet portion may be approved by the chief building official if one or more of the following criteria apply:

- (1) Constructability. The stream setback makes the lot unbuildable for the primary use of the base planning district.
- (2) Minor Expansion. The proposed development involves a one-time minor expansion of an existing structure. The footprint of a minor expansion shall not exceed 25% of the existing structure by area, and shall not expand in a direction toward, or closer to, any stream.
- (3) Vertical Expansion. The proposed development involves expansion in the vertical direction with the expansion of a second story that is within the existing building footprint and does not exceed zoning requirements for overall height restrictions.
- (4) Existing Structures. The proposed development involves only the maintenance or remodeling of an existing structure or a non-structural use. The rebuild of an existing structure is allowed as long as it is within the existing building footprint, or such that the rebuilt structure is not an expansion of the existing structure and it is constructed further away from the creek.

(c) Stream bank restoration or stabilization. The proposed development involves the restoration or stabilization of a stream bank. Exception provisions. An exception may be approved by the Building Official if the following provisions are met:

- (1) Minimize disturbance. The removal of the natural vegetation is minimized or compensated by planting of natural vegetation within the setback.
- (2) Riparian function. The applicant demonstrates that the encroachment into the setback area will be accomplished with a minimum damage to the riparian functions and no reasonable alternative exists.
- (3) Soils report. The applicant submits a soils report that is acceptable to the Building Official. The soils report shall address the soil stability relative to the foundation of the proposed development and relative to the potential destabilizing effect the stream may or may not have on the proposed development.

(g) Section 7-19, Definitions, is revised to read:

Sec. 7-19. - Definitions.

Whenever any of the following names or terms are used herein or in any codes adopted by reference by this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section as follows:

- (a) "Building official," "chief building official," "chief electrical inspector," "administrative authority," and similar references to a chief administrative position shall mean the director of the permit and resource management department of the county or his or her designee; provided, however, that where such terms are used in conjunction with those duties imposed upon the public health officer, the terms shall mean the public health officer of the county.
- (b) The "building division," "electrical division," or "plumbing division" shall mean the permit and resource management department of the county.
- (c) "City" shall mean the county when referring to a political entity, or an unincorporated area of the county.
- (d) "City clerk" means "county clerk" and/or "clerk of the board of supervisors."
- (e) "City council" or "mayor" means the board of supervisors.
- (f) "Board of appeals" shall mean the local appeals board and housing appeals board provided for in Section 7-3.
- (g) "California Building Code" or "2013 California Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2, 2013 California Building Code, which incorporates by adoption the 2012 International Building Code, published by the International Code Council, with necessary California amendments.
- (h) "California Building Standards Administrative Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 1, 2013 California Building Standards Administrative Code, which incorporate by adoption the 2013 edition of the California Administrative Code published by the International Code Council.
- (i) "California Electrical Code" or "2013 California Electrical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 3, California Electrical Code, which incorporate by adoption the 2011 edition of the National Electric Code, with necessary California amendments.
- (j) "California Energy Code" or "2013 California Energy Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 6, 2013 California Energy Code.
- (k) "California Fire Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 9,

2013 California Fire Code, which incorporate by adoption the edition of the International Fire Code, with necessary California amendments.

(l) "California Historical Building Code" or "2013 California Historical Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 8, 2013 California Historical Building Code.

(m) "California Mechanical Code" or "2013 California Mechanical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 4, 2013 California Mechanical Code, which incorporate by adoption the 2012 edition of the Uniform Mechanical Code published by International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(n) "California Plumbing Code" or "2013 California Plumbing Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 5, 2013 California Plumbing Code, which incorporate by adoption the 2012 edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(o) "California Referenced Standards Code" or "2013 California Referenced Standards Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 12, 2013 California Referenced Standards Code.

(p) "California Residential Code" or "2013 California Residential Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2.5 California Residential Code, which incorporate by the 2012 International Residential Code, with necessary California amendments.

(q) "California Green Building Standards Code" or 2013 California Green Building Standards Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 11, 2013 California Green Building Standards Code.

(r) "Local coastal program" means the Sonoma County local coastal program.

(s) "General plan" means the Sonoma County general plan.

(t) "Stream" means any natural channel with bed and banks containing flowing water or showing evidence of having contained flowing water (e.g., deposit of rock, sand, gravel, or soil).

(u) "Zoning Code" means Chapters 26 and 26C of this code.

SECTION II. Chapter 7D2 of the Sonoma County Code is hereby amended as follows:

(a) Section 7D2-6, General Compliance Requirements, is revised to read:

7D2-6 General Compliance Requirements.

In addition to the requirements of the 2013 Building Energy Efficiency Standards, the following general compliance requirements shall apply to all permit applications subject to this chapter:

(A) Residential Buildings. When an application for a building permit involves a new residential building, the the TDV Energy of the proposed building meets the requirements of the 2013 California Green Building Standards Code as amended and adopted by Chapter 7, Sonoma County Code.

(B) Documentation. In order to demonstrate compliance with the requirements of this Section, a permit applicant may be required to submit supplementary forms and documentation in addition to the building drawings, specifications, and standard Title 24 report forms, as deemed appropriate by the County's building official.

SECTION III. Findings

Pursuant to Health and Safety Code sections 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the 2013 edition of the California Building Code including the amendment to the existing fire protection sprinkler and fire safe roofing standards, and the minimum fire safe standards for development within the unincorporated area of the county are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Climatic Conditions. Sonoma County has unique climatic conditions. The County is subject to year-round coastal winds. Average yearly rainfall for the County is approximately 30 inches. This rainfall generally occurs during October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85-90 degrees during the summer months, temperatures can exceed 110 degrees in parts of the County. Particularly during times of high temperatures and low humidity, a fire can move quickly through the County.

Several years of drought conditions have previously occurred in the County, thus reducing available water. Groundwater as well as surface supplies have been affected. This condition has created a situation where lowered water tables, water contamination and increased demand on water systems due to population growth have all negatively impacted water availability for fire protection. These impacts degrade the quality of fire protection and fire suppression activities.

2. Geological Conditions. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors. The County is situated in a primarily rural setting with a rugged coastline forming its western boundary and mountainous areas forming its northern and eastern boundaries. Forested areas and grasslands are located throughout the County. These features create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County also contribute to potential fire hazards, particularly when decayed trees, branches, needles and leaves drop to the ground. The dry vegetation and low water availability also cause problems for emergency fire equipment and personnel. The grassland areas in the County also are troublesome. These areas are easily ignitable, and create a potential for major conflagrations.

Further compounding the potential fire hazards, the County has active seismic faults within its boundaries (including the San Andreas Fault). Large portions of the County are within the Alquist-Priolo Special Study Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to reliably predict fault activity. New construction may be limited by their respective distances to faults, however, existing structures and replacement of those structures could present a serious problem.

Moreover, the mixture of developed and undeveloped areas within the County creates hazardous conditions when fallen trees, landslides or flooding block access by emergency fire equipment and personnel.

3. Topographical Conditions. The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems and the Sonoma County Water Agency distribution network. Water supplies within the County vary from less than ten (10) gallons per minute to flows in excess of four thousand (4000) gallons per minute. This wide variation causes major problems to fire suppression forces. The roadway system through most of the County is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades and overhanging tree branches. The grades on roadway surfaces sometimes exceed twenty-five (25) percent, and widths of less than twelve (12) feet are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the County. The high concentration of commercial, industrial and residential structures in these areas has the potential to become a significant fire hazard. Further compounding the risk, these structures frequently are constructed of wood for economical and practical reasons. Consequently, there is a substantial risk of conflagration due to the high build out of certain areas in the County.

The topographical nature of the County also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive, and thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Narrow roads and heavy congestion increase the risk of vehicular accidents that cause such interruptions.

4. The preceding findings identify the local climatic, geological and topographical conditions which this Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications as set forth herein reasonably necessary as

such modifications will assist in mitigating the local climatic, geological and topographical conditions. These findings are intended to support each of the amendments to the building standards made as part of this ordinance based on local conditions.

5. Additional findings as to building standards and administrative changes.

(a) Agricultural building exemption permit- Sonoma County includes many acres of rural, agricultural property. Crops are grown and livestock raised throughout the County, and the preservation of agricultural land, farming, and the right to farm is an important goal of County government. Exemption from building permit requirements saves farmers the unnecessary cost of building permits and the inevitable delays in the construction process which are caused by permits and inspections, and helps to preserve the tradition of family farms, dairies, vineyards, and stables. Agricultural buildings are still required to conform to building standards notwithstanding this administrative exemption.

(b) Floating home standards - Sonoma county is bordered on the south by a region of San Francisco Bay characterized by marshes and mud flats. This area would be an ideal location for low cost housing. In the event that permanent or semi-permanent houseboats are proposed in this area as low cost housing that meet the appropriate environmental regulations, it is important to have building standards in place for such structures. The model codes do not specifically address floating homes.

(c) 10 foot fence permit exemption. Sonoma County is overpopulated with deer due to lack of predators. Deer not only destroy farm crops, but individual gardens and landscaping. A 6 foot fence will not keep deer from entering property, but a 10 foot fence forms a more effective barrier.

(d) Grading . Sonoma County has many areas with unstable soil conditions, including expansive and liquefiable soils. It is prone to long periods of dry weather which shrinks expansive soils, and heavy downpours, which promote landslides. In addition it is in an extremely active seismic area. These conditions not only make for unstable land under proposed structures, but cause pollution into streams and rivers when soil is disturbed. Special grading regulations are needed under these conditions.

(e) Septic requirements and plumbing code modifications. Sonoma county is unique in having many heavily developed areas where hilly and mountainous forested terrain, narrow winding roads, and existing watershed conditions have made the installation of sewer systems difficult. For this reason, most of these areas rely on septic systems, and there is the constant threat of pollution of rivers, streams, and the groundwater from human waste. (More than 85% of the developed parcels are served by septic systems.) These regulations are in place to insure that where human waste is discharged and no sewer is available, that it will be discharged into a properly functioning septic system.

(f) Green Building

(1) The design, construction, and maintenance of buildings and structures within the county can have a significant impact on the county's environmental sustainability,

resource usage, energy efficiency, waste management, and the health and productivity of residents, workers, and visitors.

(2) Green building design, construction, and operation can have a significant, positive effect on resource conservation, energy efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building.

(3) Green building benefits are spread throughout the systems and features of the building. Green buildings can include, among other things, the use of certified sustainable wood products; extensive use of high recycled content products; recycling of waste that occurs during deconstruction, demolition, and construction; orientation and design of a building to reduce the demand on the heating, ventilating, and air conditioning systems; the use of heating, ventilating, and air conditioning systems that provide energy efficiency and improved indoor air quality. selection and use of construction materials that do not emit chemicals that are toxic or irritating to building occupants; the use of water conserving methods and equipment; and installation of alternative energy methods for supplemental energy production.

(4) Requiring commercial and residential projects to incorporate green building measures is necessary and appropriate to achieve the public health and welfare benefits of green building.

SECTION IV. Except as added, revised, amended or deleted herein, the remaining provisions of Chapters 7, 7D1 and 7D2 as previously adopted shall remain in full force and effect.

SECTION V. The Building Official is directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California.

SECTION VI. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VII: The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The Director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VIII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IX. This ordinance shall take effect on January 1, 2014, after its adoption and pursuant to Ordinance No. _____, published in summary format prior to adoption and within fifteen (15) days after its adoption, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 19th day of October, 2013, and finally passed and adopted this 2nd day of November, 2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

GORIN_____ ZANE _____ MCGUIRE_____ CARRILLO_____ RABBITT_____

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____ SUPERVISORS:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors

ATTEST:

Michelle Arellano, Chief Deputy Clerk
of the Board of Supervisors

Ordinance No.

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of **Title 24 of the California Code Of Regulations, Title 24, 20102013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2.**

The Board of Supervisors of the County of Sonoma, ordains as follows:

SECTION I. Chapter 7, **Building Regulations**, of the Sonoma County Code is hereby amended as follows:

(a) Section 7-5, Building permit required, is revised to read:

Sec. 7-5. - Building permit required.

(a) No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure in the unincorporated area of this county, or cause the same to be done, without first obtaining a separate building permit for each such building or structure as required by this chapter. Permits shall be issued and fees shall be collected by the permit and resource management department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division I, **Section 1.8.2**, of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance.

(b) Permits shall not be issued by the permit and resource management department for work which includes any of the following, unless and until written approval has been received:

(1) The construction, alteration or modification of:

(i) Any on-site disposal system (approval required from the well and septic section of permit and resource management department),

(ii) Any water supply system which under state law or county ordinance is required to have a permit to operate (approval required from the health officer or the state health services department),

(iii) Any establishment selling or preparing food or food products, any public or semi-public swimming pool as defined in the ~~2010~~2013 California Administrative Code (approval required from the health officer);

(2) The construction, alteration or modification of any structure which will result in the structure being connected to an on-site wastewater disposal system or water system; (approval required from the well and septic section of permit and resource management department),

(3) The alteration or modification of any existing structure which is connected to an on-site wastewater disposal system or water system requiring a permit, where the alteration or modification may impose additional burdens upon the existing system, such as, but not limited to, the addition of rooms or the modification of floor plans for potential additional occupancy. This section shall not apply to repairs, such as replacement of roofing or siding. Where the permit is for modification or alteration of an existing structure, no permit will be issued where, in the determination of the chief building official, such modification is likely to result in exceeding the capacity of the system;

(4) The construction, alteration or modification of any structure which may result in the property being improved in excess of its capacity to absorb sewage effluent. This section is intended to cover any change in the property which might adversely affect sewage disposal such as, but not limited to grading or the construction of a barn or swimming pool which might infringe on the leach field (approval required from the well and septic section of permit and resource management department);

(5) For the purposes of this section, approval by the well and septic section of permit and resource management department shall mean either an office clearance, field clearance, or issued well and septic permit for on-site wastewater disposal system.

(c) Whenever approval of the on-site wastewater disposal system is required, it shall be based upon the requirements imposed by this chapter and any other state or local law or regulation which may be applicable, including basin plans and other standards promulgated by the North Coast Water Quality Control Board and the San Francisco Bay Regional Water Quality Control Board.

(d) Building permits must be cleared as to zoning considerations in Chapter 26 or 26C, grading and drainage requirements in Chapter 11, and stormwater requirements in Chapter 11A of this code. Building permits for projects regulated by the California Fire Code and Sonoma County fire safe standards may be subject to review and approval by appropriate fire service agencies. Where county road encroachment is necessary, a permit

for same shall be first secured. A water and/or sewer clearance is first required in areas serviced by special districts and cities before building permits can be issued.

(e) Notwithstanding any other provision of this chapter or the codes adopted hereby, emergency maintenance work or repair of buildings and structures requiring a permit hereunder may be commenced before obtaining a permit without violating this chapter provided the permit and resource management department or the public health officer, in the appropriate case, is notified prior to noon of the next following business day and the permit required is obtained within twenty-four (24) hours thereafter, and provided further that no work shall be covered before it has been duly inspected and approved.

Compliance with the State Subdivision Map Act, the Sonoma County subdivision regulations, and the Sonoma County zoning regulations, including compliance with conditional permits issued thereunder, and compliance with all laws, is a condition precedent to the issuance of any permit required by this chapter for work to be done on any particular parcel of real property in the unincorporated area of this county.

(f) As a condition precedent to the issuance of a building permit required by this section for which an application was made on or after November, 1989, the applicant shall pay to the county development fee as specified in Section 26-98-660 of this code. The permit required for Section 105 of Appendix 1 of the California Building Code for structures subject to the requirements of this subsection shall not be issued unless and until the development fee has been paid.

(g) Within flood-prone urban areas as defined in Section 7-13(a)(10), a building permit authorizing excavation for foundations shall not be issued until a disposal location for excavated material has been designated. Acquisition of a building permit does not relieve the permittee of the responsibility for acquiring any other state and local permits required for the activity.

(h) In any unincorporated portion of Sonoma County where stormwater discharges are subject to the requirements of one or more NPDES permits, as referenced in Chapter 11, any construction site for which building permits are approved pursuant to Chapter 7 must be developed and used pursuant to any applicable requirements of said NPDES permit(s). Failure to adhere to applicable NPDES permit requirements at any time will be deemed to be a violation of this section and may subject the permittee to the penalties established by this chapter. Permittees may meet this requirement by filing with the Regional Water Quality Control Board the appropriate notice of intent to comply with the state general construction activity stormwater permit or by obtaining approval of an individual NPDES permit from the Regional Water Quality Control Board.

(b) Section 7-9, Refunds, is revised to read:

Sec. 7-9. - Refunds.

Pursuant to Section 109.6 of Chapter 1, Division II, of the California Building Code, 103.4.54 of Chapter 1, **Division II**, of the California Plumbing Code, Section 1154.6 of Chapter 1, **Division II**, of the California Mechanical Code, and Section 89.108.4.2 of the California Electrical Code, refunds of fees paid may be made, subject to the following:

- (a) One hundred percent (100%) of a fee erroneously paid or collected may be refunded.
- (b) Ninety percent (90%) of the plan review fee may be refunded when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled or expires or becomes void before any plan review effort has been expended. No portion of the plan review fee shall be refunded when any plan review effort has been expended.
- (c) Ninety percent (90%) of the building, plumbing, electrical, and/or mechanical permit fee may be refunded when a permit for which some or all of these permit fees have been paid is withdrawn or cancelled or expires or becomes void before any work was done and before any inspections are performed. No portion of these fees shall be refunded when any work was done and/or any inspections have been performed.
- (d) The chief building official may authorize the refund of all or part of a fee in order to correct an error by the department. The details of such a refund shall be retained in project file.
- (e) Application for refund must be made within one (1) year of the date the fee is paid.

(c) Section 7-12, Building permits in water scarce areas and second dwelling units in marginal water areas, is revised to read:

1. No building permit for new or replacement residential dwelling units shall be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water availability area three (3) where the water supply is from individual wells, **public water wells**, or springs ~~or any other source~~ unless the following requirements are met:

(a) That the well or wells yield a minimum of one (1) gallon per minute per dwelling unit by a sustained yield, metered pump test of the following duration:

(1) Each dwelling unit is a connection to the well. Wells with one (1) to two (2) connections: test of twelve (12) hours or eight (8) hours in accordance with the Sonoma County Permit and Resource Management Department's well pump test guidelines,

(2) Wells with three (3) to four (4) connections: test of twenty-four (24) hours or sixteen (16) hours in accordance with the Sonoma County permit and resource management department's well pump test guidelines,

(3) Wells with five (5) ~~to fourteen (14) or more~~ connections: test of at least seventy-two (72) hours after the dynamic pumping level has been established. A reduction of the seventy-two (72) hour metered pumping test may be granted by the administrative authority if it is indicated that the sustained yield well production is two (2) or more times greater than required. Under no circumstances shall the test be less than forty-eight (48) hours.

(4) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water yield requirements.

~~NOTE: Also see Section 64563 of the California Code of Regulations for determination of source capacity for systems with five (5) or more connections.~~

(b) That a minimum storage capacity shall be provided as follows:

(1) Single-family dwelling (one (1) connection) — one thousand (1,000) gallons shall be provided ~~either in the well hole or~~ in a storage tank, ~~or both;~~ provided, however, that only five hundred (500) gallon storage shall be required if the yield is three (3) gallons per minute; provided further, however, that no storage is required if the well yield is five (5) gallons per minute, or greater,

(2) Two (2) to fourteen (14) ~~or more~~ connections — one thousand (1,000) gallons shall be provided per connection, ~~either in the well hole or~~ in a storage tank, or ~~both,~~ as required by the county of Sonoma water system standards, whichever is greater,

(3) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water storage requirements.

~~(34)~~ Note: These volumes are for domestic water storage. Additional storage volume is required for fire control.

(c) The tests shall be conducted from July 15 to October 1st. The test period may be extended by the ~~project review and advisory committee.~~ ~~director of the permit and resource management department~~ . Pump tests shall be performed by or under the direction of a licensed water well drilling contractor (C57), pumping contractor (C61/D21), a registered civil engineer or a registered geologist who shall report test results to the director of permit and resource management department. The director of permit and resource management department shall be notified a minimum of twenty-four (24) hours prior to the pump testing of wells or springs;

(d) That, if spring(s) are to be used as the primary domestic water source, yields and required storage capacity shall meet the same minimum requirements as for wells. Springs shall be perennial;

~~(e) —Repealed. Application may be made to the project review and advisory committee for approval of alternate methods of water supply.~~

2. Notwithstanding Section 1., a building permit for new or replacement residential dwelling units may be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water available area three (3) if the permittee obtains an easement for water supply on a parcel that is entirely within a Groundwater Availability Area 1, major groundwater basin (Zone 1); or Area 2, major natural recharge area (Zone 2), in format approved by the permit and resource management department.

(d) Section 7-13, Codes adopted and modifications, is revised to read:

Sec. 7-13. – Codes adopted and modifications.

(A) ~~2010-2013~~ California Building Code Volumes 1 and 2, Chapters 1-35, including Part 7, “California Elevator Safety Construction Code”, Part 8, “California Historical Building Code”, Part 910, “California Existing Building Code”, Appendix Chapter A1, Appendix C, Appendix H, and Appendix I; are hereby adopted and incorporated herein by reference, save and except such portions as are deleted, modified or revised as follows:

(1) Section 101.4.4 of Chapter 1, Division II, of the California Building Code is amended to read:

101.4.4. **Property maintenance.** The provisions of Sections 116 **Unsafe Structures and Equipment** of the California Building Code as amended by Sonoma County Code by adding Sections 116.1.1 and 116.1.2, shall apply to existing buildings and premises

(2) Intentionally left blank

(3) Section 105.2 of Chapter 1, Division II, of the California Building Code is amended to read:

105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Such exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines. Permits shall not be required for the following:

(a) Building Permit Exemptions:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, ~~when located on a parcel which contains an existing Group R, and/or Group U Occupancy,~~ provided the floor area does not exceed 120 square feet, and the height

above grade does not exceed 12 feet. No more than one structure may be allowed under this exemption unless separated from another permit exempt structure by more than 50 feet.

2. Fences, not over 10 feet high, except that solid wood, concrete, metal, and masonry fences more than 67 feet in height measured from the lowest existing grade to the top of the fence shall require a building permit.

3. Oil derricks.

4. Retaining walls, which retain not more than 3 feet of material unless supporting a surcharge or impounding Class I, II, or IIIA liquids. For the purpose of this section, a retaining wall is considered to be supporting a surcharge if:

a. The wall retains more than one foot of material and the retained material slopes more than two units horizontal to one vertical within a distance equal to twice the height of the wall above the lowest existing grade, or

b. The wall retains more than one foot of material and any road or structure is located on the retained material within a distance equal to twice the height of the wall above the lowest existing grade.

5. Tanks, not containing Class I, II, or IIIA liquids supported directly upon grade, or below grade, if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.

6. Sidewalks, platforms, driveways, non-structural slabs and decks not more than 30 inches above grade, and not over any basement or story below and are not part of an ~~an~~ disabled accessible route.

7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. Temporary motion picture, television and theater stage sets and scenery.

9. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy which do not exceed 5,000 gallons, and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems. (Plumbing, electrical or mechanical systems associated with the structure require permits.)

11. Swings, play structures, and other playground equipment, treehouses with a floor area less than 120 square feet, and skateboard ramps, accessory to detached one and two family dwellings, which are not used for commercial purposes, and children's play structures when constructed on a parcel which contains a one or two- family dwelling or a State licensed school or day care center.

12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U Occupancies.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height for office work spaces and cubicles.

14. Minor repair of interior paneling or gypsum wallboard when it does not serve as a fire-resistive assembly or as lateral bracing for a structure. Minor repairs are limited to

100 square feet, on a one time basis. Subsequent minor repairs will require permits. This exemption shall not apply to structures subject to flood damage.

15. Replacement of windows or doors with others of the same size, and in the same location when the structural frame of the opening is not altered.

16. Prefabricated structures no more than 500 square feet in area, constructed of light frame materials and covered with cloth or flexible plastic **which has a thickness no greater than 5/1000 of an inch**, accessory to a single family dwelling, with no associated electrical, plumbing, or mechanical equipment and the height above grade does not exceed 12 feet.

17. **Residential** Arbors, trellises, and gazebos, when the height above grade does not exceed 12 feet. For the purpose of this section, arbors, trellises, and gazebos are considered for detached shade structures accessory to residential occupancies and are defined as follows:

- a. Structures which have a lattice or fabric roof structure, and
- b. 75% of the exterior walls are not less than 75% open, and
- c. Into which a motor vehicle cannot be driven due to the configuration of the structure or placement on the site.

If such a structure contains electrical, plumbing, or mechanical equipment, a permit is required for this work.

18. Removal of up to 25% of exterior and/or interior or roof coverings or other similar work for the purpose of determining the condition of structural members in a structure where work is being planned. Such work may remain exposed for a maximum of 90 days before being repaired. A permit must be obtained for the repairs unless exempted by this section of the Sonoma county code.

19. 2-bin trash enclosure covers with a height not exceeding 12 feet.

(b) Electrical Permit Exemptions:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electric equipment to approved permanently installed receptacles.
2. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Listed cord and plug connected temporary decorative lighting.
5. Reinstallation or replacement of attachment plug receptacles, but not the outlets therefor.
6. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.
7. Installation or maintenance of communications wiring, devices, appliances, apparatus, or equipment.

(c) Gas Permit Exemptions:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid

(d) Mechanical Permit Exemptions:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.545 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(e) Plumbing Permit Exemptions:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. replacement of existing plumbing fixtures for low flow plumbing fixtures in accordance with Section 1101.1 California Civil Code.

(4) Section 1.8.8.3.1 of the California Building Code is added to Chapter 1, Division 1, of the California Building Code, to read:

Section 1.8.8.3.1 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(5) Section 105.5 of Chapter 1, Division II, of the California Building Code is amended to read:

Section 105.5 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or

substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, or permit to legalize a violation, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division 1, Section 1.8.3.1 of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance. The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per the Permit and Resource Management Department Expired Permit Policy.

(6) Section 109.2 of Chapter 1, Division II, of the California Building Code is amended to read:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the Permit and Resource Management Department fee schedule.

When approved by the chief building official a reduction in plan review fees by twenty five percent (25%) of that otherwise required may be granted where a peer review or third party plan review or other process results in substantially reduced plan review effort by the Permit and Resource Management Department.

The chief building official may, in his or her discretion, waive the plan check fee for the second and all subsequent buildings or structures identical to a building or structure for which a plan check has been paid **because there is a reduction in the cost of providing the service**. This plan check fee waiver for subsequent submittals shall be limited to one (1) year following date of original fee payment. In each case the applicant must be the same for all permits.

(7) Section 105.3.2 of Chapter 1, Division II, "Time limitation of application", of the California Building Code is amended to read:

105.3.2 Expiration of plan review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) Section 109.7 is added to Chapter 1, Division II, of the California Building Code, to read:

109.7 Re-inspection Fees.

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection record card not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official. The re-inspection fee shall be established in the jurisdiction fee schedule. When a re-inspection fee has been assessed, no additional inspection of the work shall be performed until the required fees have been paid

(9) Section 112.4 is added to Chapter 1, Division II, of the California Building Code, to read:

112.4 Connection after order to disconnect. Persons shall not make connections from any energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

(10) Section 113 Chapter 1, Division II, of the California Building Code, Board of Appeals, is deleted.

(11) Section 114.4 of Chapter 1, Division II, of the California Building Code is amended to read:

114.4 Violation ~~review fee~~penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. ~~An investigation-A review~~ fee equal to the amount of the permit fee, whether or not a permit is then or subsequently

issued, **shall be assessed**. The payment of such ~~investigation-review~~ fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(12) Sections 116.1.1 and 116.1.2 are added to Chapter 1, Division II, of the California Building Code, to read:

116.1.1 Definition of unsafe or dangerous building. Any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be an unsafe or dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered. **The presence of an unsafe or dangerous building shall be considered a public nuisance subject to abatement pursuant to Chapter 1, Sonoma County Code.**

1. Whenever any door, aisle, passageway, stairway or other means of ~~exist-exit~~ is not of sufficient width or size or is not arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.

9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside wall or coverings.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement including construction without permit or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in this Code or Health and Safety Code section 17920.3 or Uniform Housing Code Chapters 4, 5, 6 and Sections 701.2, 701.3, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or is such a condition that is likely to cause sickness or disease.
16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or equity jurisprudence.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
19. Whenever any building or structure has been abandoned and unsecured for a period in excess of six months so as to constitute an attractive nuisance or hazard to the public.

(12.1) 116.1.2 Definition of nuisance. The following shall be defined as a nuisance:

- a. Any public nuisance know at common law or in equity jurisprudence.
- b. Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris, or vegetation that may prove a hazard for inquisitive minors.
- c. Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.
- d. Overcrowding a room with occupants.
- e. Insufficient ventilation or illumination.
- f. Inadequate or unsanitary sewage or plumbing facilities.
- g. Uncleanliness, as determined by the health officer.
- h. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

(13) Section 116.3 of Chapter 1, Division II, of the California Building Code is amended to read:

116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe per Section 1-7.3 of the Sonoma County Code.

(14) Section 117 is added to Chapter 1, Division II, of the California Building Code, to read:

SECTION 117
NOTICE TO VACATE

117.1 Posting. Every notice to vacate shall, in addition to being served as provided in Section 116.4, be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER
UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official
.....of.....

117.2 Posting during declared emergencies. During a declared local emergency or State of emergency as defined in Chapter 10 of this Code, each structure or property affected by the declaration and subsequently reviewed shall be evaluated and posted in accordance

with the standards established in Applied Technology Council (ATC) 20, ATC 45 or the most recently adopted standard by the California Office of Emergency Services as an emergency response plan.

117.3 Compliance. Whenever such notice is posted, the building official shall include a notification thereof in the notice and order issued under Section 115.3 reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted unless specifically stated on the posting. Entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.

117.4 Appeals. Appeals of any notice and order to abate any violation of this Code shall be heard and decided by a hearing officer pursuant to Section 1-7.3 of the Sonoma County Code.

(15) Section 202 of the California Building Code is amended to revise the definition of "building" to read:

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the Vehicle Code.

(16) Section 202 of the California Building Code is amended to revise the definition of "building, existing" to read:

BUILDING, EXISTING. A building legally erected prior to the adoption of this code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this code.

(16.1) Section 202 of the California Building Code is amended to delete the definition of "Substantial Improvement." A new definition of "Substantial Improvement", is added as follows:

SUBSTANTIAL IMPROVEMENT: See Sonoma County Code Ch 7B-1.

~~(17) Section 903.2 of the California Building Code is amended to read:~~

~~Section 903.2 Where required. An approved automatic sprinkler system shall be provided in new buildings and structures, and when additions are made to buildings or structures, as described in Sections 903.2.1 through 903.2.18~~

~~(18) Section 903.2.1 of the California Building Code is amended to read:~~

~~903.2.1 Group A.~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group A occupancies.~~

~~903.2.1.1 Group A-1~~

~~An automatic fire sprinkler system shall be provided throughout Group A-1 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-1 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area contains a multi-theater complex.~~
- ~~5. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.2 Group A-2~~

~~An automatic fire sprinkler system shall be provided throughout Group A-2 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-2 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 5,000 square feet.~~
- ~~2. The fire area has an occupant load of 100 or more.~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.3 Group A-3~~

~~An automatic fire sprinkler system shall be provided throughout Group A-3 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-3 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more; or~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.4 Group A-4~~

~~An automatic fire sprinkler system shall be provided throughout Group A-4 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-4 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more; or~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.5 Group A-5~~

~~An automatic fire sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet.~~

~~(19) Section 903.2.2 of the California Building Code is deleted~~

~~(20) New Section 903.2.2 of the California Building Code is added to read:~~

~~903.2.2 Group B~~

~~An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group B occupancies. An automatic fire sprinkler system shall be provided throughout Group B occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.2.1 Remodel or addition – Group B ambulatory health care~~

~~An automatic sprinkler system shall be provided when a Group B ambulatory health care occupancy is created and any of the following conditions result.~~

- ~~1. Four or more care recipients are incapable of self-preservation.~~
- ~~2. One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such occupancy.~~

~~(21) Section 903.2.3 of the California Building Code is deleted~~

~~(22) New Section 903.2.3 of the California Building Code is added to read:~~

~~903.2.3 Group E~~

~~An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group E occupancies an automatic fire sprinkler system shall be provided throughout Group E occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.3.1 Public Schools—Automatic Sprinkler Requirements~~

~~903.2.3.1.1 New Public School Campus:~~

~~An approved automatic sprinkler system shall be provided in all buildings of a new public school campus as defined in Section 202 regardless of occupancy classification.~~

~~Exceptions:~~

- ~~1. Exempted portable buildings.~~
- ~~2. Ticket booths and athletic field storage buildings that are less than 500 square feet in floor area and located a minimum of 100 feet from all other buildings.~~
- ~~3. Shade or lunch shelters that are incapable of trapping heat, smoke or other by-products of combustion and located a minimum of 20 feet from all other buildings.~~
- ~~4. Shade or lunch shelters that are constructed of non-combustible materials and located a minimum of 20 feet from all other buildings.~~

~~903.2.3.1.1.1 Sprinklers shall be installed in spaces where the ceiling creates a “ceiling-plenum” or space above the ceiling is utilized for environmental air.~~

~~(23) Section 903.2.4 of the California Building Code is deleted~~

~~(24) New Section 903.2.4 of the California Building Code is added to read:~~

~~903.2.4 Group F~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group F occupancies~~

~~Exceptions:~~

- ~~1. — Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - ~~a. — The canopy and supporting structure are constructed of non-combustible materials.~~
 - ~~b. — If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.~~
 - ~~c. — The crush pad is not used for storage of combustible materials.~~
 - ~~d. — The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.~~~~
- ~~2. — Dairy milking facilities less than 12,000 feet in area.~~

~~903.2.4.1 Existing F-1 Woodworking operations~~

~~An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.~~

~~903.2.4.2 Additions or remodels — F Occupancy~~

~~An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — The fire area is increased beyond the areas specified in Table 903.2~~
- ~~2. — The fire area exceeds 12,000 square feet.~~
- ~~3. — The fire area is located more than three stories, or more than 30 feet, above grade plane.~~
- ~~4. — The combined area of all fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~
- ~~5. — The fire area contains woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials.~~

~~(25) Section 903.2.5.5 of the California Building Code is added to read:~~

~~903.2.5.2 Additions or remodels—H Occupancy~~

~~An automatic sprinkler system shall be provided throughout all buildings containing a Group H occupancy, and where an H Occupancy is created as a result of a remodel or addition.~~

~~(26) Section 903.2.6.3 of the California Fire Code is added to read:~~

~~903.2.6.3 Additions or remodels—I Occupancy~~

~~An automatic sprinkler system shall be provided throughout all buildings containing a Group I occupancy, and where an I Occupancy is created as a result of a remodel or addition.~~

~~(27) Section 903.2.7 of the California Building Code is deleted~~

~~(28) New Section 903.2.7 of the California Building Code is added to read:~~

~~903.2.7 Group M~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group M occupancies, and when an addition or remodel occurs affecting a Group M Occupancy as provided in this section.~~

~~Exception: Detached non-combustible motor fuel dispensing facility canopies classified as a Group M occupancy where the canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.~~

~~903.2.7.1 High-piled storage.~~

~~An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings where storage of merchandise is in high-piled or rack storage arrays.~~

~~903.2.7.2 Additions or remodels—M Occupancies~~

~~An automatic sprinkler system shall be provided for Group M occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — A Group M fire area exceeds 12,000 square feet.~~
- ~~2. — A Group M fire area is located more than three stories above grade plane.~~
- ~~3. — The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

- ~~4. — A Group M occupancy is used for the display and sale of upholstered furniture.~~
- ~~5. — The structure exceeds 24,000 square feet in area, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating.~~
- ~~6. — The fire area is increased beyond the areas specified in Table 903.2~~

~~(29) Section 903.2.8. of the California Building Code is amended to add Section 903.2.8.1 to read:~~

~~903.2.8.1 Additions or remodels — R Occupancies:~~

~~An automatic sprinkler system shall be provided for Group R occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — The fire area is increased beyond the areas specified in Table 903.2~~
- ~~2. — The fire area exceeds 12,000 square feet.~~

~~Exception: Attached carports of non-combustible construction classified as a Group-U Occupancy where there is no habitable space above, and which are accessory uses to a one- or two-family residential dwelling.~~

~~(30) Section 903.2.9 of the California Building Code is deleted~~

~~(31) New Section 903.2.9 of the California Building Code is added to read:~~

~~903.2.9 Group S~~

~~An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group S occupancies, and when an addition or remodel occurs affecting a Group S Occupancy as provided in this section.~~

~~903.2.9.1 Repair garages~~

~~An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code.~~

~~903.2.9.2 Bulk storage of tires~~

~~Building, structures used for the storage of tires shall be equipped throughout with an automatic sprinkler system.~~

~~903.2.9.3 Additions or remodels — Group S Occupancies~~

~~An automatic fire sprinkler system shall be provided throughout all buildings containing a Group S occupancy where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — The fire area is increased beyond the areas specified in Table 903.2.~~
- ~~2. — A Group S-1 fire area exceeds 12,000 square feet.~~
- ~~3. — A Group S-1 fire area is located more than three stories above-grade plane.~~
- ~~4. — The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~
- ~~5. — A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.~~

~~(32) Section 903.2.11.7 is added to read:~~

~~903.2.11.7 Group U Occupancy special requirements~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.~~

~~Exceptions:~~

- ~~1. — Detached Group U occupancies 3000 square feet or less in area~~
- ~~2. — Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.~~

~~903.2.11.7.1 Group U accessory areas~~

~~For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed use ratio.~~

~~(33) Table 903.2 is added to the California Building Code, to read:~~

~~Table 903.2~~

Existing Building Area	Allowable Area Increase
0-1000 sq ft:	200% (c)
1001-4000 sq ft:	100% (a)(c)
Greater than 4000 sq ft:	50% (a)(b)(c)

~~(a) — A 2000 sq ft. maximum increase is allowed~~

~~(b) — Maximum cumulative allowable area is 6000 square feet~~

~~(c) — Fire sprinklers are required when additions to Limited Density Owner Built Rural Dwellings (as described in Sonoma County Code Chapter 7 A) exceed 640 square feet in area.~~

~~(34) Section 903.2.11.8 is added to read:~~

~~903.2.11.8 Changes of Occupancy.~~

~~When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.~~

~~(35) Section 903.2.11.9 is added to read:~~

~~903.2.11.9 Elevation of existing buildings~~

~~An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than 35 feet in height, from grade to the exposed roof.~~

~~Exceptions:~~

- ~~1. — An automatic fire extinguishing system need not be provided when the area above 35 feet is provided for aesthetic purposes only and is a non-habitable space.~~
- ~~2. — An automatic fire extinguishing system need not be provided when existing single family and two family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:
 - ~~(a) — The elevation creates a building no more than three stories in height.~~
 - ~~(b) — Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.~~
 - ~~(c) — Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.~~
 - ~~(d) — There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.~~
 - ~~(e) — Any addition to the building after the elevation shall require installation of an automatic fire extinguishing system.~~~~

~~(36) Section 903.2.18 of the California Building Code is deleted.~~

~~(37) New Section 903.2.18 of the California Building Code is added to read:~~

~~903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.~~

~~Carports with habitable space above, attached garages, and detached Group U structures greater than 3000 square feet in area containing a use similar to a: B Occupancy, S Occupancy, or M Occupancy which is accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick response sprinklers, designed to provide a minimum density of 0.05 gpm per square foot over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions to sprinkler placement.~~

~~(38) Section 903.4.2 of the California Building Code is deleted.~~

~~(39) New Section of the California Building Code is added to read:~~

~~903.4.2 Alarms.~~

~~At least one exterior approved audible device activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system shall be~~

~~connected to every automatic fire alarm system in an approved location, and approved audible devices shall be connected to every automatic sprinkler system for the purpose of occupant notification. Every new fire alarm system installed for the purpose of evacuation, including those systems activated solely by fire sprinkler systems shall be designed so that all occupants of the building shall be notified audibly and visually.~~

~~(40) Section 905.3.1 is amended to read as follows:~~

~~905.3.1 Height.~~

~~In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:~~

- ~~1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.~~
- ~~2. Buildings that are three or more stories in height.~~
- ~~3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.~~
- ~~4. Buildings that are two or more stories below the highest level of fire department vehicle access.~~
- ~~5. On the roof of buildings three or more stories in height.~~

~~Exceptions:~~

- ~~1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.~~
- ~~2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.~~
- ~~3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.~~
- ~~4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.~~
- ~~5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:~~
 - ~~5.1. Recessed loading docks for four vehicles or less; and~~
 - ~~5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.~~

~~(41) Section 905.9 is amended to read as follows:~~

~~905.9 Valve supervision~~

~~Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.~~

~~Exceptions:~~

- ~~1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.~~

~~(42) Section 907.2.8.1 is amended to read as follows:~~

~~907.2.8.1 Manual fire alarm system for R-1 Occupancies~~

~~A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.~~

Exceptions:

- ~~1. Manual fire alarm boxes are not required throughout the building when the following conditions are met.~~
 - ~~1.1 The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.~~
 - ~~1.2 Notification devices will activate within each residential unit upon sprinkler water flow.~~
 - ~~1.3 At least one manual fire alarm box is installed in an approved location.~~

~~(43) Section 1505.1 of the California Building Code is amended to read:~~

~~1501.1 Scope.~~

- ~~1. General. Except as otherwise provided in subsection (2), the roof covering assembly on any structure regulated by this code shall be as specified in Table No. 1505.1 and as classified in Section 1505.~~
- ~~2. Roof Covering Assembly on Specified Structures. Notwithstanding any other provision of this code, the roof covering assembly on the following structures regulated by this code shall be a Class A roof covering assembly as classified in Section 1505.2.~~
 - ~~(a) Any new structure regulated by this code;~~
 - ~~(b) Any existing structure regulated by this code when more than fifty percent (50%) of the roof area of the structure is re-roofed;~~
 - ~~(c) Any addition regulated by this code when the addition creates a new roof and the floor area of any single floor of the addition exceeds six hundred forty (640) square feet.~~
- ~~3. Roof covering Assembly. The roof covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which is assigned to a roof covering classification.~~
- ~~4. The following types of structures are exempt from this requirement:~~
 - ~~(a) Greenhouses.~~
 - ~~(b) Patio covers.~~
 - ~~(c) Fabric membrane structures when the fabric is certified as "flame retardant" by the State Fire Marshall.~~
 - ~~(d) Residential vehicle covers.~~
 - ~~(e) Awnings.~~
 - ~~(f) Sod roofs.~~

~~(44) Section 3405.6 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.6 Seismic Design and Evaluation Procedures. Seismic design and evaluation procedures shall conform to the provisions of this chapter and Chapter 1, Section 101.5.4 of the 2010 International Existing Building Code.~~

~~(45) Section 3405.7 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.7 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.~~

~~(46) Section 3405.8 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.8 Unsafe Conditions. Regardless of the extent of the structural damage, unsafe conditions shall be eliminated.~~

~~(47) Section 3405.9 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.9 Referenced Standards. Referenced standards for evaluation and rehabilitation of existing buildings shall conform with Chapter 15 of the 2010 International Existing Building Code.~~

(17) Section 903.2 of the California Building Code is amended to read:

Section 903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12

(18) Section 903.2.1 of the California Building Code is amended to read:

903.2.1 Group A.

An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1

An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2

An automatic sprinkler system shall be provided for any new Group A-2 occupancies. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 100 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by fire walls of less than four-hour fire resistance rating without openings.

903.2.1.3 Group A-3

An automatic sprinkler system shall be provided for any new Group A-3 occupancies. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2.
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4

An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5

An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use

areas where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

(19) Section 903.2.2 of the California Building Code is deleted

(20) New Section 903.2.2 of the California Building Code is added to read:

903.2.2 Group B

An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable
2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the level of exit discharge, and automatic sprinkler system shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest level of exit discharge.

(21) Section 903.2.3 of the California Building Code is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies, and where the fire area of an existing Group E occupancy exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.\

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.
5. For public schools state-funded construction projects see Section 903.2.19.

(22) Section 903.2.4 of the California Building Code is amended to read:

903.2.4 Group F-1

An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - a. The canopy and supporting structure are constructed of non-combustible materials.
 - b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.
 - c. The crush pad is not used for storage of combustible materials.
 - d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.
2. Dairy milking facilities less than 12,000 feet in area.

903.2.4.1 Existing F-1 Woodworking operations

An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.

(23) Section 903.2.5.1 of the California Building Code is amended to read:

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies where the fire area exceeds the area increases permitted in TABLE 903.2 as a result of an addition or alteration.

(24) Section 903.2.6 of the California Fire Code is added to read:

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire areas exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.
2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:
 - 2.1 A hydraulic design information sign is located on the system riser;
 - 2.2 Exception 1 of Section 903.4 is not applied; and
 - 2.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.
3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.6.1 Group I-2. An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

903.2.6.2 Group I-3. Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

Exception: Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

- 1. Automatic fire sprinklers shall be mounted outside the cell a minimum of 6 feet (1829 mm) on center and 12 inches (305 mm) from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.*
 - 2. The maximum amount of combustibles, excluding linen and clothing, shall be maintained at three pounds per inmate.*
 - 3. For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).*
 - 4. The provisions of the exception in Section 804.4.2 shall not apply.*
- (25) Section 903.2.7 of the California Building Code is deleted
- (26) New Section 903.2.7 of the California Building Code is added to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

- 1. A Group M fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.*
- 2. A Group M fire area is located more than three stories above grade plane.*
- 3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).*
- 4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5000 square feet (464 m²).*
- 5. The structure exceeds 24,000 square feet (465 m²), contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating.*

903.2.7.1 High-piled storage.

An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

(27) Section 903.2.8. of the California Building Code is deleted

(28) New Section 903.2.8 of the California Building Code is added to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.

Exceptions:

- 1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.*

2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.

3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.

4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

5. Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

903.2.8.1 Group R-3 congregate residences. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be permitted in group R-3 congregate living facilities with 16 or fewer residents.

903.2.8.2 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

903.2.8.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

903.2.8.3.1 Design and installation - one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3.2 Design and installation - factory built housing, mobile homes and manufactured homes. Automatic residential fire sprinkler systems installed in:

factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

(29) Section 903.2.9 of the California Building Code is deleted

(30) New Section 903.2.9 of the California Building Code is added to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.

(31) Section 903.2.11.7 is added to read:

903.2.11.7 Group U Occupancy special requirements

An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

Exceptions:

1. Detached Group U occupancies 3000 square feet or less in area
2. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

903.2.11.7.1 Group U accessory areas

For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

(32) Table 903.2 is added to the California Building Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1000 sq ft:	200% (c)
1001-4000 sq ft:	100% (a)(c)
Greater than 4000 sq ft:	50% (a)(b)(c)

- (a) A 2000 sq ft. maximum increase is allowed
- (b) Maximum cumulative allowable area is 6000 square feet
- (c) Fire sprinklers are required when additions to Limited Density Owner-Built Rural Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 square feet in area.

(33) Section 903.2.11.8 is added to read:

903.2.11.8 Changes of Occupancy.

When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(34) Section 903.2.11.9 is added to read:

903.2.11.9 Elevation of existing buildings

An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than 35 feet in height, from grade to the exposed roof.

Exceptions:

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet is provided for aesthetic purposes only and is a non-habitable space.
 2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:
 - (a) The elevation creates a building no more than three stories in height.
 - (b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.
 - (c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.
 - (d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.
 - (e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.
- (35) Section 903.2.18 of the California Building Code is deleted.
- (36) New Section 903.2.18 of the California Building Code is added to read:

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, and detached accessory structures less than 6000 square feet in area accessory to a one- or two-family dwelling which contain space in the building for living sleeping, eating or cooking, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/ft² over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception

Detached structures less than 3000 square feet in area accessory to a one- or two-family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for, sleeping, eating or cooking.

(37)Section 903.4 of the California Building Code is deleted.

(38) New Section 903.4 of the California Building Code is added to read:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

903.4.2 Alarms. One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single

sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. *Visible and audible* alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings *and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access.*

(39) Section 903.6 is added to the California Building Code as follows:

903.6 Existing buildings. The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the California Building Code by requiring installation of an automatic fire-extinguishing system.

903.6.1 Pyroxylin plastics. All structures occupied for the manufacture or storage of articles of cellulose nitrate (pyroxylin) plastic shall be equipped with an approved automatic fire-extinguishing system where required in Chapter 46.

903.6.2 Group I-2. An automatic sprinkler system shall be provided throughout Group I-2 fire areas where required in Chapter 46.

(40) Section 905.3.1 is amended to read as follows:

905.3.1 Height.

In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.
5. On the roof of buildings three or more stories in height.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.

3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 5.1. Recessed loading docks for four vehicles or less; and
 - 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

(41) Section 905.9 is amended to read as follows:

905.9 Valve supervision

Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

(42) Section 907.2.8.1 is amended to read as follows:

907.2.8.1 Manual fire alarm system for R-1 Occupancies

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

Exceptions:

1. Manual fire alarm boxes are not required throughout the building when the following conditions are met.
 - 1.1 The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
 - 1.2 Notification devices will activate within each residential unit upon sprinkler water flow.
 - 1.3 At least one manual fire alarm box is installed in an approved location.

(43) Section 1505.1 of the California Building Code is amended to read:

1501.1 Scope.

1. General. Except as otherwise provided in subsection (2), the roof covering assembly on any structure regulated by this code shall be as specified in Table No. 1505.1 and as classified in Section 1505.

2. Roof Covering Assembly on Specified Structures. Notwithstanding any other provision of this code, the roof-covering assembly on the following structures regulated by this code shall be a Class A roof-covering assembly as classified in Section 1505.2.

- (a) Any new structure regulated by this code;
- (b) Any existing structure regulated by this code when more than fifty percent (50%) of the roof area of the structure is re-roofed;
- (c) Any addition regulated by this code when the addition creates a new roof and the floor area of any single floor of the addition exceeds six hundred forty (640) square feet.

3. Roof-covering Assembly. The roof-covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which is assigned to a roof-covering classification.

4. The following types of structures are exempt from this requirement:

- (a) Greenhouses.
- (b) Patio covers.
- (c) Fabric membrane structures when the fabric is certified as "flame retardant" by the State Fire Marshall.
- (d) Residential vehicle covers.
- (e) Awnings.
- (f) Sod roofs.

(44) Section 1701.4 is added to Chapter 17, Section 1701 "General" of the California Building Code to read:

1701.4 Application. The provisions of this chapter shall be applicable to the California Building Code and California Residential Code, current editions.

(45) Section 3405.6 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.6 Seismic Design and Evaluation Procedures. Seismic design and evaluation procedures shall conform to the provisions of this chapter and Chapter 1, Section 101.5.4 of the 2012 International Existing Building Code.

(46) Section 3405.7 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.7 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

(47) Section 3405.8 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.8 Unsafe Conditions. Regardless of the extent of the structural damage, unsafe conditions shall be eliminated.

(48) Section 3405.9 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.9 Referenced Standards. Referenced standards for evaluation and rehabilitation of existing buildings shall conform with Chapter 15 of the 2012 International Existing Building Code.

(B) The ~~2010~~2013 California Mechanical Code Chapters 1-17 and Appendix ~~A, B C, D, F and D~~, is adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 1.8.8.3, Appeals, of Chapter 1, Division I, of the California Mechanical Code is amended to read as follows:

1.8.8.3. Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code. Except as otherwise provided in law, any person, firm or corporation adversely affected by a decision, order or determination by a city, county or city and county relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any lawfully enacted ordinance by a city, county or city and county, may appeal the issue for resolution to the local appeals board or housing appeals board as appropriate. The local appeals board shall hear appeals relating to new building construction and the housing appeals board shall hear appeals relating to existing buildings.

(2) Section ~~110.0~~108.0 of the California Mechanical Code Chapter 1, Division II, entitled Board of Appeals, is hereby deleted.

(3) Section 114.4 of the California Mechanical Code Chapter 1, Division II, is amended to read as follows:

Section 114.4 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when a legal action prevents entire project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish entire project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in Section 1.8.3.1, Chapter 1, Division I, as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy

(4) Section 115.1 of the California Mechanical Code Chapter 1, Division II, is hereby deleted.

(5) Section ~~115.2~~114.2 of Chapter 1, Division II, of the California Mechanical Code is amended to read as follows:

~~115.2~~114.2 Permit Fees. The fee for each permit shall be set forth by separate fee ordinance of the board of supervisors.

(6) Section ~~115.4~~114.4 of the California Mechanical Code, Chapter 1, Division II, is amended to read as follows:

~~115.4~~114.4 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(C)The ~~2010~~2013 California Plumbing Code Chapters 1-16, ~~17A~~ and Appendices A, B, C, D, G, H, I, J, and K, ~~and L~~ are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 108.8.3 of the California Plumbing Code is amended to read as follows:

108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 203.0 of the California Plumbing Code is amended to add the following definition: Administrative Authority - The chief building official.

(3) Section ~~305.0~~320.0 is added to ~~of~~ the California Plumbing Code ~~is amended to add the following sections~~ as follows:

320.0 Sewers Required

320.1 Every building in which plumbing fixtures are installed shall have a connection to a public or private sewer except as provided in Section 320.2

320.2 When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved private sewerage disposal system.

320.3 In cities and/or counties where the installation of building sewers is under the jurisdiction of a department other than the Authority Having Jurisdiction, the provisions of this code relating to building sewer need not apply.

~~305320~~.4 Every dwelling or other building or place where persons congregate, reside or are employed shall be provided with an adequate number of water flush toilets connected to a sewage disposal system which shall consist of a public sewer connection or a septic tank and a system of underground ~~drains~~ drains for the disposal of the tank effluent, or other systems approved by the chief building official. Such system shall be constructed to meet the requirements of construction and maintenance provided in ~~this~~ this chapter and the codes adopted hereby.

Exception: A facility for boarding of horses as defined in Sonoma County Zoning Regulations Definitions § 26-02-140 may have one part time or full time employee without being required to meet this requirement.

~~305320~~.5 No privy, including vault privies, chemical privies, pit privies, holding tanks or cesspools shall be constructed, maintained or used except upon written approval of the Director of Permit and Resource Management Department unless otherwise specifically permitted by law.

~~305320~~.6 It is unlawful to discharge from any privy, cesspool, septic tank, container, sewer pipes or conduits not connected to a public sewer system, sewage, polluted or contaminated water or any matter of substance offensive, injurious or dangerous to public health where such water overflows any land whatsoever, including tideland, or where such water empties, flows, seeps or drains into or adversely affects any springs, streams, rivers, lakes, other waters or any public highway within the County of Sonoma.

(4) Section 103.3.43 of the California Plumbing Code ~~Appendix 1~~ is amended to read as follows:

Section 103.3. 43 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in ~~Section 108.3.1~~ Section 1.8.3.1, Chapter 1, Division I as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 103.4.1 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4.1 Permit Fees. Each applicant shall pay for each permit, at the time of issuance, a fee in accordance with fee schedule adopted by the board of supervisors.

(6) Section 103.4.21 is hereby deleted.

(7) Section 103.4.32 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4.32 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) The phrase "abutting lot" as used in Section 721.2 and Appendix Chapter ~~K-H~~Section ~~K-G-H~~ 1.7 of the California Plumbing Code, includes:

(a) An unimproved lot connected to another lot by an easement provided the lots are in common ownership;

(b) An improved lot connected to another lot by an easement. The lots need not be under common ownership so long as the lot owner has an easement over the abutting lot sufficient for private sewage disposal subject to approval of the chief building official.

(9) In Table ~~K-1-H~~ 1.7 of the California Plumbing Code, ~~the first sentence under~~ "NOTE" number 8 shall be deleted due to the general topographic nature of Sonoma County. Horizontal distances between parts of a leaching system shall be determined by the Director of Permit and Resource Management.

(10) Section ~~K-3-H~~ 3.0 of Appendix Chapter ~~HK~~ of the California Plumbing Code, ~~1998 Edition~~ is amended by deleting Item 3, the exception thereto and Item 5.

(D) The ~~2010~~2013 California Electrical Code, ~~Articles 89.101, 89.108, 90,~~ including Annex H is adopted and incorporated herein by reference and amended as follows:

(1) Section 89.108.8.3, Appeals, of the California Electrical Code, is amended as follows:

89.108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 80.15 of Annex H of the California Electrical Code is hereby deleted.

(3) Section 80.23(B)(1) of Annex H of the California Electrical Code is amended to read as follows:

80.23(B)(1) Violation ~~review fees~~**penalties**. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of the a permit or certificate issued under the provisions of this code, shall be subject to an ~~investigation-review~~ fee equal to the amount of the permit fee, whether or not a permit is then or subsequently issued. The payment of such ~~investigation-review~~ fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(4) Section 80.19 of annex H of the California Electrical code is amended by adding the following: Section I: 80.19 (I) Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in **the California Building Code, Section ~~408.3.1-1.8.3.1, Chapter 1, Division I~~** as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 80.19 (E) of Annex H of the California Electrical Code is amended to read as follows:

80.19 (E) Permit Fees. The fee for each electrical permit shall be as set forth in a separate fee ordinance of the board of supervisors.

(6) Section 80.19 of Annex H of the California Electrical Code is amended by adding the following to Section J:

80.19(J) Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise

required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(7) Section 80.27 of Annex H of the California Electrical Code is hereby deleted.

(E) The ~~2010~~2013 California Residential Code Chapters 1-9 and Appendix H, are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Chapter 1, Division II, is here by deleted. California Building Code Chapter 1, Division II shall be referenced and incorporated herein.

(2) Section 1.1.3.1.2 of the California Residential Code is amended to read as follows:

1.1.3.1.2 Utility and Miscellaneous Group U.

Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to the following:

Agricultural buildings

Aircraft hangars accessory to a one or two-family residence (See Section 412.5 of the California Building Code)

Barns

Carports

Fences more than 6 feet high

Grain silos accessory to a residential occupancy

Greenhouses

Livestock shelters

Private garages

~~Pool houses accessory to a one- or two-family residence~~

Private riding arenas accessory to a one- or two-family residence

~~Private home studios accessory to a one- or two-family residence~~

Retaining walls

Sheds

Storage building accessory to a one- or two-family residence

Stables

Tanks

Towers

(3) Section R109.1.5.2 of the California Residential Code is amended to read as follows:

R109.1.5.2 Fire sprinkler system inspections

Where a fire sprinkler system is required, the building official shall require: a pressure test and pre-concealment inspection, and flow test. Such inspections and tests shall be

completed by the fire code official. The pressure test shall require that the installed piping be pressurized to 200 psig for not less than two-hours. Fire sprinkler piping shall not be concealed from view until inspected, pressure tested and approved.

(4) Section R309.6 of the California Residential Code is amended to read as follows:

R309.6 Fire sprinklers.

Carports with habitable space above and attached garages shall be protected by residential fire sprinkler systems in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, a fire sprinkler system that complies with Section R313 or NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/sq ft over the area of the garage and/or carport, but not to exceed four sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception 1: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic residential fire sprinkler system installed in accordance with this section.

Exception 2: Detached garages and carports without a dwelling unit above.

(5) Section R313.1 of the California Residential Code is amended to read as follows:

R313.1 Townhouses automatic fire sprinkler system

An automatic fire sprinkler system shall be installed in new townhouses. An automatic fire sprinkler system shall be required when additions or alterations are made to existing townhouses in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

(6) Section R313.2 of the California Residential Code is amended to read as follows:

R313.2 One and two-family dwellings automatic fire systems

An automatic residential fire sprinkler system shall be installed in one and two-family dwellings. An automatic fire sprinkler system shall be required when additions or alterations are made to existing one- and two-family dwellings in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

Exceptions:

1. Single-story detached Group U occupancies 3,000 sq. ft. or less in area.
2. Single-story detached Group S occupancies 3,000 sq. ft. or less in area.
3. A room or area which is used for storage only and that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities which is constructed above a detached garage, Group U Occupancy, or Group S occupancy.
4. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

5. Private riding arenas, provided that all of the following conditions are met:
 - a. The building has a minimum of 60 feet of clearance to property lines or other structures on all sides.
 - b. The building has an on-site water supply complying with the requirements of this code.
 - c. The building has an annual fire inspection by the chief.
 - d. The portions of the building that are not part of the private riding arena are equipped with an automatic fire-extinguishing system and are separated from the private riding arena by area separation walls meeting the requirements of the Building Code.

(7) Section R313.3.1.2 of the California Residential Code is added to read as follows:

R313.3.1.2 Water-flow alarm

One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

(8) Section R313.3.1.3 of the California Residential Code is added to read as follows:

R313.3.1.3 Spare sprinkler heads

A spare-head cabinet shall be installed in an approved location with a head wrench at least three spare heads of a type similar to those used in the system.

(9) Section ~~R313.3.1.3~~ **R313.3.5.2** of the California Residential Code is added to read as follows:

R313.3.5.2 Required capacity

The water supply shall have the capacity to provide the required design flow rate for sprinklers for a period of 10 minutes. Where a well system, a water supply tank system, a pump, or a combination thereof is used, the water supply shall serve both domestic and fire sprinkler systems. Any combination of well capacity and tank storage shall be permitted to meet the capacity requirements.

(10) Section R313.3.8.1 of the California Residential Code is amended to read as follows:

R313.3.8.1 Pre-concealment inspection

The following items shall be verified prior to the concealment of any sprinkler system:

1. Sprinklers are installed in all areas as required by Section R313.3.1.1

2. Where sprinkler water spray patterns are obstructed by construction features, luminaries or ceiling fans, additional sprinklers are installed as required by Section R313.3.2.4.2.
3. Sprinklers are the correct temperature rating and are installed at or beyond the required separation distances from heat sources as required by sections R313.3.2.1 and R313.3.2.2.
4. The pipe size equals or exceeds the size used in applying Tables R313.3.6.2(4) through R313.3.6.2(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, the size used in the hydraulic calculation.
5. The pipe length does not exceed the length permitted by Tables R313.3.6.2 (4) through R313.3.6.2.(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, pipe lengths and fittings do not exceed those used in the hydraulic calculations.
6. Nonmetallic piping that conveys water to sprinklers is listed for use with fire sprinklers.
7. Piping is supported in accordance with the pipe manufacturer's and sprinkler manufacturer's installation instructions.
8. The piping system is hydraulically pressure tested to 200 psig for at least 2 hours.

(11) Section R313.3.8.2 of the California Residential Code is amended to read as follows:

R313.3.8.2 Final inspection

The following items shall be verified upon completion of the system:

1. Sprinklers are not painted, damaged or otherwise hindered from operation.
2. Where a pump is required to provide water to the system, the pump starts automatically upon system water demand.
3. Pressure-reducing valves, water softeners, water filters, or other impairments to water flow that were not part of the original design have not been installed.
4. The sign or valve tag required by Section R313.3.7 is installed and the owner's manual for the system is present.
5. A spare-head cabinet is installed in an approved location with a wrench at least three spare heads of a type similar to those used in the system.
6. A flow tested is conducted to confirm system functions as designed.

(12) Section R322.1.6 and R322.1.7 are hereby deleted, new Section R322.1.6 is added as follows:

R322.1.6 Flood Damage Protection

see Sonoma County Code Chapter 7B-11A for Flood Damage Protection

(13) Section R327.1.3 of the California Residential Code is amended to read as follows:

R327.1.3 Application.

New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from property lines or an applicable building.
2. Buildings of an accessory character classified as Group U occupancy less than 1000 square feet in floor area located at least 50 feet from property lines or an applicable building, **as determined by the fire official.**
3. Buildings less than 3000 square feet in floor area classified as a Group U Agricultural Building, as defined in Section 202 of this code (also see Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building, **as determined by the fire official.**
- ~~4. Additions to and remodels of buildings originally constructed prior to the application date.~~

(14) Section R327.1.3.1 is amended to add the following exceptions:

- ~~3. Additions to and remodels of buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, for which an application for a building permit is required, shall comply with all sections of this chapter, limited to the added or remodeled areas only.~~
- ~~4. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this chapter. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this chapter provided the new or proposed use is less hazardous, based on life and fire risk than the existing use.~~

(15) Section R327.7.3.2 is added to the California Residential Code as follows:

R327.7.3.2 Replacement of Exterior Wall Covering.

Materials for replacement of existing exterior wall covering shall meet or exceed the standards set forth in this chapter.

Exception: Where less than 50% of any wall surface is being replaced or repaired and the matching of the new plane to the existing plane on that wall is not possible.

(16) Section R327.11 is added to the California Residential Code as follows:

R327.11 Setbacks For Structure Defensible Space

See California Fire Code as amended, Chapter 49, Section 4905.4 “Building Setbacks”, Table 4905.4(a) and Table 4905.4(b), as set forth in Sonoma County Code Chapter 13.

(F) The ~~2010~~2013 California Green Building Standards Code Chapters 1-9 and Appendix A4 (Tier 1) and Appendix A5 (Tier 1) **for new construction only, excepting A4.2 and A5.2 respectively**, are adopted as mandatory provisions and incorporated herein by reference.

(G) ~~2010-2013~~California Energy Code is adopted and incorporated by reference.

(H) ~~2010-2013~~California Historical Building Code is adopted and incorporated by reference.

(I) ~~2010-2013~~California Referenced Standards Code is adopted and incorporated by reference.

(J) ~~2010-2013~~California Administrative Code is adopted and incorporated by reference.

(K) The ~~2009~~4 California Existing Building Code Chapter 1, Section 101.5.4 and Chapter 15 is adopted and incorporated herein by reference

(e) Section 7-14.5, Stream setback for structures requiring a building permit, is revised to read:

Sec. 7-14.5. - Stream setback for structures requiring a building permit.

All **new or relocated** structures requiring a building permit or an agricultural exemption shall be set back from streams, as measured from the toe of the stream bank outward, - a distance of 2.5 times the height of the stream bank plus thirty (30) feet, or thirty (30) feet outward from the top of the stream bank, whichever distance is greater, unless a greater distance is established in the general plan, local coastal program, and/or zoning code. If the top of the stream bank cannot be determined by visual analysis, it shall be determined by hydraulic analysis as the water surface elevation for the 100 year event plus 1.5 feet. Stream bank height is the change in elevation from the top of bank and the lowest toe of bank.

(a) **An exception to the entire set back restriction may be allowed for (i) projects sponsored by a public agency or resource conservation district where there is a clear benefit to the community or environment; and (ii) projects related to elevating existing structures per federal flood regulations which maintain the existing building footprint.**

(b) **Exceptions.** An exception to the 30 feet portion may be approved by the chief building official if one or more of the following criteria apply:

- (1) Constructability. The stream setback ~~in~~ makes the lot unbuildable for the primary use of the base planning district.
 - (2) Minor Expansion. The proposed development involves a **one-time** minor expansion of an existing structure. **The footprint of a** minor expansion shall not exceed 25% of the existing structure by area, and shall not expand in a direction toward, or closer to, any stream.
 - ~~(2)~~(3) **Vertical Expansion. The proposed development involves expansion in the vertical direction with the expansion of a second story that is within the existing building footprint and does not exceed zoning requirements for overall height restrictions.**
 - ~~(3)~~(4) Existing Structures. The proposed development involves only the maintenance or ~~restoration~~**remodeling** of an existing structure or a non-structural use. **The rebuild of an existing structure is allowed as long as it is within the existing building footprint, or such that the rebuilt structure is not an expansion of the existing structure and it is constructed further away from the creek.**
 - ~~(4)~~ Stream bank restoration or stabilization. The proposed development involves the restoration or stabilization of a stream bank.
- (c) ~~Exception provisions.~~ An exception may be approved by the ~~chief B~~**building O**fficial if the following provisions are met:
- (1) Minimize disturbance. The removal of the natural vegetation is minimized or compensated by planting of natural vegetation within the setback.
 - (2) Riparian function. The applicant demonstrates that the encroachment into the setback area will be accomplished with a minimum damage to the riparian functions and no reasonable alternative exists.
 - (3) Soils report. The applicant submits a soils report that is acceptable to the ~~chief B~~**building O**fficial. The soils report shall address the soil stability relative to the foundation of the proposed development and relative to the potential destabilizing effect the stream may or may not have on the proposed development.

(g) Section 7-19, Definitions, is revised to read:

Sec. 7-19. - Definitions.

Whenever any of the following names or terms are used herein or in any codes adopted by reference by this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section as follows:

- (a) "Building official," "chief building official," "chief electrical inspector," "administrative authority," and similar references to a chief administrative position shall mean the director of the permit and resource management department of the county or his or her designee; provided, however, that where such terms are used in conjunction with those duties imposed upon the public health officer, the terms shall mean the public health officer of the county.
- (b) The "building division," "electrical division," or "plumbing division" shall mean the permit and resource management department of the county.
- (c) "City" shall mean the county when referring to a political entity, or an unincorporated area of the county.
- (d) "City clerk" means "county clerk" and/or "clerk of the board of supervisors."
- (e) "City council" or "mayor" means the board of supervisors.
- (f) "Board of appeals" shall mean the local appeals board and housing appeals board provided for in Section 7-3.
- (g) "California Building Code" or "~~2010~~2013 California Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2, ~~2010~~2013 California Building Code, which incorporates by adoption the ~~2009~~2012 International Building Code, published by the International Code Council, with necessary California amendments.
- (h) "California Building Standards Administrative Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 1, ~~2010~~2013 California Building Standards Administrative Code, which incorporate by adoption the ~~2010~~2013 edition of the California Administrative Code published by the International Code Council.
- (i) "California Electrical Code" or "~~2010~~2013 California Electrical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 3, California Electrical Code, which incorporate by adoption the ~~2008~~2011 edition of the National Electric Code, with necessary California amendments.
- (j) "California Energy Code" or "~~2010~~2013 California Energy Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 6, ~~2010~~2013 California Energy Code.
- (k) "California Fire Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 9, ~~2010~~2013 California Fire Code, which incorporate by adoption the edition of the International Fire Code, with necessary California amendments.
- (l) "California Historical Building Code" or "~~2010~~2013 California Historical Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 8, ~~2010~~2013 California Historical Building Code.

(m) "California Mechanical Code" or "~~2010~~2013 California Mechanical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 4, ~~2010-2013~~ California Mechanical Code, which incorporate by adoption the ~~2009~~2012 edition of the Uniform Mechanical Code published by International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(n) "California Plumbing Code" or "~~2010~~2013 California Plumbing Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 5, ~~2010-2013~~ California Plumbing Code, which incorporate by adoption the ~~2006~~2012 edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(o) "California Referenced Standards Code" or "~~2010~~2013 California Referenced Standards Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 12, ~~2010-2013~~ California Referenced Standards Code.

(p) "California Residential Code" or "~~2010-2013~~ California Residential Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2.5 California Residential Code, which incorporate by the ~~2009~~2012 International Residential Code, with necessary California amendments.

(q) "California Green Building Standards Code" or ~~2010~~2013 California Green Building Standards Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 11, ~~2010-2013~~ California Green Building Standards Code.

(r) "Local coastal program" means the Sonoma County local coastal program.

(s) "General plan" means the Sonoma County general plan.

(t) "Stream" means any natural channel with bed and banks containing flowing water or showing evidence of having contained flowing water (e.g., deposit of rock, sand, gravel, or soil).

(u) "Zoning Code" means Chapters 26 and 26C of this code.

SECTION II. Chapter 7D2 of the Sonoma County Code is hereby amended as follows:

(a) Section 7D2-6, General Compliance Requirements, is revised to read:

7D2-6 General Compliance Requirements.

In addition to the requirements of the ~~2008~~2013 Building Energy Efficiency Standards, the following general compliance requirements shall apply to all permit applications subject to this chapter:

(A) Residential Buildings. When an application for a building permit involves a new residential building, the ~~performance approach specified in Section 151 of the 2008 Building Energy Efficiency Standards must be used to demonstrate that~~ the TDV Energy of the proposed building ~~is less than the TDV Energy of the standard building per-~~ meets

the requirements of the ~~2010~~2013 California Green Building Standards Code as amended and adopted by Chapter 7, Sonoma County Code.

(B) Documentation. In order to demonstrate compliance with the requirements of this Section, a permit applicant may be required to submit supplementary forms and documentation in addition to the building drawings, specifications, and standard Title 24 report forms, as deemed appropriate by the County's building official.

SECTION III. Findings

Pursuant to Health and Safety Code sections 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the ~~2010~~2013 edition of the California Building Code including the amendment to the existing fire protection sprinkler and fire safe roofing standards, and the minimum fire safe standards for development within the unincorporated area of the county are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Climatic Conditions. Sonoma County has unique climatic conditions. The County is subject to year-round coastal winds. Average yearly rainfall for the County is approximately 30 inches. This rainfall generally occurs during October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85-90 degrees during the summer months, temperatures can exceed 110 degrees in parts of the County. Particularly during times of high temperatures and low humidity, a fire can move quickly through the County.

Several years of drought conditions have previously occurred in the County, thus reducing available water. Groundwater as well as surface supplies have been affected. This condition has created a situation where lowered water tables, water contamination and increased demand on water systems due to population growth have all negatively impacted water availability for fire protection. These impacts degrade the quality of fire protection and fire suppression activities.

2. Geological Conditions. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors. The County is situated in a primarily rural setting with a rugged coastline forming its western boundary and mountainous areas forming its northern and eastern boundaries. Forested areas and grasslands are located throughout the County. These features create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County also contribute to potential fire hazards, particularly when decayed trees, branches, needles and leaves drop to the ground. The dry vegetation and low water availability also cause problems for emergency fire

equipment and personnel. The grassland areas in the County also are troublesome. These areas are easily ignitable, and create a potential for major conflagrations.

Further compounding the potential fire hazards, the County has active seismic faults within its boundaries (including the San Andreas Fault). Large portions of the County are within the Alquist-Priolo Special Study Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to reliably predict fault activity. New construction may be limited by their respective distances to faults, however, existing structures and replacement of those structures could present a serious problem.

Moreover, the mixture of developed and undeveloped areas within the County creates hazardous conditions when fallen trees, landslides or flooding block access by emergency fire equipment and personnel.

3. Topographical Conditions. The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems and the Sonoma County Water Agency distribution network. Water supplies within the County vary from less than ten (10) gallons per minute to flows in excess of four thousand (4000) gallons per minute. This wide variation causes major problems to fire suppression forces. The roadway system through most of the County is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades and overhanging tree branches. The grades on roadway surfaces sometimes exceed twenty-five (25) percent, and widths of less than twelve (12) feet are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the County. The high concentration of commercial, industrial and residential structures in these areas has the potential to become a significant fire hazard. Further compounding the risk, these structures frequently are constructed of wood for economical and practical reasons. Consequently, there is a substantial risk of conflagration due to the high build out of certain areas in the County.

The topographical nature of the County also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive, and thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Narrow roads and heavy congestion increase the risk of vehicular accidents that cause such interruptions.

4. The preceding findings identify the local climatic, geological and topographical conditions which this Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications as set forth herein reasonably necessary as such modifications will assist in mitigating the local climatic, geological and topographical conditions. These findings are intended to support each of the amendments to the building standards made as part of this ordinance based on local conditions.

5. Additional findings as to building standards and administrative changes.

(a) Agricultural building exemption permit- Sonoma County includes many acres of rural, agricultural property. Crops are grown and livestock raised throughout the County, and the preservation of agricultural land, farming, and the right to farm is an important goal of County government. Exemption from building permit requirements saves farmers the unnecessary cost of building permits and the inevitable delays in the construction process which are caused by permits and inspections, and helps to preserve the tradition of family farms, dairies, vineyards, and stables. Agricultural buildings are still required to conform to building standards notwithstanding this administrative exemption.

(b) Floating home standards - Sonoma county is bordered on the south by a region of San Francisco Bay characterized by marshes and mud flats. This area would be an ideal location for low cost housing. In the event that permanent or semi-permanent houseboats are proposed in this area as low cost housing that meet the appropriate environmental regulations, it is important to have building standards in place for such structures. The model codes do not specifically address floating homes.

(c) 10 foot fence permit exemption. Sonoma County is overpopulated with deer due to lack of predators. Deer not only destroy farm crops, but individual gardens and landscaping. A 6 foot fence will not keep deer from entering property, but a 10 foot fence forms a more effective barrier.

(d) Grading . Sonoma County has many areas with unstable soil conditions, including expansive and liquefiable soils. It is prone to long periods of dry weather which shrinks expansive soils, and heavy downpours, which promote landslides. In addition it is in an extremely active seismic area. These conditions not only make for unstable land under proposed structures, but cause pollution into streams and rivers when soil is disturbed. Special grading regulations are needed under these conditions.

(e) Septic requirements and plumbing code modifications. Sonoma county is unique in having many heavily developed areas where hilly and mountainous forested terrain, narrow winding roads, and existing watershed conditions have made the installation of sewer systems difficult. For this reason, most of these areas rely on septic systems, and there is the constant threat of pollution of rivers, streams, and the groundwater from human waste. (More than 85% of the developed parcels are served by septic systems.) These regulations are in place to insure that where human waste is discharged and no sewer is available, that it will be discharged into a properly functioning septic system.

(f) Green Building

(1) The design, construction, and maintenance of buildings and structures within the county can have a significant impact on the county's environmental sustainability, resource usage, energy efficiency, waste management, and the health and productivity of residents, workers, and visitors.

(2) Green building design, construction, and operation can have a significant, positive effect on resource conservation, energy efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building.

(3) Green building benefits are spread throughout the systems and features of the building. Green buildings can include, among other things, the use of certified sustainable wood products; extensive use of high recycled content products; recycling of waste that occurs during deconstruction, demolition, and construction; orientation and design of a building to reduce the demand on the heating, ventilating, and air conditioning systems; the use of heating, ventilating, and air conditioning systems that provide energy efficiency and improved indoor air quality. selection and use of construction materials that do not emit chemicals that are toxic or irritating to building occupants; the use of water conserving methods and equipment; and installation of alternative energy methods for supplemental energy production.

(4) Requiring commercial and residential projects to incorporate green building measures is necessary and appropriate to achieve the public health and welfare benefits of green building.

SECTION IV. Except as added, revised, amended or deleted herein, the remaining provisions of Chapters 7, 7D1 and 7D2 as previously adopted shall remain in full force and effect.

SECTION V. The Building Official is directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California.

SECTION VI. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VII: The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The Director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VIII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence,

clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IX. This ordinance shall take effect on January 1, ~~2011~~2014, after its adoption and pursuant to Ordinance No. _____, published in summary format prior to adoption and within fifteen (15) days after its adoption, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 19th day of October, ~~2010~~2013, and finally passed and adopted this 2nd day of November, ~~2010~~2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

GORIN____ ZANE ____ MCGUIRE____ CARRILLO____ RABBITT_____

AYES____ NOES____ ABSENT____ ABSTAIN____ SUPERVISORS:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors

ATTEST:

Michelle Arellano, Chief Deputy Clerk
of the Board of Supervisors



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 36B
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Fire and Emergency Services

Staff Name and Phone Number:

Roberta MacIntyre, 565-1154

Supervisorial District(s):

All

Title: Ordinance amending Chapter 13 of the Sonoma County Code with local amendments.

Recommended Actions:

Conduct a public hearing on November 5, 2013 at 10:00 a.m. on the proposed adoption of an ordinance accepting by reference the 2013 edition of the California Fire Code and amending the Sonoma County Code Chapter 13 with local fire code amendments. The first reading for this ordinance was on October 22, 2013. If adopted the effective date of the ordinance will be January 1, 2014.

Executive Summary:

The State of California amends and adopts model codes every three years, which includes the International Fire Code and the International Residential Code published by the International Code Council. The adoption of the 2012 International Fire Code and the International Residential Code with State amendments is known as the California Fire Code and the California Residential Code respectively. Local jurisdictions must enforce the State codes, as adopted by the State within 180 days after State publication.

The Sonoma County Fire and Emergency Services Department (County Fire) has fire code authority for all new residential construction in the unincorporated areas and for most new commercial construction, which was delegated to County Fire by the fire districts, and has authority for both residential and commercial construction within the County Service Area #40 (CSA40). Each fire district is responsible for enforcing the fire code for existing business occupancies; several fire districts contract with County Fire to perform inspection and enforcement services (Bodega Bay, Schell Vista, Graton, Occidental and Timber Cove). Incorporated cities are responsible for adopting and enforcing their own fire and building codes for both residential and commercial buildings.

Along with the County's Permit and Resource Management Department, County Fire staff worked with a core group of fire service agencies to make local amendments to the California Fire Code. The fire service agencies included representatives from: Sonoma Valley Fire and Rescue Authority, Santa Rosa Fire Department, Petaluma Fire Department, Rohnert Park Department of Public Safety, Sebastopol Fire

Department, Healdsburg Fire Department, and a fire district representative. County Fire hosted several meetings for all interested persons over a period of eight months. By undertaking this collaborative effort, all jurisdictions within the county will have essentially the same language contained in their fire codes, thus creating uniformity among all fire codes within the county.

ANALYSIS OF REVISIONS

Although it appears that significant changes are proposed throughout Chapter 13 of the Sonoma County Code, the revisions proposed involve formatting and reconciling the California Fire Code and the California Residential Code, California Fire Safe Regulations and our current Fire Safety Ordinance, including our Fire Safe Standards.

The only significant proposed changes related to fire safety will be located within the California Building Code and the California Residential Code, Chapters 7-A and Chapter 327, respectively. The requirements will apply to buildings constructed in wildland-urban interface (WUI) areas and will require compliance for fire-resistant building construction features when significant additions or alterations are made to such structures. These alterations are included in the Permit and Resources Management Department’s Ordinance making local amendments to the California Building Code which will be heard at the same November 5, 2013 public hearing as the Fire Safety Ordinance.

Prior Board Actions:

Chapter 13 of the Sonoma County Code was last amended during the triennial adoption cycle of the California Code on November 2, 2010.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

Adopting California Fire Code with local amendments allows implementation of the most current regulations which are tailored to Sonoma County.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

No fiscal impacts.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
No staffing impacts.			
Attachments:			
<ol style="list-style-type: none"> 1. Pre-Ordinance Summary 2. Draft Chapter 13 ordinance with revisions identified 3. Chapter 13 ordinance with revisions incorporated 4. Post-Ordinance Summary 			
Related Items “On File” with the Clerk of the Board:			
California Fire Code 2013 – copy for public reference Chapter 13 Ordinance – copy for public reference			

**Summary of
Ordinance No. _____**

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 13 (Fire Safety Ordinance) of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code of Regulations, 2013 Edition of the California Building Standards Code, Including: (1) the California Fire Code; and Sonoma County Fire Safe Standards; and Adopting Local Findings; and to Make Technical and Administrative Revisions to Chapter 13.

On October 22, 2013, the Board of Supervisors of the County of Sonoma introduced, waived reading of and directed the Clerk of the Board of Supervisors to set a public hearing for November 5, 2013 at 10:00 a.m. to consider the adoption of a proposed ordinance entitled, “An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Amending Chapter 13, ‘Fire Safety Ordinance’ of the Sonoma County Code to Adopt by Reference and Amend Selected Provisions, Chapters and Appendices of the California Code of Regulations, Title 24, 2013 Edition of the California Fire Code; to Adopt by Reference the National Fire Codes, Save and Except Specified Portions; to Adopt Local Findings; and to Make Other Technical and Administrative Revisions to Chapter 13.” The Board of Supervisors will conduct the public hearing at 10:00 a.m. on Tuesday, November 5, 2013, to consider the ordinance. The public hearing will be held in the Board of Supervisors Chambers, Sonoma County Administration Building, 575 Administration Drive, Room 102A, Santa Rosa, California.

The Ordinance makes the following changes to Chapter 13 of the Sonoma County Code:

1. It amends Chapter 13, Section 13-17, to adopt by reference with local amendments the 2013 Edition of the California Building Standards Code, Title 24 Part 9, the 2013 California Fire Code.

2. It revises other Sections of Chapter 13, Sonoma County Fire Safety Ordinance, to make technical and administrative updates to the Sonoma County Code, including Sections 13-6 Definitions; 13-11 Board of Appeals; 13-12 Appeals; 13-15 County Fire Code designated – Administration and enforcement – amendment by local fire districts; 13-16 Conflicting regulations; 13-21 Findings; 13-23 Compliance with standards required – exceptions to standards; 13-24 Scope of coverage; 13-25 Exemptions; 13-26 Administration and enforcement – inspections; 13-29 Availability of emergency access; 13-30 Road and driveway surfaces; 13-31 Road and driveway grades; 13-32 Road and driveway horizontal curves and intersections; 13-33 Road and driveway structures (bridges); 13-34 Two-way roads; 13-35 One-way roads; 13-36 Dead-end roads; 13-37 Driveways; 13-38 Gate entrances; 13-40 Names of roads; 13-46 Addresses for buildings; 13-47 Size of letters, numbers and symbols for addresses; 13-48 Installation, location and visibility of addresses; 13-51 Emergency water supply; 13-52 Hydrants;

13-53 Signing of water sources; 13-55 Setbacks for buildings; 13-56 Flammable vegetation clearance areas for roads and driveways; 13-57 Setbacks for planted vegetation from electric power lines – installation of new power lines; 13-59.5 Defensible space; 13-62 Alternate fire protection measures; 13-63 Additional fire protection measures; 13-66 Sale, use or discharge of fireworks prohibited – Exception; 13-71 Burning permits required; 13-86 Responsibility for enforcement; 13-87 Issuance of citations.

3. It finds pursuant to Health and Safety Code sections 17958.7, 18941.5 and 13143.5 that the changes or modifications made therein are reasonably necessary because of local climatic, geological and topographical conditions. The ordinance adopts findings in connection with the local amendments. It revises Sections of Chapter 7D2, Local Energy Efficiency Standards, to make technical and administrative updates to the Sonoma County Code.

Copies of the proposed ordinance, are available for public inspection during regular business hours in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California, as are copies of the 2013 Edition of the California Fire Code.

Michelle Arellano, Clerk of the Board of Supervisors

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 13, "FIRE SAFETY ORDINANCE" OF THE SONOMA COUNTY CODE TO ADOPT BY REFERENCE AND AMEND SELECTED PROVISIONS, CHAPTERS AND APPENDICES OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, 2013~~0~~-EDITION OF THE CALIFORNIA FIRE CODE; TO ADOPT LOCAL FINDINGS; AND TO MAKE ~~OTHER~~ TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 13.

SECTION I. Chapter 13 of the Sonoma County Code is amended to read:

**CHAPTER 13
SONOMA COUNTY FIRE SAFETY ORDINANCE**

Article I. General Provisions.

Sec. 13-1. Short title.

This chapter shall be known and may be cited as the Sonoma County Fire Safety Ordinance.

Sec. 13-2. Administrative regulations.

(a) The County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both may adopt, amend or repeal administrative regulations to implement, interpret or make specific provisions of this chapter. Notice of the proposed adoption, amendment, or repeal of a regulation pursuant to this section shall be posted for a period of thirty (30) days in the public lobby of the permit and resource management building, and shall be mailed to every person who has filed a request for notice of such actions with the County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both. Every notice shall include a copy of the express terms of the proposed action and a statement that the public may submit written comments on the proposed action prior to the close of the posting period. The County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both, as appropriate, may approve, modify, or withdraw the proposed adoption, amendment or repeal of a regulation following the posting period.

(b) The adoption, amendment or repeal of a regulation pursuant to this section shall take place not less than fifteen (15) nor more than one hundred eighty (180) days following the close of the posting period specified in subsection (a), and shall be effective upon posting of an order of adoption, amendment or repeal in the public lobby of the permit and resource management building. Each such order shall include a concise and clear summary of the action taken by the County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both, and shall remain posted for a period of thirty (30) days.

(c) The regulations adopted or amended pursuant to this section shall have the same force

and effect as provisions of this chapter. Failure by any person to comply with any regulation adopted or amended pursuant to this section shall be a violation of this chapter.

(d) The regulations adopted or amended pursuant to this section shall be periodically compiled and copies thereof made available to the public for purchase at cost or review free of charge at the office of Fire and Emergency Services Department or the Department of Permit and Resource Management.

Article II. Definitions is amended to read:

Article II. Definitions.

Sec. 13-6 Definitions.

Unless the provision or context requires otherwise, the definitions contained in this section shall govern the construction of this chapter. The definition of a word applies to any of that word's variants.

“Accessory Building” means any building containing solely a Group U occupancy as defined in the County Building Code.

“Agricultural Building” means any structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

“Agricultural Operation” means includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity, including timber, viticulture, apiculture or horticulture, and the raising of livestock, fur-bearing animals, fish or poultry.

“All-~~w~~Weather Driving Surface” means any surface that provides unobstructed access to conventional drive vehicles, including sedans and fire engines, and is capable of supporting a forty thousand (40,000) pound axle load during wet weather conditions.

“Board of Building Appeals” means the ~~B~~board of ~~b~~Bbuilding ~~a~~Appeals created in Chapter 7 of the Sonoma County Code.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building,

any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the California Vehicle Code.

Note~~OTE~~: Building shall have the same meaning as defined in Health and Safety Code, Section 17920 and 18908 for the applications specified in Sections 101.17.9 and 101.17.10 of the Building Code.

“Building, existing” means a building legally erected prior to the adoption of this Code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this Code.

“Building, new” means a building for which a legal building permit is issued for the construction or legalization thereof after the adoption of this Code.

“Building Code” means the County Building Code as set forth in Chapter 7 of the Sonoma County Code.

“Building Official” means the Chief Building Official as defined in Section 7-2 of the Sonoma County Code.

“California Fire Code” means the regulations in California Code of Regulations, Title 24, Part 9, ~~2010-2013~~ California Fire Code, which incorporate by adoption the ~~2009~~2012 Edition of the International Fire Code of the International Code Council with necessary California amendments.

“Central Alarm Station” means a publicly or privately operated alarm receiving center that is constantly attended by appropriately trained staff.

“Chief” means the County ~~Fire Chief~~fire chief or his or her authorized representative for those portions of the unincorporated area ~~of the County~~of the county not in a fire protection district, and the local fire chief or his or her authorized representative for those portions of the unincorporated area ~~of the County~~of the county in a local fire protection district. Notwithstanding the preceding, the County ~~Fire Chief~~fire chief shall be responsible for plan checking and inspection of new construction and alterations subject to this Code within both those portions of the unincorporated area ~~of the County~~of the county not in a fire protection district and those portions of the unincorporated area of the county in a local fire protection district, unless a local fire protection district notifies the County ~~Fire Chief~~fire chief in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area.

“Commercial building” means any building containing an occupancy other than a Group R-3 ~~O~~ccupancy, a one- or two-family dwelling, or Group U ~~O~~ccupancy accessory to a Group R-3 ~~O~~ccupancy, as defined in the County ~~b~~Building ~~e~~Code.

“County” means the County of Sonoma, in the state of California.

“County Building Code” means the building regulations in Chapter 7 of this Code.

“County ~~Fire Chief~~ ~~fire chief~~” means the ~~Director~~ ~~director~~ of the Sonoma County Fire and Emergency Services Department.

“County Fire Prevention Officers Association” means the Sonoma County Fire Prevention Officers Association.

“Certified Unified Program Agencies (CUPA)” ~~M~~ means the regulatory division of Sonoma County Fire and Emergency Services Department hazardous materials enforcement division.

“Dairy Milking Facility” means a single-story structure constructed of non-combustible materials with two or more open sides that is used exclusively for milking dairy animals. A dairy milking facility may have either an office or a storage area of less than four hundred (400) square feet. A dairy milking facility shall not have any sleeping areas within the structure.

“Dangerous Fireworks” means dangerous fireworks as defined in Health and Safety Code, Section 12505.

“Dead-~~e~~End Road” means any road that has only one point of vehicular ingress/egress, including culs-de-sacs and looped or circular roads.

“Development Approval” means any of the following: (1) any discretionary approval granted pursuant to Chapter 25, 26, or 26C of this Code to allow residential, commercial, or industrial development of land, including, but not limited to, any approval of a zone change, tentative map, lot line adjustment, use permit, or design review; (2) any building permit issued pursuant to Chapter 7 of this Code to erect, construct, enlarge, alter, repair, move, improve, or convert any building, or to install a manufactured home; or (3) any grading permit issued pursuant to Chapter 7 of this Code to construct a new road or driveway, or to extend, reconstruct, or improve an existing road or driveway.

“Director of Forestry and Fire Protection” means the ~~Director~~ ~~director~~ of the California Department of Forestry and Fire Protection or his or her authorized representative.

“Director of Permit and Resource Management” means the Sonoma County ~~D~~director of Permit and Resource Management ~~of the County~~ or his or her authorized representative.

“Driveway” means any way or place in private ownership that provides vehicular access to no more than two (2) residential buildings, containing no more than three (3) dwelling units, and any number of accessory buildings on a single parcel.

“Driveway Structure” means any bridge, culvert or other appurtenant structure that supplements the driveway bed or shoulder.

“Dwelling Unit” means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the County Building Code, for not more than one (1) family.

“Exception” means an alternative to a standard specified in Article V of this chapter that is requested by an applicant for development due to health, safety, environmental conditions, physical site limitations or other limiting conditions, and provides mitigation of a problem.

“Executive Body” means the Board of Supervisors of Sonoma County for those portions of the ~~C~~county not in a fire protection district, and the Board of Directors of the Fire Protection District having jurisdiction for those portions of the ~~C~~county in that Fire Protection District.

“Exterior Wall” means any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of sixty (60) degrees or greater ~~with~~ ~~from~~ the horizontal plane.

“Existing Building.” ~~S~~see “building, existing.”

“Fire Alarm” means any device, control or circuit designed to produce an alarm signal in the event of fire or system activation, together with the energy necessary to sound an alarm, electrically supervise the system where required, and activate the alarm bells, trouble bells or trouble signals.

“Fire and Emergency Services Department” means the Sonoma County Fire and Emergency Services Department.

“Fire Apparatus Access Road” means a road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway. Public streets maybe defined by the standards of the local agency having jurisdiction over the project.

“Fire Code Official” means the fire chief and any other designated authority charged with the administration and enforcement of code, or a duly authorized representative. This shall include representatives ~~for which~~ ~~who~~ enforce Sonoma County Code Chapter 29 Hazardous Materials Management.

“Fire Department” means the ~~Sonoma County~~ Fire and Emergency Services Department ~~of the County~~ for those unincorporated areas of the ~~County~~ ~~county~~ not in a local fire protection district, and the local fire protection district having jurisdiction for those unincorporated areas ~~of the County~~ ~~of the county~~ in a local fire protection district.

“Fire Lane” means that portion of an access roadway reserved for emergency vehicles and the conduct of fire fighting or rescue operations, or as designated by the fire department, and posted in accordance with California Vehicle Code Section 22500.1.

“Fireworks” means any fireworks as defined in Health and Safety Code, Section 12511.

“Floor Area-Fire Flow Calculations” means the floor area used for calculating the required fire flow shall be the total floor area of all floor levels within the exterior walls that are under the horizontal projection of the roof, except as modified in Appendix B, Section B104.

“General Plan” means the Sonoma County ~~G~~general ~~p~~Plan.

“Greenbelt” means a facility or land use, designed for a use other than fire protection which will slow or resist the spread of a wildfire. Greenbelts include parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards and annual crops that do not cure in the field.

“Hammerhead/T” means a roadway that provides a “T” shaped, three-point turnaround space for emergency equipment. The turnaround space shall be no narrower than the road it serves.

“HS--20” means the ~~HS~~HS-20 class of highway loading as defined by the American Association of State Highway and Transportation ~~Official~~officials.

“Hydrant” means a valve connection on a water supply/storage system to supply fire apparatus and hoses with water.

“Jurisdiction” means the County of Sonoma, in the State of California.

“Jurisdictional Area” means the territory within a local fire protection district.

“Local ~~Fire Chief~~fire chief” means the fire chief of a local fire protection district or his or her authorized representative.

“Local Fire Protection District” means any fire protection district organized and operating under the provisions of the Fire Protection District Law of 1987, Part 3 (commencing with Section 13800) of Division 12 of the Health and Safety Code, or any other special district lawfully exercising any of the powers, functions, or duties vested in or imposed upon a fire protection district pursuant to the Fire Protection District Law of 1987, all or part of whose territory is within the unincorporated area ~~of the County of the county~~. Notwithstanding the preceding, local fire protection district shall not include any County Service Area organized and operating under the provisions of the County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3 of the Government Code.

“Local ~~R~~esponsibility Area” means that portion of the unincorporated area ~~of the County of the county~~ not classified by the State Board of Forestry as a State Responsibility Area.

“Manufactured Home” means any manufactured home as defined in Health and Safety Code, Sections 18007, 18008 and 19971.

“National Fire Codes” means the most current edition of the National Fire Codes published by the National Fire Protection Association.

“New Building:” ~~S~~see “building, new.”

“Non-~~u~~Urban Parcel” means any parcel served by a water system other than a public water system.

“Occupancy” means the purpose for which a building or part thereof is used or intended to be used.

“One-~~w~~Way Road” means a road designed for traffic flow in one (1) direction only.

“Open Burning” means any combination of combustible material of any type outdoors in the open, not in any enclosure, where the productions of combustion are not directed through a flue. Open burning shall not include a fire in a barbecue pit, either permanent or portable, when the barbecue pit is operated on a patio or other appropriate dooryard area adjacent to and in conjunction with the dwelling of the person operating the barbecue pit.

“Planning Official” means the ~~Director~~director of the Permit and Resource Management Department.

“Private Riding Arena” means an enclosed or unenclosed building or portion of a building used exclusively for private equestrian activities by the building owner, guests, or employees, not to exceed a maximum capacity of thirty (30) persons. The area within a private riding arena shall not be used for storage areas, animal stalls, offices, viewing areas, shows, events, public riding lessons, or similar uses or occupancies. A private riding arena shall be classified as a Group U; ~~Division 3~~ occupancy.

“Private Road” means any way or place in private ownership that provides vehicular access to more than one (1) parcel, to a commercial building or agricultural operation on a single parcel, or to more than two (2) residential buildings or two (2) residential buildings, containing more than three (3) dwelling units, on a single parcel.

“Public Display of Fireworks” means any public display of fireworks as defined in Health and Safety Code, Section 12524.

“Public Road” means any county highway or state highway.

“Public Water System” means a system, regardless of type of ownership, for the provision of piped water to the public for human consumption that has fifteen (15) or more service connections.

“Residential Building” means any one- or two-family dwelling containing a Group R-3 ~~Occupancy~~occupancy, or Group U occupancy accessory to a Group R-3 ~~Occupancy~~occupancy as defined in the County Building Code.

“Road” means any public or private road.

“Roadway” means that portion of any road improved, designed or ordinarily used for vehicular travel.

“Roadway Structure” means any bridge, culvert or other appurtenant structure that supplements the roadway bed or shoulder.

“Same Practical Effect” means an exception or alternative with the capability of applying accepted fire suppression strategies and tactics, and provisions for ~~fire-fighter~~firefighter safety, including: (1) access for emergency fire equipment; (2) safe civilian evacuation; (3) signing that avoids delays in emergency equipment response; (4) available and accessible water to effectively attack a fire or defend a structure from a wildfire; and (5) fuel modification sufficient for civilian and ~~fire-fighter~~firefighter safety.

“Shall” is mandatory and “May” is permissive, however, use of the word “shall” in this Code is not intended to, nor shall it be deemed to create a mandatory duty imposed by enactment within the meaning of Government Code, Section 815.6.

“Shoulder” means the roadbed or surface of a roadway adjacent to the traffic lane.

“Single-~~F~~family Dwelling” means a dwelling that contains one dwelling unit for one family of one or more persons. Single-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Standard Specifications for Highway Bridges” means the Standard Specifications for Highway Bridges ~~17th Edition, 2002~~, published by the American Association of State Highway and Transportation ~~Official~~officials.

“State Responsibility Area” means that portion of the unincorporated area ~~of the County of~~ the county classified by the State Board of Forestry as a State Responsibility Area.

“Structure” means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“Subdivision” means any subdivision as defined in Government Code, Section 66424 and Section 25-2 of this Code.

“Subdivision Ordinance” means the Subdivision Ordinance of Sonoma County.

“Traffic Lane” means that portion of a roadway that provides a single line of vehicle travel.

“Turnaround” means a roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment.

“Turnout” means a widening on a roadway or driveway to allow vehicles to pass.

“Two-~~f~~Family Dwelling” means a dwelling that contains two (2) dwelling units for two (2) families of one or more persons. Two-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Two-~~W~~ay Road” means a road designed for traffic flow in opposing directions.

“Urban Parcel” means any parcel served by a public water system or mutual water system.

“Vertical Clearance” means the minimum specified height of a bridge or overhead projection above a roadway.

“Wildfire” means a wildfire as defined in Public Resources Code, Sections 4103 and 4104.

Article III. Appeals is amended to read:

Article III. Appeals.

Sec. 13-11. Board of Appeals.

The Board of Building Appeals shall function as the Board of Appeals under this chapter. Except where inconsistent with the provisions of Sonoma County Code Sections 7-3 and Section 13-12 of this Code, the duties of the Board of Appeals shall be as prescribed in Chapter 1, Division II, Section 108 of the California Fire Code.

Sec. 13-12. Appeals.

(a) Except as otherwise provided in subsection (b), any applicant, permit holder or other interested person dissatisfied with a decision of the County Fire Chief, the Director of Permit and Resource Management, or a local fire chief under this chapter may appeal the decision to the Board of Appeals, provided, however, that such appeal may not be made more than thirty (30) days after the decision from which the appeal is being made has been rendered. All interested persons shall be given a reasonable opportunity to be heard and present evidence to the Board of Appeals on any appeal. Decisions of the Board of Appeals shall be in writing and shall be delivered to the appellant and the applicant or permit holder, if different from the appellant, either in person or by mailing to the address stated on the appeal or application. Decisions of the Board of Appeals are final. Should no decision be rendered within twenty (20) days after the filing of the appeal, such appeal shall be deemed to be denied unless time is extended by action of the Board of Appeals.

(b) Appeals of notice and orders issued pursuant to violations of this chapter shall be conducted and determined by a hearing officer pursuant to Section 1-7.3 and Chapter 7 of this Code.

Article IV. County Fire Code is amended to read:

Article IV. County Fire Code.

Sec. 13-15. County Fire Code designated--Administration and enforcement--Amendment by local fire protection districts.

(a) The 2010-2013 California Fire Code as adopted by reference and amended in this article, shall constitute the County Fire Code.

(b) Except as otherwise provided in subsection (c), the administration and enforcement of the County Fire Code within a local fire protection district shall be the responsibility of the local fire chief. The County ~~Fire Chief~~ ~~fire chief~~ shall be responsible for the administration and enforcement of the County Fire Code within those portions of the unincorporated area ~~of the County of the county~~ not in a local fire protection district.

(c) The County ~~Fire Chief~~ ~~fire chief~~ shall be responsible for plan checking and inspection of new construction and alterations subject to the County Fire Code within both those portions of the unincorporated area ~~of the County of the county~~ not in a local fire protection district and those portions of the unincorporated area ~~of the County of the county~~ in a local fire protection district, unless a local fire protection district notifies the County ~~Fire Chief~~ ~~fire chief~~ in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area. Any such action shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district.

(d) Pursuant to Health and Safety Code, Section 13869.7, a local fire protection district may amend all or any part of the County Fire Code for application within its jurisdictional area. Any such amendment shall first be referred to the County Fire Prevention Officers Association for review and recommendation, and shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district and ratified by the Board of Supervisors. The Board of Supervisors shall not ratify such amendment if it includes provisions that are less restrictive than the provisions of the County Fire Code.

Sec. 13-16. Conflicting regulations.

The provisions of this chapter shall prevail over any inconsistent provision contained in the California Fire Code or the National Fire Codes; provided, in the case of inconsistent regulations, no regulation shall prevail that is less restrictive than the regulations established by the State of California unless otherwise authorized by the ~~s~~State.

Sec. 13-17. California Fire Code adopted ~~A~~amendments.

(a) The portion of the California Building Standards Code that imposes substantially the same requirements as are contained in the California Fire Code, 2013 Edition published by the International Code Council and the California Building Standards Commission with Errata, including Appendices, Chapters 4, B, ~~BB~~, C, ~~CC~~, D and ~~DH~~; published by the International Code Council, save and except such portions as are hereinafter deleted, modified, or amended by subsection (b) of this section, are adopted and incorporated as fully as if set out at length herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosions within the unincorporated area ~~of the County of the county~~.

(b) The California Fire Code, ~~2010-2013~~ Edition, is hereby amended as follows:

(~~1~~) **Chapter 1, Division II, Section 101.1 is amended to read:**

101.1 Title. These regulations shall be known as the Sonoma County Fire Code, hereinafter referred to as “this Code.”

(2) ~~(2)~~ Chapter 1, Division II, Section 102.3 is amended to read:

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code, the Sonoma County Building Code, and the ~~International California~~ Building Code. Subject to the approval of the ~~Fire Code Official~~ fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this Code, the Sonoma County Building Code, and the ~~International California~~ Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

(33) Chapter 1, Division II, Section 102.4 is amended to read:

102.4 Application of ~~b~~Building ~~e~~Code. The design and construction of new structures shall comply with the ~~2010-2013~~ California Building Code, Volumes 1 and 2, the ~~2010-2013~~ California Historical Building Code, the ~~2010-2013~~ California Existing Building Code, and the ~~2010-2013~~ California Residential Code, as adopted and amended by the County of Sonoma, and any alterations, additions, changes in use or changes in structures required by this Code, which are within the scope of the ~~2010-2013~~ California Building Code Volumes 1 and 2, the ~~2010-2013~~ California Historical Building Code, ~~2010-2013~~ California Existing Building Code and the ~~2010~~ ~~2013~~ California Residential Code, as adopted and amended by the County of Sonoma, shall be made in accordance therewith.

(44) Chapter 1, Division II, Section 103.1 is amended to read:

103.1 General. The Division of Fire Prevention is established within the Fire and Emergency Services Department under the direction of the ~~Fire Code Official~~ fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this Code.

(55) Chapter 1, Division II, Section 103.3.1 is added to read:

103.3.1 Authority to ~~Issue~~ issue Citations. The ~~Fire Chief~~ fire chief, the fire code official and his or her deputies who have the discretionary duty to enforce a statute or ordinance, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, may

arrest a person without a warrant whenever the ~~Fire Chief~~ fire chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the ~~Fire Chief~~ fire chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code.

(66) Chapter 1, Division II, Section 105.1.2 is amended to read:

105.1.2 Types of permits. There shall be two types of permits as follows:

1. ~~1-~~Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Chapter 1, Section 105.6, including local amendments for either:

- 1.1. A prescribed period.
- 1.2.- Until renewed or revoked.

2. ~~2-~~Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Chapter 1, Section 105.7 including local amendments.

(77) Chapter 1, Division II, Section 105.3.3.1 is added to read:

105.3.3.1 Occupancy pPermits. The fire chief may notify the building official not to authorize temporary or final occupancy of any building for which a permit is required by this Code until the building has been inspected and found to be in compliance with this Code. The building official shall not authorize temporary or final occupancy of any new commercial building for which a permit is required by this Code until ~~the contractor provides a certification of required fire flow availability certification is provided~~ to the fire chief. The ~~certification of required fire flow fire flow availability certification~~ shall include static pressure, residual pressure, and gallons per minute, as witnessed by, or acceptable to, the fire chief.

(88) Chapter 1, Division II, Section 105.3.3.2 is added to read:

105.3.3.2 Temporary Cconnection Aapproval. Nothing in Section 105 shall prohibit the granting or approval of a temporary connection for gas or electricity to allow construction to occur.

(99) Chapter 1 Division II, Section 105.5 is amended to read:

105.5 Revocation of pPermits. Any permit issued under this Code may be modified, suspended, or revoked whenever the fire chief determines any of the following:

- (1) ~~——(1)~~ The permit has been used by a person other than the person to whom it was issued.
- (2) ~~——(2)~~ The permit has been used for a location other than that for which it was issued.
- (3) ~~——(3)~~ The conditions or limitations set forth in the permit have been violated.
- (4) ~~——(4)~~ The permittee has failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this Code within the time provided therein.
- (5) ~~——(5)~~ There has been a false statement or misrepresentation as to a material fact in the application or plans on which the permit or application was based.

(410) Chapter 1, Division II, Section 105.5.1 is added to read:

105.5.1 Revocation Pprocedure. Revocation of any permit issued under this Code shall only occur after written notice of the violation has been given by the fire chief to the permittee at his or her last place of residence as shown on the permit or certificate, which notice shall order the permittee to either correct the violation within ten (10) days or appear before the local fire chief, unless the local fire protection district issues a written notice electing to have the County fire chief hear the matter, at a date and time certain to show cause why the permit or certificate should not be modified, revoked or suspended. At the hearing before the fire chief, the permittee shall have an opportunity to appear and be heard on the question of whether the permit issued to him should be revoked or suspended. Upon conclusion of the hearing or as soon thereafter as practicable, the chief shall issue a decision in writing to the permittee determining whether to modify, revoke or suspend the permit. Any interested person may appeal the ~~Fire Chief~~ fire chief's decision to the ~~board of appeals~~ Board of Appeals. All appeals shall be filed in writing with the ~~Fire Chief~~ fire chief within ten (10) calendar days of the date of the decision being appealed.

(411) Chapter 1, Division II, Section 105.6.47 is amended to read:

~~——~~ **105.6.47 Additional Ooperational Ppermits.** In addition to the operational permits required by Section 105.6, the following permits shall be obtained from the division of fire prevention prior to engaging in the following activities, operations, practices or functions:

1. Production facilities. To change use or occupancy, to allow the attendance of a live audience, or for wrap parties.

2. Pyrotechnics and special effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gasses, welding, and the parking of motor vehicles for the purpose of motion picture, television and commercial production.
3. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios, and sound stages. See Chapter 48.
4. Apartment, hotel, motel. An operational permit is required to operate an apartment house, hotel, or motel.
5. Bonfires or rubbish fires. An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.
6. Day ~~c~~are. An operational permit is required to operate a day care occupancy with an occupant load over eight (8) persons.
7. Emergency responder radio coverage system. An operational permit is required for buildings and/or facilities with emergency responder radio coverage systems and related equipment.
8. Fire protection systems. An operational permit is required for buildings and/or facilities with fire protection systems and related equipment such as fire pumps, fire hydrant systems, fire suppression systems, fire alarm systems, smoke management systems, and similar systems governed by this Code.
9. High-rise building. An operational permit is required to operate a high-rise building as defined in the Building Code.
10. Institutional or residential occupancy (~~six (6)~~ or ~~less-fewer~~ persons). An operational permit is required to operate an institutional or residential occupancy for ~~six (6)~~ or ~~less fewer~~ persons, except day care and residential care facilities for the elderly.
11. Institutional or residential occupancy (more than ~~six (6)~~ persons). An operational permit is required to operate an institutional or residential occupancy for more than ~~six (6)~~ persons. Exception: A permit is not required for large-family day care providing care for ~~less fewer~~ than ~~nine (9)~~ children.
12. Medical ~~Gas-gas S~~systems. An operational permit is required for buildings and/or facilities with medical gas systems and related equipment, and similar systems governed by this Code.
13. Oil or natural gas well. An operational permit is required to own, operate or maintain an oil or natural gas well.
14. Organized ~~C~~amps. An operational permit is required to operate an organized camp (Group ~~-C O~~ccupancyoccupancy).

15. Public ~~H~~haunted ~~H~~house. An operational permit is required to operate a haunted house, ~~ghost-walk~~ or similar ~~facility~~ amusement. Such amusement shall be in compliance with the 2013 California Fire Code, Appendix K.

16. Special ~~E~~event. An operational permit is required for any organized procession or assemblage of 50 or more people, which could significantly impact vehicular traffic or create a safety problem. Examples include, but are not limited to: music festivals, outdoor markets, circus, walkathons, runs, marathons, trail rides, bicycle races, celebrations, parades and other similar activities.

17. Winery ~~c~~Caves – ~~P~~publicly ~~A~~accessible. An operational permit is required to operate a Type-2 or Type-3 winery cave that is accessible to the public.

~~(1212)~~ Chapter 1, Division II, Section 105.7.175 is added to read:

105.7. ~~15-17~~Additional ~~c~~Construction ~~P~~permits. In addition to the permits required by Section 105.7, the following construction permits shall be obtained from the division of Fire Prevention prior to starting construction:

1. Emergency vehicle access facilities. A construction permit is required for installation or modification of roadways and roadway structures used for emergency vehicle access.

~~2. Emergency responder radio systems. A construction permit is required for the installation, modification or improvements to emergency responder radio systems.~~

~~3-2.~~ Excavation near flammable or combustible liquid pipeline. A construction permit is required to excavate or do any work below grade within ten (10) feet of any pipeline for the transportation of flammable or combustible liquid.

~~4-3.~~ Fire-line underground utility piping. A construction permit is required to install, alter, or make improvements to fire-line underground utility piping. A separate utility permit from the building official is required prior to installing any private underground fire protection water piping and associated appliances.

~~5-4.~~ Gates. A construction permit is required for the installation of security gates across a fire apparatus access road.

~~6-5.~~ Hazardous materials site disclosure (aboveground facility & underground tank). A construction permit is required to permanently remove hazardous materials storage or use premises from service, including the permanent removal of a hazardous materials tank.

~~7-6.~~ Medical gas system. A construction permit is required to install a medical gas system.

8-7. Oil or natural gas well. A construction permit is required to drill an oil or natural gas well.

(1313) Chapter 1, Division II, Section 109.34 is amended to read:

109.34 Violation penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(1414) Chapter 1, Division II, Section 111.4 is amended to read:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars. A person shall be fined for each day he or she continues to work after having been served with a stop work order.

(1515) Chapter 2, Section 202 is amended to revise the definition of “building” to read:

“**Building**” is defined as set forth in Chapter 13 of the Sonoma County Code.

(1616) Chapter 3, Section 307.1 is amended to read:

307.1 General. Open burning shall be conducted in accordance with this section and Article VII of Chapter 13 of the Sonoma County Code. ~~Open burning shall also be conducted as required by other governing agencies regulating emissions.~~

(1717) Chapter 3, Section 307.2 is amended to read:

307.2 Burning-Permit Required. Prior to commencement of open burning, a burning

permit shall be obtained pursuant to section 13-71 of the Sonoma County Code.

(18) Chapter 3, Section 311.3.1 is added to read:

311.3.1 Removal of Debris After Fire. All rubble, waste, rubbish, and other materials lying upon any premises within the jurisdictional area; having been accumulated thereon by reason of a fire, and having been rendered useless thereby shall be removed from within ten (10) days after notice has been given to do so in writing by the Fire Chief to the owner, lessee, or other person in charge or control of the premises.

~~(19) Chapter 5, Section 501.1 is amended to read:~~

~~**501.1 Scope.** Fire service for buildings, structures and premises shall comply with this chapter.~~

~~**Exception:** One and two family residential dwellings; detached U Occupancy buildings less than 1,000 square feet in area accessory to a one or two family dwelling; and agricultural exempt buildings less than 8,000 square feet in area within County unincorporated areas may comply with the requirements of Sonoma County Fire Safe Standards, and the California Residential Code as adopted and amended by the Sonoma County Code.~~

~~(19)~~ **Chapter 5, Section 503.1.1 is amended to read:**

~~**503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within ~~150~~ **one hundred fifty feet (45-720 mm 150')** of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Buildings located on slopes of greater than five percent (5%) shall be provided with additional fire protection measures to mitigate access constraints when required by the County ~~Fire Chief~~ **fire chief**.~~

~~**Exception:** The fire code official is authorized to increase the dimension of ~~150~~ **one hundred fifty feet (45-720 mm 150')** where:~~

- ~~1. **1-**~~ The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
- ~~2. **2-**~~ Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
- ~~3. **3-**~~ There are not more than two Group R-3 or Group U occupancies.

~~(2020)~~ Chapter 5, Section 503.1.2 is amended to read:

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road in accordance with ~~a~~Appendix D or based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

~~(21)~~ Chapter 5, Section 503.1.3 is amended to read:

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32 and Appendix D.

~~(22)~~ Chapter 5, Section 503.2.1 is amended to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width in accordance with this section and ~~a~~Appendix D, including an unobstructed vertical clearance of not less than 13 feet 6 inches.

~~(23)~~ Chapter 5, Section 503.2.1.1 is added to read:

503.2.1.1 Two-way roads. All two-way roads shall have a right-of-way of not less than twenty-five (~~25'~~) feet (25') and shall have an unobstructed width of not less than ~~20~~twenty feet (20')-, exclusive of shoulders, except for approved security gates in accordance with Section 503.6.

~~-~~When permitted in a subdivision's conditions of approval and approved by the appropriate ~~C~~county departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12'), exclusive of shoulders, with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one- thousand three hundred and twenty feet (1,320').

~~(24)~~ Chapter 5, Section 503.2.1.2 is added to read:

503.2.1.2 One-way roads. In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20'), exclusive of shoulders, and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

~~(25)~~ **Chapter 5, Section 503.2.1.3 is added to read:**

503.2.1.3 Driveways. Driveways shall apply only to one- and two-family dwellings, and accessory structures associated with one- and two family dwellings unless otherwise approved by the fire code official. In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the driveway. Additional turnarounds shall be provided when a driveway exceeds ~~1320~~ one thousand three hundred twenty feet (1,320') in length at a length approved by the fire code official.

~~(26)~~

(26) Chapter 5, Section 503.2.1.4 is added to read:

503.2.1.4 Roadway Turnarounds.- Any road or driveway structure required to have a turnaround may have either an approved hammerhead/T, a stub out, or approved terminus bulb. All turnarounds shall have a minimum turning radius of forty feet, bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a

hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(2727) Chapter 5, Section 503.2.1.5 is added to read:

—————**503.2.1.5 Roadway Turnouts.** Any road or driveway structure required to have a turnout shall have an approved turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

(2828) Chapter 5, Section 503.2.3 is amended to read:

—————**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces shall be capable of supporting a minimum 40,000 pound load. When other areas of this code require compliance with [Appendix D](#) the surface shall be designed pursuant to Section D102 for access and loading, unless otherwise approved by the fire code official.

(2929) Chapter 5, Section 503.2.3.1 is added to read:

—————**503.2.3.1 Surface Construction.** All structural sections shall be constructed to meet or exceed the following standards:

(a) On level areas and grades of less than five percent (5%), roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two-tenths of one foot (0.2') thick. The base portion of the structural section shall be at least five-tenths of one foot (0.5') of compacted Class 2 Aggregate Base.

(d) On grades of greater than fifteen percent (15%), a design of the section shall be prepared by a licensed civil engineer using a soils investigation that provides soil R-value

and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

(e) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

~~(3030)~~ Chapter 5, Section 503.2.4 is amended to read:

_____ **503.2.4 Turning radius** The required turning radius of a fire apparatus road shall be as follows:

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

- 1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees.
- 2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle greater than forty-five (45°) degrees(45°).

—The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County ~~Fire Chief~~ fire chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private

road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 Fire Apparatus.

(3131) Chapter 5, Section 503.2.5 is amended to read:

—**503.2.5 Dead ends.** In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) Dead-end fire apparatus access roads in excess of ~~150~~ **one hundred fifty feet (45720 mm 150')** in length shall be provided with an approved area for turning around fire apparatus.

(b) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

- 1) Parcels zoned for less than one (1) acre - eight hundred feet (800')
- 2) Parcels zoned for one (1) acre to 4.99 acres - one thousand three hundred twenty feet (1,320')
- 3) Parcels zoned for five (5) acres to **nineteen and ninety-nine hundredths (19.99)** acres - two thousand six hundred forty feet (2,640')
- 4) Parcels zoned for twenty (20) acres or larger - five thousand two hundred eighty feet (5,280').

(c) All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring length limits, the shortest allowable length shall apply.

(d) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

~~(203232)~~ Chapter 5, Section 503.2.6 is amended to read:

503.2.6 Bridges and elevated surfaces. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

~~**503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State Highway and Transportation Officials Standard Specifications (AASHTO HB-17). Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Code Official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the Fire Code Official.~~

503.2.6.1 Minimum Design .All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted pursuant to Sonoma County Code Section 13-2, and shall have a minimum designed live-load capacity of HS-20.

~~(213333)~~ Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Evaluation. All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for the purposes of safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. These evaluations shall be performed at the direction of the ~~Fire Code Official~~ fire code official.

~~(223434)~~ Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Bridge maintenance Certification. All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation" ~~First-Second~~ Edition, ~~2008~~2011, published by the American Association of State Highway and Transportation Officials; or other approved standards.

~~((35)-35)~~ Chapter 5, Section 503.2.6.4 is added to read:

503.2.6.4 Signage All roadway and driveway structures shall have appropriate signing identifying structure capability, ~~including weight limit and or by axcel~~, vertical clearance limits, ~~and any one-way road or single traffic lane conditions and include weight and/or by axle~~

limit.

(~~36~~36) Chapter 5, Section 503.2.6.5 is added to read:

503.2.6.5 Width All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12'), shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(~~37~~37) Chapter 5, Section 503.2.7 is amended to read:

503.2.7 Grade. No road or driveway shall have a maximum grade in excess of fifteen percent (15%).

Exception: A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway with the approval of the County ~~Fire Chief~~fire chief when one or more of the following is provided:

1. A secondary means of ingress and egress to the parcel is provided.
2. Additional turnouts and turnarounds are provided.
3. Increased roadway width is provided.
4. Increased emergency water supply is provided
5. Fuel modification sufficient for civilian and ~~fire fighter~~firefighter safety is

provided.

(~~38~~38) Chapter 5, Section 503.2.7.1 is added to read:

503.2.7.1 Surface cross slope. The maximum roadway surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(~~39~~39) Chapter 5, Section 503.2.7.2 is added to read:

503.2.7.2 Surface cross slope turnaround. Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

(40) Chapter 5, Section 503.2.8 is amended to read:

503.2.8 Angles of approach and departure. A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(4141) Chapter 5, Section 503.3.1 is added to read

503.3.1 Signs. Signs shall be installed in compliance with Appendix D 103.6

(4242) Chapter 5, Section 503.6 is amended to read:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief and shall comply with section 503.6.1 to 503.6.4 and Appendix D 103.5. A permit is required for the installation of security gates across a fire apparatus access road.

(4343) Chapter 5, Section 503.6.1 is added to read:

503.6.1 Width. All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(4444) Chapter 5, Section 503.6.2 is added to read:

503.6.2 Setbacks. All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(4545) Chapter 5, Section 503.6.3 is added to read:

503.6.3 Emergency operation. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F-2200.

(4646) Chapter 5, Section 503.6.4 is added to read:

503.6.4. Where a one-way road with a single traffic lane provides access to a gated entrance, a minimum of a 40 foot (40') turning radius shall be used.

(234647) Chapter 5, Section 505.1 is amended to read:

505.1 Address identification. New and existing buildings shall have approved illuminated address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. **Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response.** Address numbers shall be Arabic numerals or alphabet letters. Where access is by means of a private road and the building cannot be viewed from the public way a monument, signpost or other sign or means shall be used to identify the structure. **Address numbers shall be maintained.**

Exceptions:

1. These requirements may be modified with the approval of the ~~Fire Code Official~~ fire code official.
2. Illuminated address numbers are not required for existing buildings where approved, reflective numbers are installed.

(24)(48) Chapter 5, Section 501.1.1 and 501.1.2 are added to read:

505.1.1 Addresses for buildings. All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Accessory buildings will not be required to have a separate address; however, each unit within a building shall be separately identified.

~~**505.1.1 Numbers for one and two-family dwellings.** Numbers for one and two-family dwellings shall be a minimum of 4 inches (101.6mm) high with a minimum stroke width of 0.5 inches (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.~~

~~**505.1.2 Numbers for other than one and two-family dwellings.** Numbers for other than one and two-family dwellings shall be a minimum of 12 inches high with a minimum stroke width of 1 inch. Suite numbers for other than one and two-family dwellings shall be a minimum of six 6" inches high and 0.5 inches stroke.~~

(5049) Chapter 5, Section 505.1.2 is added to read:

505.1.2 Numbers for one- and two- family dwellings. Numbers for one- and two-family dwellings shall be a minimum of ~~4~~four inches (~~101.6mm~~4") high with a minimum stroke width of ~~0.5~~five tenths of an inches (~~12.7mm~~0.5"). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(5150) Chapter 5, Section 505.1.3 is added to read:

505.1.3 Numbers for other than one- and two- family dwellings. Numbers for

other than one- and two- family dwellings shall be a minimum of ~~12~~twelve inches (12”) high with a minimum stroke width of ~~1~~one inch (1”). Suite numbers for other than one–and two-family dwellings shall be a minimum of six-~~6~~ inches (6”) high and ~~0.5~~five tenths of an inches (0.5”) stroke.

(5251) Chapter 5, Section 505.1.4 is added to read:

505.1.4 Installation, location and visibility of addresses. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

(5352) Chapter 5, Section 505.1.4.1 is added to read:

505.1.4.1 Signs posted one-way roads. Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(5453) Chapter 5, Section 505.1.4.2 is added to read:

505.1.4.2 Multiple Addresses. Where multiple addresses are required at a single driveway, they shall be mounted on a single post.

~~(d)~~ Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

(5554) Chapter 5, Section 505.2.1 is added to read:

505.2.1 Size of letters, numbers and symbols for street and road signs. Size of letters, numbers, and symbols for street and road signs shall be a minimum ~~3~~of three inches (3”) for letter height; with a ~~3/8~~three-eighths- inch (3/8”) stroke, reflectorized, and ~~;~~ contrasting with the background color of the sign.

(5655) Chapter 5, Section 505.2.2 is added to read:

505.2.2 Visibility and legibility of street and road signs. Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least ~~100~~one hundred feet (100’).

(5756) Chapter 5, Section 505.2.3 is added to read:

505.2.3 Height of street and road signs. Height of street and road signs shall be uniform county-wide, and meet the visibility and legibility standards of this section.

(5857) Chapter 5, Section 505.2.4 is added to read:

505.2.4 Names and numbers on street and road signs. Newly constructed or approved public and private roads and streets must be identified by a name or number through a consistent countywide system that provides for sequenced or patterned numbering and/or non-duplicating naming within the county. All signs shall be mounted and oriented in a uniform manner. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering.

(5958) Chapter 5, Section 505.2.5 is added to read:

505.2.5 Intersecting roads, streets and private lanes. Signs required by this article identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes.

(6059) Chapter 5, Section 505.2.6 is added to read:

505.2.6 Signs identifying traffic access limitations. A sign identifying traffic access or flow limitations, including, but not limited to weight or vertical clearance limitations, dead-end road, one-way road (or single land conditions) shall be placed: (a) at the intersection preceding the traffic access limitation, and (b) no more than ~~100~~one hundred feet (100') before such traffic access limitation.

(6160) Chapter 5, Section 505.2.7 is added to read:

505.2.7 Installation of road, street, and private lane signs. Road, street and private land signs required by this article shall be installed prior to final acceptance by the local jurisdiction of road improvements.

(~~62~~61) Chapter 5, Section 507.1.1 is added to read:

507.1.1 Completion. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved.

(~~63~~62) Chapter 5, Section 507.1.2 is added to read:

507.1.2 Temporary water supply. When authorized by the County ~~Fire Chief~~fire

chief, an interim emergency water supply acceptable to the County Fire-Chieffire chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection.

(6463) Chapter 5, Section 507.2.2 is amended to read:

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

Exception: For Group R-3 occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, and associated accessory structures up to 3,000 square feet in area, plastic water tanks up to 5,000 gallons in volume may be used. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(6564) Chapter 5, Section 507.2.3 is added to read:

507.2.3 Urban water system for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings. If the water supply to the parcel is provided by a public or community water system (urban parcel - see [Definitions](#)) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(6665) Chapter 5, Section 507.2.4 is added to read:

507.2.4 Non-urban water system. If the water supply to the parcel is provided by a private water well (non-urban parcel - see [Definitions](#)) the fire code official is authorized to utilize NFPA 1142 or the *International Wildland-Urban Interface Code*.

Exception: When authorized by the authority having jurisdiction, the emergency water supply requirements for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings, may be waived when sufficient evidence is proven that the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met.

(6766) Chapter 5, Section 507.3 is amended to read:

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B.

Exception: When the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met, the fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities,

where the development of full fire-flow requirements is impractical.

~~(2568)~~ Chapter 5, Section 507.5.1 is amended to read:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45.7 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the ~~Fire Code Official~~ fire code official.

Exceptions:

1. — For Group R-3 and Group U Occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more ~~than 600~~ six hundred feet (~~183 m~~ 600').

~~((69)-68)~~ Chapter 5, Section 507.5.1.1 is amended to read

507.5.1.1 Hydrant for standpipe and/or fire sprinkler systems. Buildings equipped with standpipe and/or fire sprinkler systems installed in accordance with section 903 and/or section 905 shall have a fire hydrant within ~~50~~ fifty feet (50') of the fire department connection (FDC).

Exception: The distance shall be permitted to exceed ~~50~~ fifty feet (50') where approved by the fire code official.

~~(7069)~~ Chapter 5, Section 507.5.1.32 is added to read

507.5.1.2 Other areas. Fire hydrant systems shall be required where a public water system, regardless of type of ownership, provides water for human consumption to fifteen (15) or more service connections.

~~(267170)~~ Chapter 5, Section 510.1 is amended to read:

510.1 Emergency responder radio coverage in new buildings. All new buildings, Type-2 winery caves and Type-3 winery caves shall have approved radio coverage for emergency responders within the building or winery cave based upon the existing coverage levels of the public safety communication systems of the jurisdiction, at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. —

2-1. Where approved by the ~~Building Official~~building official and the ~~Fire Code Official~~fire code official, a wired communication system in accordance with Section 907.2.13.2, may be permitted to be installed in lieu of an approved radio coverage system.

3-2. Where it is determined by the ~~Fire Code Official~~fire code official that the radio coverage system is not necessary.

4-3. ~~3.~~In facilities where emergency responder radio converge is required and such systems, components or equipment could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency radio coverage system.

(27) Chapter 6, Section 605.11—605.11.4 is added to read:

~~**605.11 Solar Photovoltaic Power Systems.** Solar photovoltaic power systems shall be installed in accordance with this Code, the California Building Code and the California Electric Code, or as approved by the Fire Code Official.~~

~~**Exception:** Detached Group U non-habitable structures such as parking shade structures, carports, solar trellises, and similar type structures are not subject to the requirements of Section 605.11.2 through Section 605.11.3.2.4.~~

~~**605.11.1 Marking.** Marking is required on all interior and exterior DC conduit, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.~~

~~**605.11.1.1 Materials.** The materials used for marking shall be reflective, weather resistant and suitable for the environment. Marking as required in sections 605.11.1.1 through 605.11.1.4 shall have all letters capitalized with a minimum height of 3/8 inch white on red background.~~

~~**605.11.1.2 Marking Content.** The marking shall contain the words “WARNING: PHOTOVOLTAIC POWER SOURCE”.~~

~~**605.11.1.3 Main Service Disconnect.** The marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the disconnect is operated.~~

~~**605.11.1.4 Location of Marking.** Marking shall be placed on all interior and exterior conduit, raceways, enclosures and cable assemblies every 10 feet and within 1 foot of all turns or bends, and within 1 foot of each side of penetrations.~~

~~**605.11.2 Locations of DC Conductors.** Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge, hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit that runs between sub-arrays and to DC combiner boxes shall be installed in a manner that minimizes total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are~~

minimized in the pathways between arrays. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building. Conduit shall run along the bottom of load bearing members.

605.11.3 Access and pathways. Roof access, pathways, and spacing requirements shall be provided in order to ensure access to the roof; provide pathways to specific areas of the roof; provide for smoke ventilation operations; and to provide emergency egress from the roof.

Exceptions:

1. Requirements relating to ridge, hip, and valleys do not apply to roofs slopes of two units vertical in twelve units horizontal (2:12) or less.
2. Residential structures shall be designed so that each array is no greater than 150 feet (45,720 mm) by 150 feet (45,720 mm) in either axis.
3. The ~~Fire Chief~~ may allow panels/modules to be located up to the ridge when an alternative ventilation method, acceptable to the ~~Fire Chief~~; has been provided or where the ~~Fire Chief~~ has determined vertical ventilation techniques will not be employed.

605.11.3.1 Roof access points. Roof access points shall be defined as an area that does not place ground ladders over openings such as windows or doors, and are located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

605.11.3.2 Residential systems for one- and two-family residential dwellings. Access shall be provided in accordance with Sections 605.11.3.2.1 through 605.11.3.2.4

605.11.3.2.1 Residential buildings with hip roof layouts. Panels /modules shall be located in a manner that provides a 3 foot (914 mm) wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

605.11.3.2.2 Residential buildings with a single ridge. Panels/modules shall be located in a manner that provides two 3 foot (914 mm) wide access pathways from the eave to the ridge on each roof slope where panels/modules are located.

605.11.3.2.3 Hips and Valleys: Panels/modules shall be located no closer than 18 inches (457 mm) to a hip or a valley if panels/modules are to be placed on both sides of a hip or valley. If the panels are to be located on only one side of a hip or valley that is of equal length then the panels shall be permitted to be placed directly adjacent to the hip or valley.

605.11.3.2.4 Smoke Ventilation. Panels/modules shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

605.11.3.3 All other occupancies. Access shall be provided in accordance with Sections 605.11.3.3.1 through 605.11.3.3.3.

Exception: Where it is determined by the Fire Code Official that the roof configuration is similar to a one- or two-family dwelling, the Fire Code Official may approve the residential access and ventilation requirements provided in 605.11.3.2.1 through 605.11.3.2.4.

605.11.3.3.1 Access. There shall be a minimum 6 foot (1,829 mm) wide clear perimeter around the edges of the roof.

Exception: If either axis of the building is 250 feet (76,200 mm) or less, there shall be a minimum 4 foot (1,290 mm) wide clear perimeter around the edges of the roof.

605.11.3.3.2 Pathways. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.

2. The center line axis pathways shall be provided in both axis of the roof. Center line axis pathways shall run where the roof structure is capable of supporting the live load of firefighters accessing the roof.

3. Shall be straight line not less than 4 feet (1,290 mm) clear to skylights and/or ventilation hatches.

4. Shall be straight line not less than 4 feet (1,290 mm) clear to roof standpipes.

5. Shall provide not less than 4 feet (1,290 mm) clear around roof access hatch with at least one not less than 4 feet (1290 mm) clear pathway to parapet or roof edge.

605.11.3.3.3 Smoke Ventilation. The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45,720 mm) by 150 feet (45,720 mm) in distance in either axis in order to create opportunities for smoke ventilation operations.

2. Smoke ventilation options between array sections shall be one of the following:

—— 2.1 —— A pathway of 8 feet (2,438 mm) or greater in width.

—— 2.2 —— A 4 foot (1,290 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents

—— 2.3 —— A 4 foot (1,290 mm) or greater in width pathway and bordering 4 foot (1,290 mm) x 8 foot (2,438 mm) “venting cutouts” every 20 feet (6,096 mm) on alternating sides of the pathway

~~605.11.4 Ground mounted photovoltaic arrays. Ground mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.2 and this section. A clear brush area of 10 feet (3048 mm) is required for ground mounted photovoltaic arrays.~~

~~(2872)-71~~ Chapter 9, Section 901.7.7 - 901.7.7.2 is added to read:

901.7.7 Notice of nuisance alarm. The officer in charge of fire units responding to a fire alarm signal shall determine whether a true emergency exists. If the officer determines that an emergency does not exist, the chief of the local fire agency or the County ~~Fire-Chieffire chief~~ may issue a written notice of nuisance alarm to the owner or person in charge or control of the facility where the alarm signal originated.

~~_____~~ **901.7.7.1 Unreliable fire alarm systems.** The ~~Fire-Chieffire chief~~ of the local fire agency or the County ~~Fire-Chieffire chief~~ may determine that a fire alarm system is unreliable upon receipt of more than four (4) nuisance alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the chief of the local fire agency or the County ~~Fire-Chieffire chief~~ may order the following:

1. For any nuisance alarm where the system is not restored, the ~~Fire-Chieffire chief~~ may require the system owner to provide standby personnel as defined in Chapter 4, Section 403.1 or take such other measures, as the ~~Fire-Chieffire chief~~ deems appropriate. Persons or activities required by the ~~Fire-Chieffire chief~~ shall remain in place until a fire department--approved fire alarm maintenance firm certifies in writing to the ~~Fire-Chieffire chief~~ that the alarm system has been restored to a reliable condition. The chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.
2. Upon the fifth (5th) and sixth (6th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$150.00, plus the cost of fire engine response, for each occurrence.
3. Upon the seventh (7th) and eighth (8th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$300.00, plus the cost of fire engine response.
4. Upon the ninth (9th) and following nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$500.00, plus the cost of fire engine response, for each occurrence.

901.7.7.2 Hearing on notice. Any person receiving a notice of nuisance alarm who contends that the ~~Fire-Chieffire chief~~ erroneously determined that the fire alarm system was not functioning as designed, may file a written request with the ~~Fire-Chieffire chief~~ for a hearing on the determination within ten (10) days after receipt of the notice of nuisance alarm. The ~~Fire-Chieffire chief~~ shall give the requesting party a hearing on the determination within thirty (30) days of receipt of the request. The request shall set forth: (1) that the system functioned as designed, or (2) that the nuisance alarm resulted from an act of God, flooding, or other violent natural condition without fault and beyond the control of the requesting party. Within ten (10) days following the

hearing, the chief shall give written notice of his or her decision to the requesting party.

—(297372) Chapter 9, Section 902 is amended to add the following definitions:

“Emergency” is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

“False Alarm” is an alarm signal activated by a properly functioning fire alarm system, necessitating response by the fire department when an emergency does not exist.

—(307473) Chapter 9, Section 903.2 of the California Fire Code is amended to read:

—Section 903.2. Where required. ~~A~~ approved automatic sprinkler systems in ~~new~~ buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. ~~An approved automatic sprinkler system shall be provided in new buildings and structures, and when additions are made to buildings or structures, as described in Sections 903.2.1 through 903.2.18~~

—(317574) Chapter 9, Section 903.2.1 - 903.2.1.5 of the California Fire Code is amended to read:

—903.2.1 Group A. ~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group A occupancies.~~

—903.2.1.1 Group A 1. ~~An automatic fire sprinkler system shall be provided for throughout Group A 1 occupancies. :~~

~~An automatic fire sprinkler system shall be provided throughout Group A 1 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area contains a multi-theater complex.~~
- ~~5. The fire area is increased beyond the areas specified in Table 903.2~~

—903.2.1.2 Group A 2. ~~An automatic fire sprinkler system shall be provided for throughout Group A 2 occupancies. :~~

~~An automatic fire sprinkler system shall be provided throughout Group A 2~~

~~occupancies where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area exceeds 5,000 square feet.~~

~~2. The fire area has an occupant load of 100 or more.~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The structure exceeds 5000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.~~

~~54. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.3 Group A-3. An automatic fire sprinkler system shall be provided for throughout Group A-3 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-3 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area exceeds 12,000 square feet.~~

~~2. The fire area has an occupant load of 300 or more; or~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.~~

~~45. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.4 Group A-4. An automatic fire sprinkler system shall be provided for throughout Group A-4 occupancies. An automatic fire sprinkler system shall be provided throughout Group A-4 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area exceeds 12,000 square feet.~~

~~2. The fire area has an occupant load of 300 or more; or~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The fire area is increased beyond the areas specified in Table 903.2.~~

~~903.2.1.5 Group A-5. An automatic fire sprinkler system shall be provided for Group A-5 occupancies in the following areas:~~

- ~~1. Concession Stands.~~
- ~~2. Retail Areas.~~
- ~~3. Press Boxes.~~
- ~~4. Other accessory use areas in excess of 1,000 square feet.~~

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

~~903.2.1.1 Group A-1.~~ An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

~~903.2.1.2 Group A-2.~~ An automatic sprinkler system shall be provided for any new Group A-2 occupancies. -An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 100 or more. ~~;~~ ~~or~~
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area ~~—~~containing a Group A-2 occupancy, and is separated into two or more buildings ~~—~~by ~~fire wall~~firewalls of less than four-hour fire resistance rating without openings.

~~903.2.1.3 Group A-3.~~ An automatic sprinkler system shall be provided for any new Group A-3 occupancies. -An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more; ~~or~~.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by ~~fire wall~~ firewalls of less than four hour fire resistance rating without openings.

~~_____~~ **903.2.1.4 Group A-4.** An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2
2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5. An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: ~~€~~concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: ~~€~~concession stands, retail areas, press boxes, and other accessory use areas where the fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

~~_____~~ **(327675) Chapter 9, Section 903.2.2 of the California Fire Code is ~~deleted~~ amended to read:**

~~_____~~ **(33) Chapter 9, New Section 903.2.2 of the California Fire Code is added to read:**

~~_____~~ **903.2.2 Group B.** An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group B occupancies. An automatic fire sprinkler system shall be provided throughout Group B occupancies where any of the following conditions is created as a result of a remodel or addition:

1. ~~_____~~ The fire area exceeds 12,000 square feet.
2. ~~_____~~ The fire area has an occupant load of 300 or more.
3. ~~_____~~ The fire area is increased beyond the areas specified in Table 903.2

~~_____~~ **903.2.2.1 Remodel or addition—Group B aAmbulatory hHealth cCare.** An automatic sprinkler system shall be provided when a Group B ambulatory health care occupancy is created and any of the following conditions result.

- ~~1. Four or more care recipients are incapable of self preservation.~~
- ~~2. One or more care recipients who are incapable of self preservation are located at other than the level of exit discharge serving such occupancy.~~

~~903.2.2 Group B~~ An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.

~~903.2.2.1 Ambulatory care facilities.~~ An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

- ~~1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients –already incapable~~
- ~~2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.~~

~~(347776) -Chapter 9, Section 903.2.3 of the California Fire Code is deleted~~**amended as follows:-**

~~(35) Chapter 9, New Section 903.2.3 of the California Fire Code is added to read:~~

~~903.2.3 Group E. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group E occupancies. An automatic fire sprinkler system shall be provided throughout Group E occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is increased beyond the areas specified in Table 903.2.~~

~~903.2.3.1 Public Schools Automatic Sprinkler Requirements~~

~~903.2.3.1.1 New Public School Campus. An approved automatic sprinkler system shall be provided in all buildings of a new public school campus as defined in Section 202 regardless of occupancy classification.~~

~~Exceptions:~~

- ~~1. Exempted portable buildings.~~

~~2. Ticket booths and athletic field storage buildings that are less than 500 square feet in floor area and located a minimum of 100 feet from all other buildings.~~

~~3. Shade or lunch shelters that are incapable of trapping heat, smoke or other by-products of combustion and located a minimum of 20 feet from all other buildings.~~

~~4. Shade or lunch shelters that are constructed of non-combustible materials and located a minimum of 20 feet from all other buildings.~~

~~903.2.3.1.1.1 Sprinklers shall be installed in spaces where the ceiling creates a “ceiling plenum” or space above the ceiling is utilized for environmental air.~~

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies, and where the fire area of an existing Group E occupancy exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.

2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

~~Exception:~~ **Exception:** An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials are in quantities not exceeding the maximum allowable quantity are used or stored.

4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by ~~fire~~ **fire** walls of less than four-hour fire resistance rating without openings.

5. For public schools state-funded construction projects see Section 903.2.19.

(77)

~~(3778)~~ **Chapter 9, New Section 903.2.4 of the California Fire Code is added-amended to read:**

~~903.2.4 Group F.~~ An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group F occupancies.

~~Exceptions:~~

~~1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:~~

- a. ~~The canopy and supporting structure are constructed of non-combustible materials.~~
- b. ~~If attached, the crush pad is separated from other portions of the building by one-hour fire resistive walls.~~
- c. ~~The crush pad is not used for storage of combustible materials.~~
- d. ~~The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.~~

~~2. Dairy milking facilities less than 12,000 feet in area.~~

~~903.2.4.1 Existing F-1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.~~

~~903.2.4.2 Additions or remodels—F Occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where any of the following conditions is created as a result of a remodel or addition:~~

- 1. ~~The fire area is increased beyond the areas specified in Table 903.2~~
- 2. ~~The fire area exceeds 12,000 square feet.~~
- 3. ~~The fire area is located more than three stories, or more than 30 feet, above grade plane.~~
- 4. ~~The combined area of all fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~
- 5. ~~The fire area contains woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials.~~

~~**903.2.4 Group F-1.** An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:~~

- 1. Group F-1 fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.
- 2. A Group F-1 fire area is located more than three stories above grade plane.
- 3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.

4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - a. The canopy and supporting structure are constructed of non-combustible materials.
 - b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.
 - c. The crush pad is not used for storage of combustible materials.
 - d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.
2. Dairy milking facilities less than 12,000 feet in area.

~~(7978)~~ Chapter 9, ~~New Section~~ **Section 903.2.4.1.1** of the California Fire Code is added to read:

~~903.2.4.1.1 Existing F-1 W~~**903.2.4.1.1 Existing F-1 Woodworking operations.**

An automatic sprinkler system shall be provided throughout all existing Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A ~~fire wall~~**firewall** of less than a four-hour fire resistance rating without openings, or any ~~fire wall~~**firewall** with opening shall not be used to establish separate fire areas.

~~(79~~

~~(38)~~ Chapter 9, ~~Section 903.2.5.5~~ of the California Fire Code is added to read:

~~903.2.5.2 Additions or remodels – H Occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group H occupancy, and where an H Occupancy is created as a result of a remodel or addition.~~

~~(80)~~ Chapter 9, Section 903.2.5.1 of the California Fire Code is amended to read:

~~903.2.5.1 General.~~ **903.2.5.1 General.** An automatic sprinkler system shall be installed in Group H occupancies. An automatic sprinkler system shall be installed when a Group H occupancy undergoes an alteration or area increase.

~~(39)~~ Chapter 9, Section 903.2.6.3 of the California Fire Code is added to read:

~~903.2.6.3 Additions or remodels – I Occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group I occupancy, and where an I Occupancy is created as a result of a remodel or addition.~~

~~(8180)~~ Chapter 9, Section 903.2.6 of the California Fire Code is added to read:

~~903.2.6~~ **Group I.** An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.

~~Exceptions:~~

1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.
2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:
 - 2.1 A hydraulic design information sign is located on the system riser;
 - 2.2 Exception 1 of Section 903.4 is not applied; and
 - 2.3 Systems shall be maintained in accordance with the requirements of ~~Section 903.3.1.2.~~
3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

~~903.2.6.1~~ **Group I-2.** An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

~~903.2.6.2~~ **Group I-3.** Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

~~Exception:~~ Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

1. ~~1-~~Automatic fire sprinklers shall be mounted outside the cell a minimum of ~~six feet (1829 mm)~~6' on center and ~~one foot (305 mm)~~12 inches (305 mm) from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.
2. ~~2-~~The maximum amount of combustibles, excluding linen and

clothing, shall be maintained at three pounds per inmate.

3. ~~3-~~For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).

4. ~~4-~~The provisions of the exception in Section 804.4.2 shall not apply.

~~—————(40) Chapter 9, Section 903.2.7 of the California Fire Code is deleted~~

~~—————(418281) Chapter 9, New Section 903.2.7 of the California Fire Code is added-amended to read:~~

~~—————903.2.7 Group M. An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group M occupancies, and when an addition or remodel occurs affecting a Group M Occupancy as provided in this section.~~

~~—————Exception: Detached non-combustible motor fuel dispensing facility canopies classified as a Group M occupancy where the canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.~~

~~—————903.2.7.1 High piled storage. An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings where storage of merchandise is in high piled or rack storage arrays.~~

~~—————903.2.7.2 Additions or remodels—M Occupancies. An automatic sprinkler system shall be provided for Group M occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — A Group M fire area exceeds 12,000 square feet.~~
- ~~2. — A Group M fire area is located more than three stories above grade plane.~~
- ~~3. — The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~
- ~~4. — A Group M occupancy is used for the display and sale of upholstered furniture.~~
- ~~5. — The structure exceeds 24,000 square feet in area, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4 hour fire resistance rating.~~
- ~~6. — The fire area is increased beyond the areas specified in Table 903.2~~

~~—————903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following~~

conditions exists:

1. A Group M fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (~~2230 m²~~).
4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5,000 square feet (~~464 m²~~).
5. The structure exceeds 24,000 square feet (~~465 m²~~), contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by ~~fire~~ **wall**firewalls of less than 4-hour fire- resistance rating.

~~(42) Chapter 9, Section 903.2.8. of the California Fire Code is amended to add Section 903.2.8.1 to read:~~

~~903.2.8.1 Additions or remodels — R Occupancies. An automatic sprinkler system shall be provided for Group R occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area is increased beyond the areas specified in Table 903.2.~~
- ~~2. The fire area exceeds 12,000 square feet.~~

~~Exception: Attached carports of non-combustible construction classified as a Group U Occupancy where there is no habitable space above, and which are accessory uses to a one or two family residential dwelling.~~

~~(8382) Chapter 9, Section 903.2.8. is amended to read:~~

~~903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of a addition or alteration.~~

~~Exceptions:~~

- ~~1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.~~
- ~~2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.~~
- ~~3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.~~

4. ~~4-~~Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

5. ~~5-~~Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

~~8483~~ Chapter 9, Sections 903.2.8.2 and 903.2.8.2.1 are added to read:

~~903.2.8.2~~ **Townhouse automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed in townhouses.

~~903.2.8.2.1~~ **Design and installation.** Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

~~8584~~ Chapter 9, Sections 903.2.8.3, 903.2.8.3.1 and 903.2.8.3.2 are added to read:

~~903.2.8.3~~ **One- and two-family dwellings automatic fire systems.** An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

~~903.2.8.3.1~~ **Design and installation for** one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

~~903.2.8.3.2~~ **Design and installation for** factory built housing, mobile homes and manufactured homes.- Automatic residential fire sprinkler systems installed in: factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

~~(43) Chapter 9, Section 903.2.9 of the California Fire Code is deleted~~

~~(44) Chapter 9, New Section 903.2.9 of the California Fire Code is added to read:~~

~~903.2.9 Group S. An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group S occupancies, and when an addition or remodel occurs affecting a Group S Occupancy as provided in this section.~~

~~903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code.~~

~~903.2.9.2 Bulk storage of tires. Building, structures used for the storage of tires shall be equipped throughout with an automatic sprinkler system.~~

~~903.2.9.3 Additions or remodels — Group S Occupancies. An automatic fire sprinkler system shall be provided throughout all buildings containing a Group S occupancy where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area is increased beyond the areas specified in Table 903.2.~~

~~2. A Group S-1 fire area exceeds 12,000 square feet.~~

~~3. A Group S-1 fire area is located more than three stories above grade plane.~~

~~4. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

~~5. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.~~

~~(86-85) Chapter 9, Sections 903.2.9 and 903.2.9.1 of the California Fire Code are amended to read:~~

~~903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:~~

~~1. A Group S-1 fire area exceeds the area increases permitted by TABLEtable 903.2 as a result of a addition or alteration.~~

~~2. A Group S-1 fire area is located more than three stories above grade plane.~~

~~3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet

5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. ~~1-~~Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. ~~2-~~Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. ~~3-~~Buildings with repair garages servicing vehicles parked in basements.
4. ~~4-~~A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet.

~~————(8786) Chapter 9, Section 903.2.10 of the California Fire Code is amended to read:~~

~~—————903.2.10 Group S-2 enclosed parking garages.~~ An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout ~~buildings~~ buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

~~————(45) Chapter 9, Section 903.2.11.7 is added to read:~~

~~—————903.2.11.7 Group U Occupancy special requirements.~~ An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

~~—————Exceptions:~~

1. ~~————~~Detached Group U occupancies 3000 square feet or less in area
2. ~~————~~Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

~~—————903.2.11.7.1 Group U accessory areas.~~ For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

~~(8887)~~ Chapter 9, Section 903.2.11.7 and 903.2.11.7.1 is added to read:

~~903.2.11.7 -Group U Occupancy~~ **903.2.11.7 -Group U Occupancy special requirements.** An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

~~Exceptions:~~ **Exceptions:**

1. Detached Group U occupancies 3,000 square feet or less in area.
2. Agricultural exempt buildings and agricultural buildings as approved by the ~~Fire Code Official~~ fire code official.

~~903.2.11.7.1 Group U accessory areas.~~ **903.2.11.7.1 Group U accessory areas.** For a U Occupancy less than 3,000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

~~(468988)~~ Chapter 9, Table 903.2 is added to the California Fire Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1,000 sq ft:	200% ^{-(c)}
1,001-4,000 sq ft:	100% ^{-(a)(c)}
Greater than 4,000 sq ft:	50% ^{-(a)(b)(c)}

^(a) A 2,000 sq ft. maximum increase is allowed.

^(b) Maximum cumulative allowable area is 6,000 sq ft.

^(c) Fire sprinklers are required when additions to Limited Density Owner-Built Rural Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 sq ft in area.

~~(479089)~~ Chapter 9, Section 903.2.11.8 is added to read:

~~903.2.11.8 -Changes of Occupancy.~~ **903.2.11.8 -Changes of Occupancy.** When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the ~~Fire Code Official~~ fire code official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(90)

~~(9148)~~ Chapter 9, Section 903.2.11.9 is added to read:

~~903.2.11.9~~ **Elevation of existing buildings.**

An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than ~~35~~ **thirty-five** feet (**35'**) in height, from grade to the exposed roof.

~~Exceptions:~~

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet (**35'**) is provided for aesthetic purposes only and is a non-habitable space.
2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the ~~following~~ conditions are met:
 - (a) The elevation creates a building no more than three stories in height.
 - (b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.
 - (c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.
 - (d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.
 - (e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.

~~(49) Chapter 9, Section 903.2.18 of the California Fire Code is deleted.~~

~~(509291)~~ Chapter 9, ~~New Section~~ **Section 903.2.18 of the California Fire Code is added amended** to read:

~~903.2.18~~ **Group U private garages and carports accessory to Group R-3 occupancies.** Carports with habitable space above, attached garages, and detached Group U structures greater than 3,000 square feet in area containing a use similar to a: ~~B Occupancy~~ **Occupancy**, ~~S Occupancy~~ **Occupancy**, or ~~M Occupancy~~ **Occupancy**, which is accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm per square foot over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions to sprinkler placement.

~~(9392)~~ Section 903.3.1 is amended to read:

— **903.3.1 Standards.** Sprinkler systems shall be designed and installed in accordance with 903.3.1.1 unless otherwise permitted by sections 903.3.1.2 and 903.3.1.3

— **Exceptions:**

1. Buildings when approved by the fire code official 6,000 square feet and less in fire area may be authorized to reduce coverage areas to a minimum ~~four~~ (4) head calculation.
2. Buildings greater than 6,000 square feet and less ~~than~~ 12,000 square feet ~~sqft~~ in fire area may be authorized to use alternative fire pump designs as approved by the fire code official.

(93

— ~~(94)~~ **Section 903.4.1 is amended to read:**

— **903.4.1 Monitoring.** Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

— **Exceptions:**

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

— ~~(51) Chapter 9, Section 903.4.2 of the California Fire Code is deleted.~~

— ~~(52) Chapter 9, New Section 903.4.2 of the California Fire Code is added to read:~~

~~**903.4.2 Alarms.** At least one exterior approved audible device activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system shall be connected to every automatic fire alarm system in an approved location, and approved audible devices shall be connected to every automatic sprinkler system for the purpose of occupant notification. Every new fire alarm system installed for the purpose of evacuation, including those systems activated solely by fire sprinkler systems shall be designed so that all occupants of the building shall be notified audibly and visually.~~

— ~~(9594)~~ **Chapter 9, New SectionSection 903.4.2 of the California Fire Code is amended to read**

— **903.4.2 Alarms.** One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Visible and audible alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

(— ~~(5396)~~ **95**) Chapter 9, Section 905.3.1 is amended to read as follows:

— **905.3.1 Height.** In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are ~~four~~ three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.

~~5. On the roof of buildings three or more stories in height.~~

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 5.1. Recessed loading docks for four vehicles or less; and
 - 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

— ~~(5497)~~ **96**) Chapter 9, Section 905.9 is amended to read as follows:

— **905.9 Valve supervision.** Valves controlling water supplies shall be supervised in the

open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

— **Exceptions:**

Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

~~Valves locked in the normal position and inspected as provided in this Code in buildings not equipped with a fire alarm system.~~

— ~~(559897)~~ Chapter 9, Section 907.2.8.1 is amended to read as follows:

— **907.2.8.1 Manual fire alarm system for R-1 Occupancies**
occupancies. A manual fire alarm system that activates the occupant notification system in accordance with -Section 907.5 shall be installed in Group R-1 occupancies.

— **Exceptions:**

~~A manual fire alarm system is not required in buildings not more than two stories in height where all individual sleeping units and contiguous attic and crawl spaces to those units are separated from each other and public or common areas by at least 1-hour fire partitions and each individual sleeping unit has an exit directly to a public way, exit court or yard.~~

Manual fire alarm boxes are not required throughout the building when the following conditions are met:

1. The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Notification devices will activate within each residential unit upon sprinkler water flow.
3. At least one manual fire alarm box is installed in an approved location.

(98)

— ~~(9956)~~ Chapter 1433, Section 14143314.3 is added to read:

14143314.3 Buildings under construction. In buildings four or more stories in height required to have sprinklers, such sprinklers shall be installed and extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

(~~5710099~~) Chapter 1433, Section 14143314.4 is added to read:

— **14143314.4 Buildings being demolished.** Where a building is being demolished and a sprinkler system exists within such a building, such sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such sprinkler system may be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

~~((58) Chapter 27, Section 2701.5.3 is added to read:~~

~~2701.5.3 Electronic Reporting. All hazardous Material Management Plans (HMMP) and Hazardous Material Inventory Statements (HMIS) shall be submitted electronically as approved by the Fire Code Official.~~

~~(59) Chapter 34, Section 3404.1.1 is added to read:~~

~~3404.1.1 Tank storage prohibited. No new aboveground tanks for the storage of Class I and Class II liquids (except LPG-Propane) outside of buildings shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the Fire Code Official.~~

~~(60) Chapter 34, Section 3404.1.2 is added to read:~~

~~3404.1.2 Tank storage—other locations. New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to this section within one (1) year after written notice from the fire department.~~

~~(61) Chapter 34, Section 3404.1.3 is added to read:~~

~~3404.1.3 Existing Tank Storage. Existing Tank storage shall meet the requirements of new tank installations within one year of notice from the Fire Code Official.~~

~~(62) Chapter 34, Section 3404.1.4 is added to read:~~

~~3404.1.4 Permits. In addition to any permits otherwise required by this Code, all existing and new aboveground tanks for storage of Class I and II liquids shall comply with the permit requirements of any federal, state, or local agency regulating the storage of such liquids in the jurisdiction.~~

~~(63) Chapter 38, Section 3803.3.1 is added to read:~~

~~3803.3.1 Seismic Anchoring. An approved seismic anchoring system shall be installed on all permanently installed, propane/LPG-gas containers.~~

~~————(64101) 100) Chapter 49, Section 4903 is amended to add the following:~~

~~————4903.1 General. A fire protection plan shall be required for any new residential or commercial building within a wildland-urban interface fire area. The plan shall be prepared by a~~

qualified professional and shall be approved by the County ~~Fire Code Official~~ fire code official. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire resistive vegetation, and a maintenance program for all vegetation. The property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained. When required by the code official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

4903.2 Content. The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

4903.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4903.4 Plan retention. A copy of the fire protection plan shall be retained by the property owner.

~~(102101)~~ **Section 5905.4 is added to read:**

~~Section 4905.4~~ **Setbacks for structure defensible space.** Except where more restrictive requirements apply, construction, projections, openings and penetrations of exterior walls of buildings constructed on parcels within State Responsibility Areas (SRA) shall have setbacks to the property line and/or exterior wall protection according to ~~T~~table 4905.4 (a) or ~~t~~Table 4905.4 (b). This is to meet the intent of California SRA Fire Safe Regulations Sec. 1276.01.

~~(103102)~~ **Chapter 49, Table 4905.4(a) and Table 4905.4(b) is added to read:**

~~Table 4905.4 (a)~~
eExterior **w**Walls, within **s**State **r**Responsibility **a**Area,
 without **a**Automatic **f**Fire **s**Sprinkler **p**Protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure <i>from</i> both sides	< 10feet
	(Not fire-resistance rated)	Comply with CRC Sec R327.7 or CBC Sec 707A	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
	(Not fire-resistance rated)	Comply with CRC Section R327.7 or CBC Section 707A Comply with Section CRC Sec R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section R327.8 or CBC Sec 708A	>10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	20 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Table 4905.4 (B)

Exterior Walls, Within State Responsibility Area, With Automatic Residential Fire Sprinkler Protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.7 or CBC Sec 707A	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

(104103) Chapter 50, 5001.5.3 is added to read:

5001.5.3 Required Submittal of ~~(HMMP)~~ and HMIS plans. PHMMP and HMIS plans, when required by the fire code official, shall be submitted no later than 30 days from time of notification.

(105104) Chapter 50, Section 5004.1.1 is added to read:

5004.1.1 Tank storage prohibited. No new aboveground tanks for the storage of Class I and Class II liquids (except LPG-Propane) outside of buildings shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the ~~Fire Code Official~~ fire code official.

(106105) Chapter 50, Section 5004.1.2 is added to read:

5004.1.2 Tank storage — other locations. New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to this section within one (1) year after written notice from the fire department.

(107106) Chapter 50, Section 5004.1.3 is added to read:

5004.1.3 Existing tank storage. Existing ~~t~~ Tank storage shall meet the requirements of new tank installations within one year of notice from the ~~Fire Code Official~~ fire code official.

(108107) Chapter 50, Section 5004.1.4 is added to read:

5004.1.4 Permits. In addition to any permits otherwise required by this Code, all existing and new aboveground tanks for storage of Class I and II liquids shall comply with the permit requirements of any federal, state, or local agency regulating the storage of such liquids in the jurisdiction.

(~~109~~108) Chapter 61, Section 6103.3.1 is added to read:

6103.3.1 Seismic Anchoring. An approved seismic anchoring system shall be installed on all permanently installed, propane/LPG gas containers.

(~~11065~~-109) Appendix B, Section B101.1 is amended to read:

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this Appendix. This Appendix does not apply to structures other than buildings. This section applies to residential and commercial developments. One- and two-family residential dwellings in unincorporated areas shall comply with Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the ~~Fire Code Official~~ fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

(~~66111~~110) Appendix B, Section B102.1 is amended to read:

B102.1 Fire-flow. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (~~138 kPa~~) residual pressure, measured in the water main in the vicinity of the flowing hydrant, that is available for fire fighting.

(~~67112~~111) Appendix B, Section B103.3 is amended to read:

B103.3 Areas without water supply systems. For information regarding water supplies for firefighting purposes in rural and suburban areas in which adequate water supply systems do not exist, the ~~Fire Code Official~~ fire code official is authorized to utilize the 2007 Edition of NFPA 1142, the International Wildland-Urban Interface Code or the Sonoma County Fire Safe Standards.

(~~68113~~112) Appendix B, Section B105.1 is amended to read:

B105.1 B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (~~344.5 m²~~) shall be 1,500 gallons per minute (~~3,785.4 L/min~~). Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (~~344.5 m²~~) shall not be less than that specified in ~~t~~Table B-105.1.

Exceptions:

1. A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is provided with an approved fire sprinkler system.
2. County unincorporated areas not served by a municipal water system.

(69114)113) Appendix B, Section B105.2 is amended to read:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in ~~T~~table B105.1.

Exceptions:

1. A reduction in required fire-flow of up to 50 percent (50%), as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (~~5,678 L/min~~) for the prescribed duration as specified in ~~T~~table B105.1.

2. Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet (~~93m³~~), primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

- 2.1. California State Parks Buildings of an accessory nature (restrooms).
- 2.2. Safety roadside rest areas (SRRA), public restrooms.
- 2.3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.
- 2.4. Sand/salt storage buildings, storage of sand and salt.
- 2.5. Volunteer fire facilities, including office space and vehicle storage bays.

(70115)114) Appendix C, Section C101.1 is amended to read:

C101.1 Scope. Fire hydrants shall be provided in accordance with this Appendix for the protection of buildings, or portions of buildings, hereafter constructed. This section applies to residential and commercial developments. One- and two-family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the ~~Fire Code Official~~fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

Exception: Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet (~~93m³~~), primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks ~~Buildings~~buildings of an accessory nature (restrooms).
2. Safety roadside rest areas (SRRA), public restrooms.
3. Truck inspection facilities (TIF), CHP office space, and vehicle inspection bays.
4. Sand/salt storage buildings, storage of sand and salt.
5. Volunteer fire facilities, including office space and vehicle storage bays.

(7116115) Appendix C, Section C102.1 is amended to read:

C102.1 Fire hydrant locations. Where fire hydrants are required, they shall be provided along required fire apparatus access roads and adjacent public streets. A fire hydrant shall be located within 50 feet of any fire department connection, or as approved by the ~~Fire Code Official~~ fire code official.

(7217116) Appendix C, Section C105.1 is amended to read:

C105.1 ~~C105.1~~ Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in ~~T~~table C105.1.

Exceptions:

1. The ~~Fire Chief~~ fire chief is authorized to accept a deficiency of up to 10 percent (10%) where existing fire hydrants provide all or a portion of the required fire hydrant service.
2. One— and two—family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distance listed in ~~t~~Table C105.1.

~~(7318117)~~ Appendix C, Table C105.1 footnote f and g is added to read:

- f. ~~-~~For commercial, industrial and multi-family residential, average spacing shall be no greater than 300 feet.
- g. ~~-~~A fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), and standpipe systems installed in accordance with Section 905 or as approved by the ~~Fire Code Official~~ fire code official

(119118) Appendix C, Section C105.12 and ~~T~~table C-105.2 is added to read:

C105.2. When public or private water mains are not available to supply fire--flow ~~[not within 1,000 feet (304 800 mm)]~~ of the proposed building, ~~T~~table C-105.2 may be used for isolated one- and two-family buildings, and accessory buildings thereto less than 3,000 square feet in area, in rural areas or small communities where the development of full fire-flow requirements is impractical.

Table C-105.2

Exception To Hydrant Distance		
<i>Distance is measured from driveway entrance to the hydrant</i>		
Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 gpm	20 psi
1,800 feet	1,000 gpm	20 psi
2,800 feet	1,500 gpm	20 psi
3,800 feet	2,000 gpm	20 psi
4,800 feet	2,500 gpm	20 psi

(74120119) Appendix D, Section D101.1 is amended to read:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this Appendix as amended and all other applicable requirements of the California Fire Code. This section applies to residential and commercial developments. Design and construction shall be in accordance with the following sections unless otherwise authorized by the ~~Fire Code Official~~ fire code official in accordance with 104.9 Alternative Materials and Methods.

Exception: One- and two-family residential dwellings; detached U ~~Occupancy~~ occupancy buildings less than 1,000 square feet in area accessory to a one- or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

(75121120) Appendix D, Section D102.1 is amended to read:

D102.1 ~~D102.1~~ Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (~~34,050 kg~~) or as approved by the ~~Fire Code Official~~ fire code official.

Exception: One and two-family residential dwellings; detached U ~~Occupancy~~ occupancy buildings less than ~~1000~~ 3000 square feet in area accessory to a one or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

~~(76122)~~-121) Appendix D, Section D103.2 is amended to read:

D103.2~~D103.2~~ Grade. Fire apparatus access roads shall not exceed 10 percent (10%) in grade.

Exception: Grades steeper than 10 percent (10%) and up to 20 percent (20%) as approved by the ~~Fire Code Official~~fire code official.

~~(77123)~~122) Appendix D, Section D103.3 is amended to read:

D103.3 Turning radius. The minimum turning radius shall be determined by the ~~Fire Code Official~~fire code official or as approved by local standards.

~~(78124)~~123) Appendix D, Section D103.4 is amended to read:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (~~45,720 mm~~) shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by local standards.

~~(79125)~~124) Appendix D, Table D103.4 is deleted.

~~(80126)~~-125) Appendix D, Section D103.6 is ~~added~~amended -to read:

D103.6 Signs. Where required by the ~~Fire Code Official~~fire code official, fire apparatus access roads shall be marked with permanent “No Parking-Fire Lane” signs complying with the California Vehicle Code.

~~(81127)~~126) Appendix D, Section D104.2 is amended to delete Exception and read:

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (~~5,760 m²~~) shall be provided with two separate and approved fire apparatus access roads.

~~(82128)~~127) Appendix D, Section D106.1 is amended to delete Exception and read as follows:

D106.1 Projects having more than 50 dwelling units. Multiple family residential projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

~~(83129)~~128) Appendix D, Section D106.2 is deleted.

~~(84130)~~129) Appendix D, Section D107.1 is amended to delete Exceptions and read:

D107.1 One-or two-family dwelling residential developments. Developments of one- and two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of section D104.3.

Exception:

The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the ~~Fire Code Official~~ fire code official.

(130) Article V. Chapter 13 of the Sonoma County Code is amended to read:

Article V. Fire Safe Standards

Division A. In General.

Sec. 13-21. Findings.

The Board of Supervisors makes the following findings pertaining to the conditions and requirements contained in this article:

- (a) The conditions and requirements contained in this article are consistent with and in furtherance of the goals, objectives and policies of the public safety element of the general plan.
- (b) The conditions and requirements contained in this article are necessary because the failure to adopt them would place residents and property within the unincorporated area of the county in a condition perilous to health or safety, or both.
- (c) The conditions and requirements contained in this article are necessary to comply with the requirements of Public Resources Code section 4290.
- (d) The conditions and requirements contained in this article are necessary because growth and development within the unincorporated area of the county has increased the potential for significant losses from wildland and structure fires and adversely impacted rural and wildland fire

fighting resources.

(e) The conditions and requirements contained in this article are necessary because wildland fires are becoming an increasing threat to structures and loss of life, where in the past the only threat was to wildland resources.

(f) The conditions and requirements contained in this article are necessary because structure fires are escaping to the surrounding wildlands and destroying other structures as well as wildland resources.

(g) The conditions and requirements contained in this article are necessary because there are not enough fire fighting resources available, even with mutual aid, to protect both wildland resources and the structures intermingled amongst such resources and it is financially infeasible to increase fire-fighting resources to the level necessary to provide such protection.

(h) The conditions and requirements contained in this article are necessary because they represent a cost effective alternative to increasing fire-fighting resources.

(i) The conditions and requirements contained in this article will ensure that all new development within the unincorporated area of the county will provide a basic level of fire protection around itself making it easier and safer for ~~fire fighter~~firefighters to fight wildland and structure fires.

(j) The conditions and requirements contained in this article will not totally prevent losses from wildland and structure fires, but will reduce the severity of the losses that do occur through built-in fire protection and better fire response infrastructure.

(k) The conditions and requirements contained in this article will create an opportunity for ~~fire fighter~~firefighters to defend a structure from a threatening wildland fire and protect the wildlands from an escaping structure fire.

(l) The conditions and requirements contained in this article will increase the safety of ~~fire fighter~~firefighters protecting lives, structures and wildland resources.

Sec. 13-22. Citation — Purpose.

This article shall be known and may be cited as the “Sonoma County Fire Safe Standards” or the “Fire Safe Standards.” This article is adopted for the purpose of establishing minimum fire safe standards for development within the unincorporated area of the county. Where a development subject to the provisions of this article cannot meet a specified standard, an exception to the standard may be applied for pursuant to Section 13-23. This article is not intended to restrict or otherwise limit the authority or discretion of the eCounty to impose additional requirements when reviewing applications for development. Nothing in this article is intended to supersede more restrictive provisions of this Code and where another provision of this Code establishes a more stringent requirement, that requirement shall control.

Sec. 13-23. Compliance with standards required — ~~e~~Exceptions to standards.

(a) All development subject to the provisions of this article shall be constructed and maintained in compliance with the standards specified in this article. Approvals and permits for any development may be withheld or refused until adequate provision has been made to ensure such compliance.

(b) Exceptions to the standards specified in this article and mitigated practices may be allowed where the exception or mitigated practice provides the same overall practical effect as the specified standards.

(c) Application for an exception or mitigated practice shall be made in writing by an applicant for development or the applicant's authorized representative. The application shall state the specific section or sections of this article for which an exception or mitigated practice is proposed, material facts supporting the contention of the applicant, the details of the exception or mitigated practice proposed, and a map showing the proposed location and setting of the exception or mitigated practice. The burden of proving that a proposed exception or mitigated practice is warranted shall be on the applicant.

(d) The County ~~Fire Chief~~ ~~fire chief~~ shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with the issuance of any building permit. The planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with any development approval under their respective jurisdictions. Modification of an application for an exception or mitigated practice by the County ~~Fire Chief~~ ~~fire chief~~, planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be limited to the alternate fire protection measures specified in Section 13-62.

(e) Where an application for an exception or mitigated practice is denied or modified, the applicant may appeal such denial or modification. Appeal from a denial or modification by the County ~~Fire Chief~~ ~~fire chief~~ shall be made pursuant to Article III of this chapter. Appeal from a denial or modification by the planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be made pursuant to Chapter 25 or Chapter 26 of this Code, as appropriate. In order to grant an appeal, the body hearing the appeal must find that the exception or mitigated practice proposed meets the intent of this article.

(f) A written copy of any decision granting an appeal within a ~~state responsibility area~~ ~~State Responsibility Area~~ shall be provided to the director of ~~f~~Forestry and ~~f~~Fire ~~p~~Protection within ten (10) days after the decision is final.

Sec. 13-24. Scope of coverage.

(a) Except as otherwise provided in Section 13-25, the provisions of this article

shall apply to all development on all lands within the unincorporated area of the county.

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(b) Except as otherwise provided in this article, all applications for development approvals shall be accompanied by plans, engineering calculations, and other data necessary to determine compliance with the provisions of this article.

(c) Except as otherwise provided in this article, compliance with the provisions of this article shall occur prior to the commencement of construction of any structure unless otherwise authorized by the County ~~Fire Chief~~ fire chief.

Sec. 13-25. Exemptions.

The provisions of this article shall not apply to any of the following, except to the extent provided for herein:

(a) Any building granted an agricultural exemption pursuant to Chapter 7 of this Code, provided that the building does not exceed 8,000 square feet in size and is not located in a ~~State Responsibility Area~~.

(b) Any road or bridge used exclusively for access to an agricultural operation; or an agricultural exempt structure; or a Group U ~~Occupancy~~ accessory to a one- or two-family residential dwelling, as defined in the County Building Code, that is under less than 1,000 square feet in area.

(c) Any road or bridge used exclusively for the management and harvesting of wood products.

(d) Any new building having a floor area of less than six hundred forty (640) square feet and containing an occupancy other than a detached Group U ~~Occupancy~~ as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(e) Any new building accessory to a one- or two-family residential dwelling with a floor area of less than one thousand (1,000) square feet and containing a detached Group U ~~Occupancy~~ as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(f) Any existing road that provides year-round unobstructed access to conventional drive vehicles, including sedans and fire engines, which was constructed and serving a legal parcel prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a development approval, but only to the portion of the road that is extended, reconstructed or improved.

(g) Any road required as a condition of any development approval granted

prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the road that is extended, reconstructed or improved.

(h) Any driveway serving a legally constructed residential building prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such driveway if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the driveway that is extended, reconstructed or improved.

(i) Any legal or legal non-conforming building constructed prior to January 1, 1992, or any building for which a building permit was issued or an application for a building permit was accepted as complete for filing prior to January 1, 1992; except that the provisions of this article shall apply to any such building if the occupancy is changed, altered, or otherwise converted to any Group R, Division 3 occupancy as defined in the County Building Code.

(j) Any addition to an existing building adding a floor area less than six hundred forty (640) square feet including a detached Group U ~~Occupancy~~ occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

Sec. 13-26. Administration and enforcement — ~~i~~ inspections.

(a) The administration and enforcement of the provisions of this article shall be the shared responsibility of the County ~~Fire Chief~~ fire chief and the ~~Director~~ director of Permit and Resource Management.

(b) Inspections to determine compliance with the provisions of this article shall be the responsibility of the County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management, as appropriate. The County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management may authorize a local fire chief to conduct inspections within a local fire protection district under the direction of the County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management. In such cases, inspection results shall be provided to the County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management promptly after completion of the inspection.

Sec. 13-27. Distance measurements.

All distances specified or referenced in this article shall be measured horizontally

unless otherwise stated.

Division B. Emergency Access.

Sec. 13-28. Intent.

This division establishes minimum emergency access requirements to provide safe access for emergency fire equipment and civilian evacuation concurrently, and to allow unobstructed traffic circulation during a wildfire emergency.

Sec. 13-29. Availability of emergency access.

All buildings shall be accessible to emergency fire equipment by a road or driveway constructed to within one hundred fifty (150) feet of any portion of an exterior wall of the first story of the building or such closer distance as the ~~Director~~director of Permit and Resource Management deems necessary to provide adequate access for emergency fire equipment. All buildings located on slopes of greater than five percent (5%) shall also include such additional fire protection measures under Section 13-63, as the County ~~Fire Chief~~fire chief deems necessary to mitigate access constraints.

Sec. 13-30. Road and driveway surfaces.

All roads and driveways shall have all-weather driving surfaces. All structural sections shall be constructed so as to meet or exceed the following standards:

- (a) On level areas and grades of less than five percent (5%), roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two tenths of ~~one~~one-a foot (0.2') thick. The base portion of the structural section shall be at least five tenths of ~~one~~one-a foot (0.5') of compacted Class 2 Aggregate Base.
- (d) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer

may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

Sec. 13-31. Road and driveway grades.

(a) No road or driveway shall have a maximum grade in excess of fifteen percent (15%), without the approval of the County ~~Fire Chief~~ fire chief. In granting such approval, the County ~~Fire Chief~~ fire chief may require such additional fire protection measures under Section 13-63 as he or she deems necessary to mitigate access constraints. A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway.

(b) A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(c) The maximum surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(d) Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

Sec. 13-32. Road and driveway horizontal curves and intersections.

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

(1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees; and

(2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle greater than forty-five (45°) degrees.

The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County ~~Fire-Chieffire~~ chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 Fire Apparatus.

Sec. 13-33. Roadway and driveway structures (bridges).

(a) All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted

pursuant to Section 13-2, and shall have a minimum designed live-load capacity of HS-20. All roadway and driveway structures shall be constructed pursuant to a valid building permit. All roadway and driveway structures shall be inspected according to the administrative and inspection provisions of the County Building Code.

(b) All roadway and driveway structures shall have appropriate signing identifying structure capability, including weight and vertical clearance limits, and any one-way road or single traffic lane conditions.

(c) All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12') shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(d) All driveway structures shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway structure. Any driveway structure with a minimum unobstructed width of twelve feet (12') shall not exceed sixty-five feet (65') in length.

(e) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40'), bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(f) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout, and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-34. Two-way roads.

(a) In addition to meeting the applicable standards in the preceding sections, all two-way roads shall have a right-of-way of not less than twenty-five (25') and shall be constructed to provide a roadway with a minimum of two (2) nine foot (9') traffic lanes providing two-way traffic flow. When permitted in a subdivision's conditions of approval and approved by the appropriate county departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12') with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one thousand three hundred and twenty feet (1,320').

(b) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40') bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(c) Any road or driveway structure required to have a turnout shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-35. One-way roads.

In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20') and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed

approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

(e) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-36. Dead-end roads.

In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

- (1) Parcels zoned for less than one (1) acre - eight hundred feet (800');
- (2) Parcels zoned for ~~one (1)~~ 1 acre to 4.99 acres - one thousand three hundred twenty feet (1,320');
- (3) Parcels zoned for ~~five (5)~~ 5 acres to 19.99 acres - two thousand six hundred forty feet (2,640'); and
- (4) Parcels zoned for ~~twenty (20)~~ 20 acres or larger - five thousand two hundred eighty feet (5,280').

All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differently zoned parcels, requiring different length limits, the average size of the parcels served shall determine the maximum allowable length of the road.

(b) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

(c) All dead-end roads shall have a turnaround constructed at the terminus of the road. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum

turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top-of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-37. Driveways.

In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the driveway.

(d) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top -of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-38. Gate entrances.

(a) All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(b) All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(c) Where a gated entrance is locked, a lock box or other emergency release device approved by the County ~~Fire Chief~~ ~~fire chief~~ shall be provided for emergency access.

Division C. Signing and Building Numbering.

Sec. 13-39. Intent.

This division establishes minimum signing and building numbering requirements to facilitate locating a fire and to avoid delays in response.

Sec. 13-40. Names of roads.

(a) All roads serving more than two (2) parcels shall be identified by a road name.

(b) All public roads requiring a road name shall be named by the Board of Supervisors pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any public road having a road name may be renamed using the procedures for naming a public road.

(c) All private roads requiring a road name shall be named by the ~~Director~~ ~~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.

(d) When naming or renaming any road, the Board of Supervisors or the ~~Director~~ ~~director~~ of Permit and Resource Management, as the case may be, shall use the following standards:

(1) Road names shall not be greater than eighteen (18) characters in length, exclusive of road digits and suffixes.

(2) Road names shall have simple spelling and easy pronunciation.

(3) Road names shall be compatible with road and street names in cities and other counties where appropriate.

(4) Road names shall not duplicate or cause confusion with existing road names. Road names shall be deemed to be duplicates if they have different suffixes, but are otherwise the same.

(5) Road names that are numbers or letters shall be avoided.

- (6) Road names that are geographically misleading shall be avoided.
- (7) Road names that are inappropriate or offensive shall be prohibited.
- (8) A road having a continuous alignment shall bear the same name.
- (9) Road extensions shall bear the same name as the existing road.
- (10) Roads or portions of roads to be connected in the future into a continuous alignment shall bear the same name.
- (11) Roads intersecting one another, or forming a deflection angle of greater than ninety (90) degrees shall generally have different names.
- (12) A cul-de-sac road may bear the same name as the road it intersects, provided that the suffix is court or place.
- (13) No road shall be named such that it will intersect itself or create an intersection with a road having a duplicate name.
- (14) Any other standards established by resolution or ordinance of the Board of Supervisors.

Sec. 13-41. Size of letters, numbers and symbols for road signs.

All letters, numbers and symbols designating names on road signs shall be according to county road standards.

Sec. 13-42. Visibility and legibility of road signs.

All road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred feet (100'). All road signs shall indicate the road name and whether the road is public or private in each direction of vehicle travel in conformance with county road standards.

Sec. 13-43. Orientation and height of road signs.

All road signs shall have an orientation and height in conformance with county road standards.

Sec. 13-44. Placement of road signs identifying intersecting roads.

All road signs identifying intersecting roads shall be placed at the intersection of such roads.

Sec. 13-45. Signs identifying traffic access limitations.

All road signs identifying traffic access or flow limitations, including but not limited to, weight or vertical clearance limits, dead-end roads, one-way roads or single traffic lane conditions, shall be placed as follows:

- (a) At the intersection preceding the traffic access limitation; and
- (b) No more than one hundred feet (100') before such traffic access limitation.

Sec. 13-46. Addresses for buildings.

All buildings shall be identified by an address issued by the ~~Director~~director of Permit and Resource Management. When issuing addresses, the ~~Director~~director of Permit and Resource Management shall use the following standards:

- (a) Addresses shall be compatible with addresses in cities and other counties where appropriate.
- (b) Addresses shall be assigned to reflect the road from which the primary driveway originates.
- (c) Addresses shall be issued in sequential order and have even numbers on one side of the road and odd on the other. In general, the even numbers shall be on the north and east sides of roads and/or on the right when facing in the direction of increasing magnitude. Existing addresses for roads requiring a road name change that do not conform ~~with~~to the provisions of this subsection may be accepted if the sequence is in logical order and the addresses are approved by the ~~Director~~director of Permit and Resource Management and the County ~~Fire Chief~~fire chief.
- (d) All buildings other than accessory buildings shall be assigned separate addresses. Individual units within residential and commercial buildings may be assigned subsidiary numbers or letters (e.g., apartment 10; suite A). Where possible, individual units in multiple story buildings shall be assigned numbering sequences that identify the floor by the leading digit(s).
- (e) Any other standards adopted by resolution or ordinance of the Board of Supervisors or by administrative regulation of the ~~Director~~director of Permit and Resource Management.

Sec. 13-47. Size of letters, numbers and symbols for addresses.

- (a) **Numbers for one- and two- family dwellings.** Numbers for one- and two-

family dwellings shall be a minimum of ~~4~~four inches (~~101.6mm~~4") high with a minimum stroke width of 0.5 inches (0.5") (~~12.7 mm~~). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(b) **Numbers for other than one- and two- family dwellings.** Numbers for other than one- and two- family dwellings shall be a minimum of 12 inches (12") high with a minimum stroke width of ~~one~~1 inch (1"). Suite numbers for other than one- and two-family dwellings shall be a minimum of six ~~6~~inches (6") high and 0.5 inches (0.5") stroke.

Exceptions:

1. These requirements may be modified with the approval of the ~~Fire Code Official~~fire code official.
2. Illuminated address numbers are not required for existing buildings where approved; reflective numbers are to be installed.

Sec. 13-48. Installation, location and visibility of addresses.

(a) All buildings shall have a permanently posted address, which shall be placed on building and shall be plainly visible and legible from the road on which the address is located or the primary driveway. The numbers shall contrast with their background.

(b) All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and shall be visible and legible from both directions of travel along the road on which the address is located.

Exception: An approved internally lighted building address device may be used when such building address device is located on the building and the building is located within thirty feet (30' of the edge of the road on which the address is located.

(c) All address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(d) Where multiple addresses are required at a single driveway, such addresses shall be mounted on a single approved post.

(e) Where a road provides access solely to a commercial building, the address sign shall be placed at the nearest road intersection providing access to the site.

Division D. Emergency Water Supply.

Sec. 13-50. Intent.

This division establishes minimum emergency water supply requirements to ensure a supply of water to attack a fire or defend property from a fire.

Sec. 13-51. Emergency water supply.

(a) All buildings shall have a permanent emergency water supply approved by the County ~~Fire Chief~~ fire chief, which shall be installed, maintained and available for use as follows:

(1) Except as otherwise provided in subsection (a)(3), where water is provided by a public water system, the permanent emergency water supply shall be installed and available for use prior to the completion of road construction;

(2) Except as otherwise provided in subsection (a)(3), where water is provided by a water system other than a public water system, the permanent emergency water supply shall be installed and available for use prior to the commencement of construction of any permanent structure;

(3) When authorized by the County ~~Fire Chief~~ fire chief, an interim emergency water supply acceptable to the County ~~Fire Chief~~ fire chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection;

(4) When authorized by the County ~~Fire Chief~~ fire chief and local fire chief, the emergency water supply requirements may be waived when sufficient evidence is proven the intent to Title 14 of the Natural Resources Code, Division 1.5, Article 4 - Emergency Water Standards have been met.

(b) If the water supply to the parcel is provided by a public or community water system (urban parcel - see ~~definitions~~Definitions) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(c) If the water supply to the parcel is provided by a private water well (non-urban parcel - see ~~definitions~~Definitions) an emergency water storage of not less than two thousand five hundred (2,500) gallon capacity shall be provided. A single two-thousand-five-hundred (2,500) gallon tank may serve more than one building on the same parcel,

provided all hydrants are located in accordance with Section 13-52. When multiple tanks are utilized to achieve the required volume of water, the connection between the tanks shall be an approved minimum four inch (4") diameter water line.

(d) Water tanks for emergency water supply placed inside the minimum setback requirement of Section 13-55 shall be constructed of non-combustible material. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(e) All permanent emergency water supplies for commercial buildings shall meet the requirements of the ~~Uniform~~ California Fire Code if the building is served by a public water system or NFPA 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting" if the building is served by a water system other than a public water system.

Sec. 13-52. Hydrants.

(a) All buildings shall be protected by hydrants. The location, number, and type of hydrants for any building shall be as required and approved by the County ~~Fire~~ **Chief** or the ~~Director~~ **director** of Permit and Resource Management.

(b) All hydrants for residential and commercial buildings that are part of a public water system on urban parcels shall have a fire flow which is the greater of either five hundred (500) gallons per minute with a residual pressure of twenty (20) pounds per square inch or the minimums specified in Public Utilities Commission of California revised General Order No. 103, adopted June 12, 1956 (corrected September 7, 1983, Decision 83-09-001), Section VIII Fire Protection Standards and other applicable sections relating to fire protection water delivery systems or the minimums for static water systems equaling or exceeding the National Fire Protection Association Standard 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting."

(c) All hydrants for non-urban parcels shall comply with the following requirements:

(1) Hydrant outlets shall be a minimum of eighteen inches (18") and a maximum of twenty-four inches (24") above grade, eight feet (8') from flammable vegetation, no closer than six feet (6') nor farther than twelve feet (12') from the edge of the road or driveway, and in a location where emergency fire equipment using it will not block the roadway. The hydrant serving any residential building shall be located at a turnout or turnaround, along the driveway to the building, or along the road that intersects with the driveway. The hydrant serving any residential building shall be connected to the emergency water supply by an approved minimum four inch (4") diameter water line.

(2) All hydrants shall be located between sixty feet (60') and one

hundred fifty feet (150') from the residential building. The fire hydrant shall be installed so that a fire engine utilizing the hydrant may maintain a minimum distance of sixty feet (60') from the residential building. Distance measurements shall be determined by hose lay along a road or driveway, not horizontal distance.

Exceptions:

1. The distance to the hydrant, on a non-urban parcel with exclusively residential buildings on it, may exceed one hundred fifty feet (150') by one hundred fifty feet (150') for each additional five hundred (500) gallons of water storage capacity up to a maximum of two thousand five hundred and fifty feet (2,550') from the residential building as allowed by Table 13-52a.

2. A public fire hydrant can be used for the emergency water supply as allowed by Table 13-52b, for non-urban parcels with exclusively residential buildings on them.

a. ~~(d)~~—All hydrants shall have at least one (1) two and one-half inch (2½") outlet with male National Hose Threads and a cap. On water systems of greater than ten thousand five hundred (10,500) gallons, there shall also be at least one (1) four and one-half inch (4½") outlet with male National Hose Threads and a four and one half inch (4½") by two and one half inch (2½") reducer with a cap.

b. ~~(e)~~—All hydrants shall be a wet barrel hydrant or a draft hydrant as required by the delivery system and shall have suitable crash protection. The maximum height differential between the water source and the draft hydrant outlet shall be 10 feet (10'). Draft hydrants shall be supplied by six inch (6") minimum pipe size, and be equipped with a four and one-half inch (4½") National Hose male thread fitting with a cap.

c. ~~(f)~~—Crash protection shall be per California Fire Code, Chapter Three, Section 312.

Table 13-52a¹

**Distance to hydrants based on volume of storage -
Distance is from structure to hydrant**

Gallons of Storage/Distance to Hydrant

Gallons of Storage/Distance to Hydrant

2,500/150'	7,000/1,500'
3,000/300'	7,500/1,650'

Gallons of Storage/Distance to Hydrant

	3,500/450'	8,000/1,800'
	4,000/600'	8,500/1,950'
	4,500/750'	9,000/2,100'
	5,000/900'	9,500/2,250'
	5,500/1,050'	10,000/2,400'
	6,000/1,200'	10,500/2,550'
	6,500/1,350'	
2,500/150'	7,000/1,500'	
3,000/300'	7,500/1,650'	
3,500/450'	8,000/1,800'	
4,000/600'	8,500/1,950'	
4,500/750'	9,000/2,100'	
5,000/900'	9,500/2,250'	
5,500/1,050'	10,000/2,400'	
6,000/1,200'	10,500/2,550'	
6,500/1,350'		

Note:

¹— This table applies only to parcels that have exclusively residential buildings on them.

Table 13-52b¹
Exception to hydrant distance²
Distance is measured from driveway entrance to the hydrant

Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 GPM	20 PSI
1,800 feet	1,000 GPM	20 PSI
2,800 feet	1,500 GPM	20 PSI
3,800 feet	2,000 GPM	20 PSI
4,800 feet	2,500 GPM	20 PSI

Notes:

¹— This table applies only to parcels that have exclusively residential buildings on them.

²— Distances within these ranges can be prorated based on volume of flow available.

Sec. 13-53. Signing of water sources.

Each hydrant or access to water for any residential or commercial building shall be

identified as follows:

(a) If located along a driveway, a reflective blue marker, with a minimum dimension of three inches (3"), shall be located on the driveway address sign and mounted on a fire retardant post; or

(b) If located along a road either of the following ~~are is~~ acceptable:——

(1) A reflective blue marker, with a minimum dimension of three inches (3"), shall be mounted on a fire retardant post. The sign post shall be within three feet (3') of the hydrant, with the sign no less than three feet (3') nor greater than five feet (5') above ground, aimed toward headlights, in a horizontal position and visible from the driveway, or

(2) As specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

Division E. Fuel Modification.

Sec. 13-54. Intent.

This division establishes minimum fuel modification requirements to reduce the possibility and intensity of a wildfire, to provide increased safety for emergency fire equipment, personnel and evacuating civilians, and to provide a point of attack against or defense from a wildfire.

Sec. 13-55. Setback for building defensible space.

(a) On parcels less than one (1) acre, all buildings shall have a setback from any property line or the centerline of any road of not less than the applicable minimum setbacks specified in Chapter 26 of the County Building Code.

(b) On parcels one (1) acre or larger all buildings and accessory buildings shall have setbacks to the property line and/or exterior wall protection according to Table 13-55-(a) and Table 13-55(b).

~~**EXCEPTION:** Commercial building and R-1 occupancy residential building setbacks in local responsibility areas shall be according to Section 503 of the County Building Code.~~

TABLE 13-55 SETBACKS AND EXTERIOR WALL PROTECTION REQUIREMENTS[†]

Fire Resistance of Location ²	Openings in Exterior Walls ³	Exterior Walls ⁴
Less than 10'	1 hour construction	Not Allowed
10' to less than 20'	1 hour construction	Protected
20' to less than 30'	1 hour construction	Allowed
30' or more	None	Allowed

Notes:

1. Where setbacks and exterior wall and opening protection of the County Building Code are more stringent, the more stringent requirement shall apply as if part of this Code.
2. Distance to property line shall be measured at a right angle from the property line.
3. 1 hour exterior walls and projections there from shall conform to the requirements of the county building code.
4. Openings shall comply with the requirements of Chapter 7 of the County Building Code.

Table 13-55 (a)
Exterior walls, within State Responsibility Area, without automatic fire sprinkler protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10feet
	(Not fire-resistance rated)	Comply with CRC Sec R327.7 or CBC Sec 707A	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Section R327.7 or CBC Section 707A Comply with Section CRC Sec R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section R327.8 or CBC Sec 708A	>10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	20 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

~~For SI: 1 foot = 304.8 mm.~~

~~N/A = Not Applicable.~~

Table 4905.4 (B)

**Exterior Walls, Within State Responsibility Area,
With Automatic Fire Sprinkler Protection**

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.7 or CBC Sec 707A	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

~~For SI: 1 foot = 304.8 mm.~~

~~N/A = Not Applicable.~~

Sec. 13-56. Flammable vegetation clearance areas for roads and driveways.

All roads and driveways shall have a flammable vegetation clearance area on each side of the road or driveway of not less than ten feet (10') unless otherwise authorized by the ~~Director~~director of Permit and Resource Management.

**Sec. 13-57. Setbacks for planted vegetation from electric power lines—~~I~~—
installation of new power lines.**

All electric utility companies shall make every reasonable effort to select routes and types of conductors that minimize the risk of fire when installing new overhead electric utilities.

Sec. 13-58. Disposal of flammable vegetation and fuels.

All disposal, including chipping, burying, burning or removal to a landfill site, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, or fuel modification shall be completed prior to completion of road or driveway construction, or foundation inspection for a building permit, whichever occurs first.

Sec. 13-59. Greenbelts.

Any development which designates a facility or land use as a greenbelt shall locate the greenbelt strategically, as a separation between wildland fuels and buildings. The ~~Director~~director of Permit and Resource Management shall approve the location of any greenbelt.

Sec. 13-59.5. Defensible Space.

(a) A Fire Protection Plan shall be required for any new residential or commercial building within a State Responsibility Area (SRA)- located in a Very High Severity Zone. The plan shall be prepared by a qualified professional and shall be approved by the County ~~Fire Chief~~fire chief. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire--resistive vegetation, and a maintenance program for all vegetation. When required by the Code ~~Official~~official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

(b) The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

(c) A copy of the fire protection plan shall be retained by the property owner.

(d) The cost of fire protection plan preparation and review shall be the responsibility of the applicant. All existing buildings shall meet the requirements of Public Resources Code (PRC 4291) for defensible space.

(e) All existing buildings shall meet the requirements of the California Fire Code, Chapter 49, Section 4906 and 4907.

Sec. 13-60. Roofing.

All structures regulated by the County Building Code shall have roof coverings that comply with the requirements of Chapter 7 of this Code.

Division F. Other Fire Protection Measures.

Sec. 13-61. Intent.

This division establishes alternate fire protection measures for use in place of standards specified in this article which cannot be met and additional fire protection measures to mitigate parcel specific fire protection problems.

Sec. 13-62. Alternate fire protection measures.

When authorized, pursuant to Section 13-23, any of the following alternate fire protection measures may be used as exceptions to the standards specified in this article or as mitigated practices:

- a) ~~(a)~~—Increased emergency water supply requirements;
- b) ~~(b)~~—Installation of a sprinkler system that meets the requirements of the National Fire Protection Association and includes protection of eaves where not required by code;
- c) ~~(c)~~—Increased flammable vegetation clearance areas for buildings;
- d) ~~(d)~~—Increased flammable vegetation clearance areas for roads and driveways;
- e) ~~(e)~~—Use of fire--resistive vegetation;
- f) ~~(f)~~—Installation of fire--resistive exterior siding;
- g) ~~(g)~~—Use of fire-resistive deck and eave construction;
- h) Construction of additional turnouts and turnarounds;
- i) Creation of areas of safe refuge;

- j) Installation of a centrally monitored fire alarm system;
 - k) Provision of a secondary means of ingress and egress to the parcel.
- Increased width
- ~~Use of fire resistive deck and eave construction;~~
- ~~(h) — Construction of additional turnouts and turnarounds;~~
 - ~~(i) — Creation of areas of safe refuge;~~
 - ~~(j) — Installation of a centrally monitored fire alarm system;~~
 - ~~(k) — Provision of a secondary means of ingress and egress to the parcel.~~
- ~~g)l) (l) — Ingress width and surface for emergency vehicle access.~~

Sec. 13-63. Additional fire protection measures.

When the County ~~Fire Chief~~ fire chief determines that access constraints, hazard severity or topography and terrain adversely affect the ability of emergency fire equipment and personnel to respond to an emergency on a parcel, the County ~~Fire Chief~~ fire chief may require additional fire protection measures as follows:

(a) Where conditions delay, limit or prohibit access by emergency fire equipment and personnel to a parcel, the County ~~Fire Chief~~ fire chief may require any of the following fire protection measures in addition to the other standards specified in this article:

- (1) Increased emergency water supply;
 - (2) Installation of an automatic sprinkler system that meets the requirements of the National Fire Codes and local regulations where not required by code;
 - (3) Increased flammable vegetation clearance areas for buildings;
 - (4) Use of fire-resistive vegetation;
 - (5) Use of fire-resistive deck and eave construction;
 - (6) Installation of fire-resistive exterior siding;
 - (7) Installation of a centrally monitored fire alarm system;
 - (8) Creation of areas of safe refuge;
 - (9) Vegetation management plan.
- ~~(1) — Increased emergency water supply;~~

- ~~(2) Installation of an automatic sprinkler system that meets the requirements of the National Fire Codes and local regulations where not required by code;~~
 - ~~(3) Increased flammable vegetation clearance areas for buildings;~~
 - ~~(4) Use of fire resistive vegetation;~~
 - ~~(5) Use of fire resistive deck and eave construction;~~
 - ~~(6) Installation of fire resistive exterior siding;~~
- ~~(7) Installation of a centrally monitored fire alarm system;~~
- ~~(8) Creation of areas of safe refuge;~~
 - ~~(9) Vegetation management plan.~~

(b) Where a parcel is located within a high or very high fire hazard severity zone as defined by the California Department of Forestry and Fire Protection, the County ~~Fire-Chieffire chief~~ may require any of the following fire protection measures in addition to the other standards specified in this article:

- (1) Any of the fire protection measures specified in subsection (a);
- (2) Construction of additional turnouts and turnarounds;
- (3) Provision of a secondary means of ingress and egress to the parcel;
- (4) Vegetation management plan.

(c) Where features of topography or terrain create conditions on a parcel which the County ~~Fire-Chieffire chief~~ determines warrant additional fire protection measures, the County ~~Fire-Chieffire chief~~ may consider the parcel to be an area of high or very high fire hazard severity and require any of the fire protection measures specified in subsection (b) in addition to the other standards specified in this article.

Article VI. Fireworks.

Sec. 13-66. Sale, use or discharge of fireworks prohibited--Exception.

(a)- Except for public displays of fireworks authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks within the unincorporated area of the county.

(b) Any person or group desiring to perform a public display of fireworks within the unincorporated area of the county shall first make written application for a

permit to the local fire chief, if the display is to be held within a local fire protection district, or the County ~~Fire Chief~~ fire chief, if the display is to be held within a portion of the unincorporated area of the county not in a local fire protection district. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the local fire chief or County ~~Fire Chief~~ fire chief, as appropriate, pursuant to Title 19 of the California Code of Regulations. Any permit for a public display of fireworks may be suspended or revoked at any time by the local fire chief or the County ~~Fire Chief~~ fire chief, as appropriate. (Ord. No. 5373 § 2, 2002; Ord. No. 4905 § 1, 1995.)

Article VII. Open Burning.

Sec. 13-71. Burning permits required.

It is unlawful for any person to undertake or authorize the undertaking of any open burning within the unincorporated area ~~of the County of the county~~ at any time between May 1st and the date the ~~Director~~ director of Forestry and Fire Protection declares, by proclamation, that the hazardous fire conditions have abated for that year or at any other time when the ~~Director~~ director of Forestry and Fire Protection has declared, by proclamation, that unusual fire hazard conditions exist within the region wherein the County is located without first obtaining a written burning permit as follows:

- (a) Within those portions of the unincorporated area ~~of the County of the county~~ in a fire protection district, burning permits shall be obtained from the fire protection district.
- (b) Within those portions of the unincorporated area ~~of the County of the county~~ in a ~~state responsibility area~~ State Responsibility Area, burning permits shall be obtained from the California Department of Forestry and Fire Protection or, if the location of the open burning is also in a fire protection district and the district is authorized by the California Department of Forestry and Fire Protection to issue such permits, from the fire protection district.
- (c) Within those portions of the unincorporated area ~~of the County of the county~~ not in a fire protection district or ~~state responsibility area~~ State Responsibility Area, burning permits shall be obtained from **Sonoma County's Bay Area Management District**.
- (d) If the County ~~Fire Chief~~ fire chief determines that conditions of high fire hazard exist within any or all of the unincorporated area ~~of the County of the county~~, the County ~~Fire Chief~~ fire chief may suspend the issuance of any burning permit authorized by this section or stay the effect of any such permit already issued or both for such period as the County ~~Fire Chief~~ fire chief deems necessary, not to exceed one hundred fifty (150) days. The County ~~Fire Chief~~ fire chief shall notify the Board of Supervisors of any such

suspension or stay by memorandum within twenty-four (24) hours following its commencement. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-72. Hours and days for burning.

All burning permits issued pursuant to this article shall restrict open burning to the hours and days specified by the air pollution control district having jurisdiction. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-73. Burning of land of another.

No burning permit shall be issued pursuant to this article for open burning by the applicant upon land owned by another person unless the applicant has the written consent of the owner, lessee or other person in charge or control of the land on which the open burning is to be done. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-74. Effect of article on fire protection districts and state responsibilities.

Nothing in this article shall be construed as preventing any fire protection district within the county from adopting an ordinance or ordinances regulating burning containing more restrictive regulations, nor shall anything herein be construed as limiting or releasing the state or the California Department of Forestry and Fire Protection of any responsibility for fire prevention and suppression under the laws of this state. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-75. Effect of issuance of permit.

The issuance of any burning permit pursuant to this article shall not be deemed to be a waiver of noncompliance within or authorize violation of any zoning or other law whatsoever or constitute a sanction of or permit for any public or private nuisance. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-76. Burning to be under supervision of responsible person.

All burning for which a permit is required pursuant to this article shall be done under the direction and constant surveillance of a responsible person. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article VIII. Fees and Charges.

Sec. 13-81. Schedule of fees and charges.

(a) The Board of Supervisors may from time to time establish a schedule of fees and charges following the procedure set forth in California law (currently

Government Code Section 66016 et seq.) to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this chapter.

(b) The Board of Directors of any fire protection district may from time to time establish a schedule of fees and charges following the procedure set forth in California Law to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this Chapter. Pursuant to Health and Safety Code Section 13916, no such fee or charge on new construction or development shall be for construction of public improvements or facilities or the acquisition of equipment. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article IX. Enforcement.

Sec. 13-86. Responsibility for enforcement.

Except as otherwise provided herein, the County ~~Fire Chief~~ ~~fire chief~~ shall be responsible for enforcing the provisions of this chapter. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-87. Issuance of citations.

The County ~~Fire Chief~~ ~~fire chief~~, ~~Director~~ ~~director~~ of Permit and Resource Management, and local fire chiefs may, pursuant to Section 836.5 of the California Penal Code, arrest a person without a warrant whenever they have reasonable cause to believe that the person to be arrested has committed a misdemeanor in their presence which is a violation of this chapter or any other ordinance or statute which they have a duty to enforce, and to issue a written notice to appear and to release such person on his or her written promise to appear in court, as prescribed by Chapter 5C (commencing with section 853.6) of the California Penal Code. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article X. Chapter 13 of the Sonoma County Code is amended to read: Violations.

Article X. Violations.

Sec. 13-91. Violation--Penalty.

Any person who violates or fails to comply with any provision of the ~~Uniform~~ California Fire Code, the ~~Uniform~~ California Fire Code Standards, or the National Fire Codes, as adopted, or this chapter, or who violates or fails to comply with any order or regulation made thereunder, or who acts in violation of any detailed statement of specifications or plans submitted and approved thereunder, or who violates any provisions of a certificate or permit issued thereunder, is guilty of a misdemeanor, punishable as provided by law. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified in any citation or notice of violation, each day or portion thereof that prohibited conditions are maintained shall constitute a separate offense. The application of the provisions of this section shall not be held to prevent the enforced removal of prohibited conditions. (Ord. No. 5373 § 2, 2002; Ord. No. 4905 § 1, 1995.)

SECTION II. Pursuant to Health and Safety Code, Section 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the 2010-13 California Fire Code, including the adoption of fire protection sprinkler and fire alarm standards, are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Sonoma County has climatic conditions which are unique in character. The county is subject to year--round coastal winds. Average yearly rainfall for the county is approximately 30 inches. This rainfall generally occurs from October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85--90 degrees Fahrenheit ~~(85-90° F)~~ during the summer months, temperatures can climb to higher than 110 degrees Fahrenheit ~~plus (110° F)~~ in parts of the County of the county. Afternoon winds can move a fire quickly in any part of the county, particularly during times of high temperatures and low humidity.

Drought conditions occur periodically in the County and when they occur they often last for several years. When drought conditions occur, they result in reduced available water. Groundwater as well as surface supplies are affected. When drought conditions occur, they create a situation where lowered water tables, water contamination, and increased demand on water systems due to population growth all

negatively impact water availability for fire protection. These impacts degrade the quality of fixed fire protection as well as fire suppression activities.

2. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors alike. The County is situated in a primarily rural setting with rugged coastline forming its western boundary, rugged mountainous areas forming its northern and eastern boundaries, and forested areas and grasslands making up much of the County of the county. These features establish the roadways and building sites in the county as well as create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County create windbreaks from oncoming winds, but also produce fuel through the annual fall needles and leaves which drop to the ground along with decayed trees and branches which contribute to the fuel load. The dry vegetation and low water availability create a terrain which causes access problems and other problems for emergency fire equipment and personnel.

The grassland areas in the County have easily ignitable fuels which are subject to high winds. A southern exposure and unbroken fuel create a potential for major conflagrations.

The County has potentially active seismic hazards within its boundaries (the San Andreas Fault and several other fault traces have been identified within the county). Large portions of the county are within the Alquist-Priolo Special Studies Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to predict (with reliability) the potential for activity on active faults. Seismic activity within the county occurs yearly with little or no damage although the very real potential for damage exists with the active faults within the county. While new construction may be limited by their respective distances to faults, existing structures and replacement of these structures present a serious problem.

The mixture of developed and undeveloped areas within the County creates hazardous conditions when a storm of “gale-force winds” causes trees to fall onto roadways used for access by emergency fire equipment and personnel. In addition, flooding occurs in certain areas of the County of the county during heavy winter storms limiting or eliminating access for emergency fire equipment and personnel.

Landslides have been experienced in various areas of the County of the county. While stabilization can sometimes be provided, heavy winter storms cause failures. These failures have closed roadways within the county making access for emergency fire equipment and personnel impossible until properly cleared.

3. Sonoma County has topographical conditions which are closely associated with the geological and geographic characteristics noted above. The

topographical conditions are the result of the design and construction of development within the county based on elevation changes in the county as well as the hills, canyons, lakes and streams which exist in the county.

The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems, and the Sonoma County Water Agency distribution network. Water supplies within the county vary from less than ten (10) gallons per minute to flows in excess of four thousand (4,000) gallons per minute. This wide variation causes major problems to development as well as fire suppression forces.

The roadway system through most of the county is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades, and overhanging tree branches. The grades on roadway surfaces sometimes exceed 25% and widths of less than twelve ~~(12)~~ feet (12') are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the county, with high concentrations of building within these areas. The exposure created by these structures poses a significant problem. For practical and cost reasons, these structures are built of wood (Type V) construction. The potential of conflagration exists with the high buildout of certain areas in the county. The concentrated commercial, industrial, and residential occupancies in these areas cause concern when considering the "exposure" of building-to-building and building-to-grassland areas of the county.

The topographical nature of the county also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive and, thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Due to the narrow roads which are congested with residents and visitors alike, this situation occurs more than could be normally expected.

4. The preceding findings identify the local climatic, geological, and topographical conditions which the Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications or changes to the requirements published in the California Building Standards Code contained herein reasonably necessary. This Board further finds that it has amended the ~~2010~~2013 California Fire Code to assist in mitigating such conditions.

SECTION III. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 13 as previously adopted shall remain in full force and effect.

SECTION IV. The County ~~Fire Chief~~ fire chief is directed to file a copy of this

Ordinance with the State Fire Marshal and California Building Standards Commission of the State of California.

SECTION V. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VI. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The ~~Director~~director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, ~~2011~~2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, ~~2011~~2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the ~~22nd day of October, 2013~~19th day of October, 2010, and finally passed and adopted this ~~5th day of November~~2nd day of November, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

~~Kerns~~ Gorin _____ Zane _____ ~~Kelley~~ McGuire _____ Carrillo _____
~~Brown~~ Rabbitt _____

Ayes _____ Noes _____ Absent _____ Abstain _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

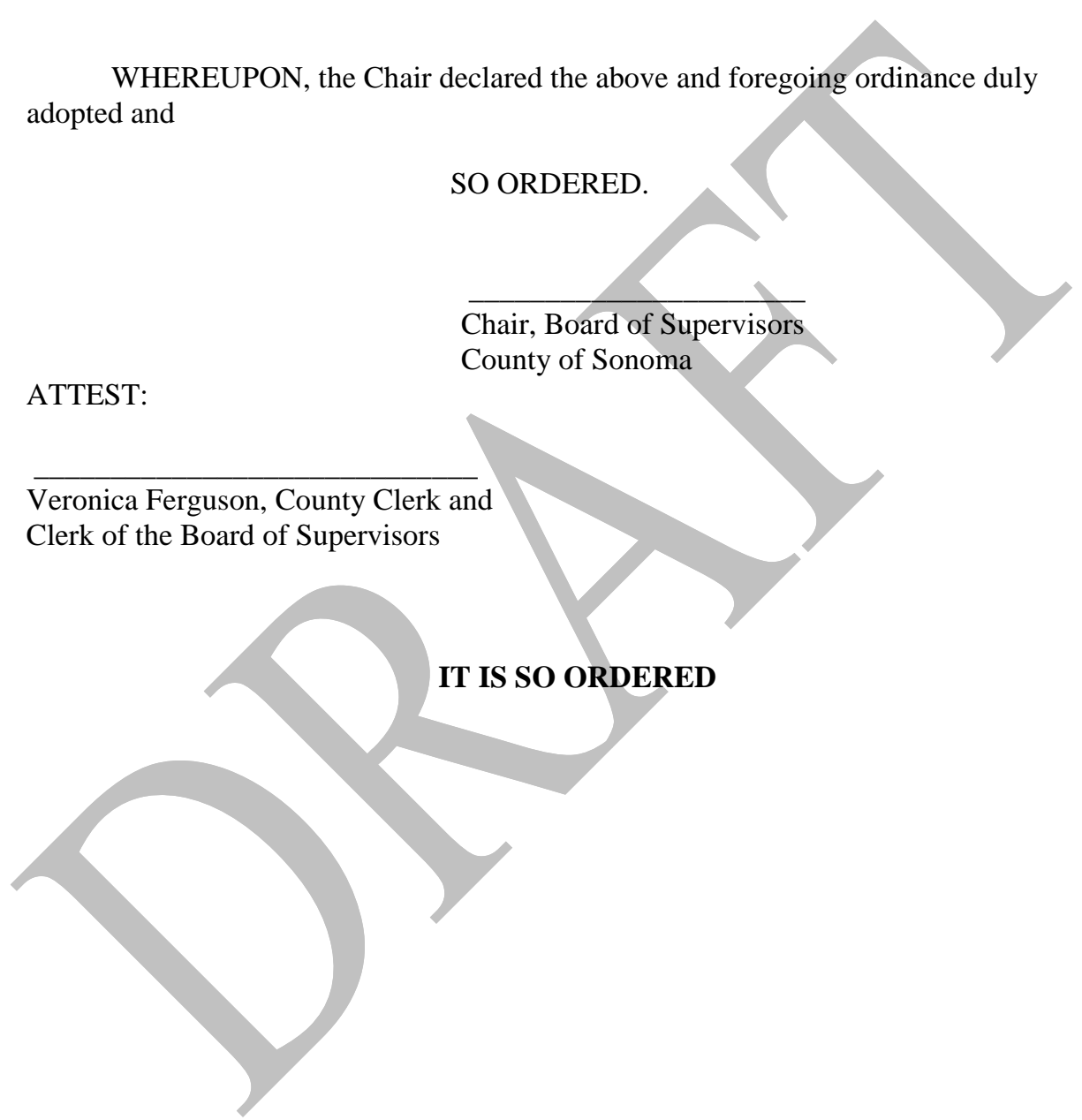
SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED



ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 13, "FIRE SAFETY ORDINANCE" OF THE SONOMA COUNTY CODE TO ADOPT BY REFERENCE AND AMEND SELECTED PROVISIONS, CHAPTERS AND APPENDICES OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, 2013 EDITION OF THE CALIFORNIA FIRE CODE; TO ADOPT LOCAL FINDINGS; AND TO MAKE TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 13.

SECTION I. Chapter 13 of the Sonoma County Code is amended to read:

**CHAPTER 13
SONOMA COUNTY FIRE SAFETY ORDINANCE**

Article I. General Provisions.

Sec. 13-1. Short title.

This chapter shall be known and may be cited as the Sonoma County Fire Safety Ordinance.

Sec. 13-2. Administrative regulations.

(a) The County fire chief, the director of Permit and Resource Management, or both may adopt, amend or repeal administrative regulations to implement, interpret or make specific provisions of this chapter. Notice of the proposed adoption, amendment, or repeal of a regulation pursuant to this section shall be posted for a period of thirty (30) days in the public lobby of the permit and resource management building, and shall be mailed to every person who has filed a request for notice of such actions with the County fire chief, the director of Permit and Resource Management, or both. Every notice shall include a copy of the express terms of the proposed action and a statement that the public may submit written comments on the proposed action prior to the close of the posting period. The County fire chief, the director of Permit and Resource Management, or both, as appropriate, may approve, modify, or withdraw the proposed adoption, amendment or repeal of a regulation following the posting period.

(b) The adoption, amendment or repeal of a regulation pursuant to this section shall take place not less than fifteen (15) nor more than one hundred eighty (180) days following the close of the posting period specified in subsection (a), and shall be effective upon posting of an order of adoption, amendment or repeal in the public lobby of the permit and resource management building. Each such order shall include a concise and

clear summary of the action taken by the County fire chief, the director of Permit and Resource Management, or both, and shall remain posted for a period of thirty (30) days.

(c) The regulations adopted or amended pursuant to this section shall have the same force and effect as provisions of this chapter. Failure by any person to comply with any regulation adopted or amended pursuant to this section shall be a violation of this chapter.

(d) The regulations adopted or amended pursuant to this section shall be periodically compiled and copies thereof made available to the public for purchase at cost or review free of charge at the office of Fire and Emergency Services Department or the Department of Permit and Resource Management.

Article II. Definitions is amended to read:

Article II. Definitions.

Sec. 13-6 Definitions.

Unless the provision or context requires otherwise, the definitions contained in this section shall govern the construction of this chapter. The definition of a word applies to any of that word's variants.

“Accessory Building” means any building containing solely a Group U occupancy as defined in the County Building Code.

“Agricultural Building” means any structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

“Agricultural Operation” means includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity, including timber, viticulture, apiculture or horticulture, and the raising of livestock, fur-bearing animals, fish or poultry.

“All-Weather Driving Surface” means any surface that provides unobstructed access to conventional drive vehicles, including sedans and fire engines, and is capable of supporting a forty thousand (40,000) pound axle load during wet weather conditions.

“Board of Building Appeals” means the Board of Building Appeals created in Chapter 7 of the Sonoma County Code.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the California Vehicle Code.

Note: Building shall have the same meaning as defined in Health and Safety Code, Section 17920 and 18908 for the applications specified in Sections 101.17.9 and 101.17.10 of the Building Code.

“Building, existing” means a building legally erected prior to the adoption of this Code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this Code.

“Building, new” means a building for which a legal building permit is issued for the construction or legalization thereof after the adoption of this Code.

“Building Code” means the County Building Code as set forth in Chapter 7 of the Sonoma County Code.

“Building Official” means the Chief Building Official as defined in Section 7-2 of the Sonoma County Code.

“California Fire Code” means the regulations in California Code of Regulations, Title 24, Part 9, 2013 California Fire Code, which incorporate by adoption the 2012 Edition of the International Fire Code of the International Code Council with necessary California amendments.

“Central Alarm Station” means a publicly or privately operated alarm receiving center that is constantly attended by appropriately trained staff.

“Chief” means the County fire chief or his or her authorized representative for those portions of the unincorporated area of the county not in a fire protection district, and the local fire chief or his or her authorized representative for those portions of the unincorporated area of the county in a local fire protection district. Notwithstanding the preceding, the County fire chief shall be responsible for plan checking and inspection of new construction and alterations subject to this Code within both those portions of the unincorporated area of the county not in a fire protection district and those portions of the

unincorporated area of the county in a local fire protection district, unless a local fire protection district notifies the County fire chief in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area.

“Commercial building” means any building containing an occupancy other than a Group R-3 occupancy, a one- or two-family dwelling, or Group U Occupancy accessory to a Group R-3 occupancy, as defined in the County Building Code.

“County” means the County of Sonoma, in the state of California.

“County Building Code” means the building regulations in Chapter 7 of this Code.

“County fire chief” means the director of the Sonoma County Fire and Emergency Services Department.

“County Fire Prevention Officers Association” means the Sonoma County Fire Prevention Officers Association.

“Certified Unified Program Agencies (CUPA)” means the regulatory division of Sonoma County Fire and Emergency Services Department hazardous materials enforcement division.

“Dairy Milking Facility” means a single-story structure constructed of non-combustible materials with two or more open sides that is used exclusively for milking dairy animals. A dairy milking facility may have either an office or a storage area of less than four hundred (400) square feet. A dairy milking facility shall not have any sleeping areas within the structure.

“Dangerous Fireworks” means dangerous fireworks as defined in Health and Safety Code, Section 12505.

“Dead-End Road” means any road that has only one point of vehicular ingress/egress, including culs-de-sac and looped or circular roads.

“Development Approval” means any of the following: (1) any discretionary approval granted pursuant to Chapter 25, 26, or 26C of this Code to allow residential, commercial, or industrial development of land, including, but not limited to, any approval of a zone change, tentative map, lot line adjustment, use permit, or design review; (2) any building permit issued pursuant to Chapter 7 of this Code to erect, construct, enlarge, alter, repair, move, improve, or convert any building, or to install a manufactured home; or (3) any grading permit issued pursuant to Chapter 7 of this Code to construct a new road or driveway, or to extend, reconstruct, or improve an existing road or driveway.

“Director of Forestry and Fire Protection” means the director of the California

Department of Forestry and Fire Protection or his or her authorized representative.

“Director of Permit and Resource Management” means the Sonoma County director of Permit and Resource Management or his or her authorized representative.

“Driveway” means any way or place in private ownership that provides vehicular access to no more than two (2) residential buildings, containing no more than three (3) dwelling units, and any number of accessory buildings on a single parcel.

“Driveway Structure” means any bridge, culvert or other appurtenant structure that supplements the driveway bed or shoulder.

“Dwelling Unit” means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the County Building Code, for not more than one (1) family.

“Exception” means an alternative to a standard specified in Article V of this chapter that is requested by an applicant for development due to health, safety, environmental conditions, physical site limitations or other limiting conditions, and provides mitigation of a problem.

“Executive Body” means the Board of Supervisors of Sonoma County for those portions of the county not in a fire protection district, and the Board of Directors of the Fire Protection District having jurisdiction for those portions of the county in that Fire Protection District.

“Exterior Wall” means any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of sixty (60) degrees or greater from the horizontal plane.

“Existing Building” see “building, existing.”

“Fire Alarm” means any device, control or circuit designed to produce an alarm signal in the event of fire or system activation, together with the energy necessary to sound an alarm, electrically supervise the system where required, and activate the alarm bells, trouble bells or trouble signals.

“Fire and Emergency Services Department” means the Sonoma County Fire and Emergency Services Department.

“Fire Apparatus Access Road” means a road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway. Public streets maybe defined by the standards of the local agency

having jurisdiction over the project.

“Fire Code Official” means the fire chief and any other designated authority charged with the administration and enforcement of code, or a duly authorized representative. This shall include representatives who enforce Sonoma County Code Chapter 29 Hazardous Materials Management.

“Fire Department” means the Sonoma County Fire and Emergency Services Department for those unincorporated areas of the county not in a local fire protection district, and the local fire protection district having jurisdiction for those unincorporated areas of the county in a local fire protection district.

“Fire Lane” means that portion of an access roadway reserved for emergency vehicles and the conduct of fire fighting or rescue operations, or as designated by the fire department, and posted in accordance with California Vehicle Code Section 22500.1.

“Fireworks” means any fireworks as defined in Health and Safety Code, Section 12511.

“Floor Area-Fire Flow Calculations” means the floor area used for calculating the required fire flow shall be the total floor area of all floor levels within the exterior walls that are under the horizontal projection of the roof, except as modified in Appendix B, Section B104.

“General Plan” means the Sonoma County General Plan.

“Greenbelt” means a facility or land use designed for a use other than fire protection which will slow or resist the spread of a wildfire. Greenbelts include parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards and annual crops that do not cure in the field.

“Hammerhead/T” means a roadway that provides a “T” shaped, three-point turnaround space for emergency equipment. The turnaround space shall be no narrower than the road it serves.

“HS-20” means the HS-20 class of highway loading as defined by the American Association of State Highway and Transportation officials.

“Hydrant” means a valve connection on a water supply/storage system to supply fire apparatus and hoses with water.

“Jurisdiction” means the County of Sonoma, in the State of California.

“Jurisdictional Area” means the territory within a local fire protection district.

“Local fire chief” means the fire chief of a local fire protection district or his or her authorized representative.

“Local Fire Protection District” means any fire protection district organized and operating under the provisions of the Fire Protection District Law of 1987, Part 3 (commencing with Section 13800) of Division 12 of the Health and Safety Code, or any other special district lawfully exercising any of the powers, functions, or duties vested in or imposed upon a fire protection district pursuant to the Fire Protection District Law of 1987, all or part of whose territory is within the unincorporated area of the county. Notwithstanding the preceding, local fire protection district shall not include any County Service Area organized and operating under the provisions of the County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3 of the Government Code.

“Local Responsibility Area” means that portion of the unincorporated area of the county not classified by the State Board of Forestry as a State Responsibility Area.

“Manufactured Home” means any manufactured home as defined in Health and Safety Code, Sections 18007, 18008 and 19971.

“National Fire Codes” means the most current edition of the National Fire Codes published by the National Fire Protection Association.

“New Building” see “building, new.”

“Non-Urban Parcel” means any parcel served by a water system other than a public water system.

“Occupancy” means the purpose for which a building or part thereof is used or intended to be used.

“One-Way Road” means a road designed for traffic flow in one (1) direction only.

“Open Burning” means any combination of combustible material of any type outdoors in the open, not in any enclosure, where the productions of combustion are not directed through a flue. Open burning shall not include a fire in a barbecue pit, either permanent or portable, when the barbecue pit is operated on a patio or other appropriate dooryard area adjacent to and in conjunction with the dwelling of the person operating the barbecue pit.

“Planning Official” means the director of the Permit and Resource Management Department.

“Private Riding Arena” means an enclosed or unenclosed building or portion of a building used exclusively for private equestrian activities by the building owner, guests, or employees, not to exceed a maximum capacity of thirty (30) persons. The area within a private riding arena shall not be used for storage areas, animal stalls, offices, viewing areas, shows, events, public riding lessons, or similar uses or occupancies. A private riding arena shall be classified as a Group U occupancy.

“Private Road” means any way or place in private ownership that provides vehicular access to more than one (1) parcel, to a commercial building or agricultural operation on a single parcel, or to more than two (2) residential buildings or two (2) residential buildings, containing more than three (3) dwelling units, on a single parcel.

“Public Display of Fireworks” means any public display of fireworks as defined in Health and Safety Code, Section 12524.

“Public Road” means any county highway or state highway.

“Public Water System” means a system, regardless of type of ownership, for the provision of piped water to the public for human consumption that has fifteen (15) or more service connections.

“Residential Building” means any one- or two-family dwelling containing a Group R-3 occupancy, or Group U occupancy accessory to a Group R-3 occupancy as defined in the County Building Code.

“Road” means any public or private road.

“Roadway” means that portion of any road improved, designed or ordinarily used for vehicular travel.

“Roadway Structure” means any bridge, culvert or other appurtenant structure that supplements the roadway bed or shoulder.

“Same Practical Effect” means an exception or alternative with the capability of applying accepted fire suppression strategies and tactics, and provisions for firefighter safety, including: (1) access for emergency fire equipment; (2) safe civilian evacuation; (3) signing that avoids delays in emergency equipment response; (4) available and accessible water to effectively attack a fire or defend a structure from a wildfire; and (5) fuel modification sufficient for civilian and firefighter safety.

“Shall” is mandatory and “May” is permissive, however, use of the word “shall” in this Code is not intended to, nor shall it be deemed to create a mandatory duty imposed by enactment within the meaning of Government Code, Section 815.6.

“Shoulder” means the roadbed or surface of a roadway adjacent to the traffic lane.

“Single-Family Dwelling” means a dwelling that contains one dwelling unit for one family of one or more persons. Single-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Standard Specifications for Highway Bridges” means the Standard Specifications for Highway Bridges, published by the American Association of State Highway and Transportation officials.

“State Responsibility Area” means that portion of the unincorporated area of the county classified by the State Board of Forestry as a State Responsibility Area.

“Structure” means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“Subdivision” means any subdivision as defined in Government Code, Section 66424 and Section 25-2 of this Code.

“Subdivision Ordinance” means the Subdivision Ordinance of Sonoma County.

“Traffic Lane” means that portion of a roadway that provides a single line of vehicle travel.

“Turnaround” means a roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment.

“Turnout” means a widening on a roadway or driveway to allow vehicles to pass.

“Two-Family Dwelling” means a dwelling that contains two (2) dwelling units for two (2) families of one or more persons. Two-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Two-Way Road” means a road designed for traffic flow in opposing directions.

“Urban Parcel” means any parcel served by a public water system or mutual water system.

“Vertical Clearance” means the minimum specified height of a bridge or overhead projection above a roadway.

“Wildfire” means a wildfire as defined in Public Resources Code, Sections 4103 and 4104.

Article III. Appeals is amended to read:

Article III. Appeals.

Sec. 13-11. Board of Appeals.

The Board of Building Appeals shall function as the Board of Appeals under this chapter. Except where inconsistent with the provisions of Sonoma County Code Sections 7-3 and Section 13-12 of this Code, the duties of the Board of Appeals shall be as prescribed in Chapter 1, Division II, Section 108 of the California Fire Code.

Sec. 13-12. Appeals.

(a) Except as otherwise provided in subsection (b), any applicant, permit holder or other interested person dissatisfied with a decision of the County fire chief, the director of Permit and Resource Management, or a local fire chief under this chapter may appeal the decision to the Board of Appeals, provided, however, that such appeal may not be made more than thirty (30) days after the decision from which the appeal is being made has been rendered. All interested persons shall be given a reasonable opportunity to be heard and present evidence to the Board of Appeals on any appeal. Decisions of the Board of Appeals shall be in writing and shall be delivered to the appellant and the applicant or permit holder, if different from the appellant, either in person or by mailing to the address stated on the appeal or application. Decisions of the Board of Appeals are final. Should no decision be rendered within twenty (20) days after the filing of the appeal, such appeal shall be deemed to be denied unless time is extended by action of the Board of Appeals.

(b) Appeals of notice and orders issued pursuant to violations of this chapter shall be conducted and determined by a hearing officer pursuant to Section 1-7.3 and Chapter 7 of Sonoma County Code.

Article IV. County Fire Code is amended to read:

Article IV. County Fire Code.

Sec. 13-15. County Fire Code designated--Administration and enforcement--Amendment by local fire protection districts.

(a) The 2013 California Fire Code as adopted by reference and amended in this article, shall constitute the County Fire Code.

(b) Except as otherwise provided in subsection (c), the administration and

enforcement of the County Fire Code within a local fire protection district shall be the responsibility of the local fire chief. The County fire chief shall be responsible for the administration and enforcement of the County Fire Code within those portions of the unincorporated area of the county not in a local fire protection district.

(c) The County fire chief shall be responsible for plan checking and inspection of new construction and alterations subject to the County Fire Code within both those portions of the unincorporated area of the county not in a local fire protection district and those portions of the unincorporated area of the county in a local fire protection district, unless a local fire protection district notifies the County fire chief in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area. Any such action shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district.

(d) Pursuant to Health and Safety Code, Section 13869.7, a local fire protection district may amend all or any part of the County Fire Code for application within its jurisdictional area. Any such amendment shall first be referred to the County Fire Prevention Officers Association for review and recommendation, and shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district and ratified by the Board of Supervisors. The Board of Supervisors shall not ratify such amendment if it includes provisions that are less restrictive than the provisions of the County Fire Code.

Sec. 13-16. Conflicting regulations.

The provisions of this chapter shall prevail over any inconsistent provision contained in the California Fire Code or the National Fire Codes; provided, in the case of inconsistent regulations, no regulation shall prevail that is less restrictive than the regulations established by the State of California unless otherwise authorized by the State.

Sec. 13-17. California Fire Code adopted amendments.

(a) The portion of the California Building Standards Code that imposes substantially the same requirements as are contained in the California Fire Code, 2013 Edition published by the International Code Council and the California Building Standards Commission with Errata, including Appendices, Chapters 4, B, BB, C, CC, D and H; published by the International Code Council, save and except such portions as are hereinafter deleted, modified, or amended by subsection (b) of this section, are adopted and incorporated as fully as if set out at length herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosions within the unincorporated area of the county.

(b) The California Fire Code, 2013 Edition, is hereby amended as follows:

(1) Chapter 1, Division II, Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Sonoma County Fire Code, hereinafter referred to as “this Code.”

(2) Chapter 1, Division II, Section 102.3 is amended to read:

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code, the Sonoma County Building Code, and the California Building Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this Code, the Sonoma County Building Code, and the California Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

(3) Chapter 1, Division II, Section 102.4 is amended to read:

102.4 Application of Building Code. The design and construction of new structures shall comply with the 2013 California Building Code, Volumes 1 and 2, the 2013 California Historical Building Code, the 2013 California Existing Building Code, and the 2013 California Residential Code, as adopted and amended by the County of Sonoma, and any alterations, additions, changes in use or changes in structures required by this Code, which are within the scope of the 2013 California Building Code Volumes 1 and 2, the 2013 California Historical Building Code, 2013 California Existing Building Code and the 2013 California Residential Code, as adopted and amended by the County of Sonoma, shall be made in accordance therewith.

(4) Chapter 1, Division II, Section 103.1 is amended to read:

103.1 General. The Division of Fire Prevention is established within the Fire and Emergency Services Department under the direction of the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this Code.

(5) Chapter 1, Division II, Section 103.3.1 is added to read:

103.3.1 Authority to issue citations. The fire chief, the fire code official and his or her deputies who have the discretionary duty to enforce a statute or ordinance, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, may arrest a person without a warrant whenever the fire chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the fire chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code.

(6) Chapter 1, Division II, Section 105.1.2 is amended to read:

105.1.2 Types of permits. There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Chapter 1, Section 105.6, including local amendments for either:
 - 1.1. A prescribed period.
 - 1.2. Until renewed or revoked.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Chapter 1, Section 105.7 including local amendments.

(7) Chapter 1, Division II, Section 105.3.3.1 is added to read:

105.3.3.1 Occupancy permits. The fire chief may notify the building official not to authorize temporary or final occupancy of any building for which a permit is required by this Code until the building has been inspected and found to be in compliance with this Code. The building official shall not authorize temporary or final occupancy of any new commercial building for which a permit is required by this Code until certification of required fire flow is provided to the fire chief. The certification of required fire flow shall include static pressure, residual pressure, and gallons per minute as witnessed by, or acceptable to, the fire chief.

(8) Chapter 1, Division II, Section 105.3.3.2 is added to read:

105.3.3.2 Temporary connection approval. Nothing in Section 105 shall prohibit the granting or approval of a temporary connection for gas or electricity to

allow construction to occur.

(9) Chapter 1 Division II, Section 105.5 is amended to read:

105.5 Revocation of permits. Any permit issued under this Code may be modified, suspended, or revoked whenever the fire chief determines any of the following:

(1) The permit has been used by a person other than the person to whom it was issued.

(2) The permit has been used for a location other than that for which it was issued.

(3) The conditions or limitations set forth in the permit have been violated.

(4) The permittee has failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this Code within the time provided therein.

(5) There has been a false statement or misrepresentation as to a material fact in the application or plans on which the permit or application was based.

(10) Chapter 1, Division II, Section 105.5.1 is added to read:

105.5.1 Revocation procedure. Revocation of any permit issued under this Code shall only occur after written notice of the violation has been given by the fire chief to the permittee at his or her last place of residence as shown on the permit or certificate, which notice shall order the permittee to either correct the violation within ten (10) days or appear before the local fire chief, unless the local fire protection district issues a written notice electing to have the County fire chief hear the matter, at a date and time certain to show cause why the permit or certificate should not be modified, revoked or suspended. At the hearing before the fire chief, the permittee shall have an opportunity to appear and be heard on the question of whether the permit issued to him should be revoked or suspended. Upon conclusion of the hearing or as soon thereafter as practicable, the chief shall issue a decision in writing to the permittee determining whether to modify, revoke or suspend the permit. Any interested person may appeal the fire chief's decision to the Board of Appeals. All appeals shall be filed in writing with the fire chief within ten (10) calendar days of the date of the decision being appealed.

(11) Chapter 1, Division II, Section 105.6.47 is amended to read:

105.6.47 Additional operational permits. In addition to the operational permits required by Section 105.6, the following permits shall be obtained from the division of fire prevention prior to engaging in the following activities, operations, practices or functions:

1. Production facilities. To change use or occupancy, to allow the attendance of a live audience, or for wrap parties.
2. Pyrotechnics and special effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gasses, welding, and the parking of motor vehicles for the purpose of motion picture, television and commercial production.
3. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios, and sound stages. See Chapter 48.
4. Apartment, hotel, motel. An operational permit is required to operate an apartment house, hotel, or motel.
5. Bonfires or rubbish fires. An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.
6. Day care. An operational permit is required to operate a day care occupancy with an occupant load over eight (8) persons.
7. Emergency responder radio coverage system. An operational permit is required for buildings and/or facilities with emergency responder radio coverage systems and related equipment.
8. Fire protection systems. An operational permit is required for buildings and/or facilities with fire protection systems and related equipment such as fire pumps, fire hydrant systems, fire suppression systems, fire alarm systems, smoke management systems, and similar systems governed by this Code.
9. High-rise building. An operational permit is required to operate a high-rise building as defined in the Building Code.
10. Institutional or residential occupancy (six (6) or fewer persons). An operational permit is required to operate an institutional or residential occupancy for six (6) or fewer persons, except day care and residential care facilities for the elderly.

11. Institutional or residential occupancy (more than six (6) persons). An operational permit is required to operate an institutional or residential occupancy for more than six (6) persons. Exception: A permit is not required for large-family day care providing care for fewer than nine (9) children.

12. Medical gas systems. An operational permit is required for buildings and/or facilities with medical gas systems and related equipment, and similar systems governed by this Code.

13. Oil or natural gas well. An operational permit is required to own, operate or maintain an oil or natural gas well.

14. Organized camps. An operational permit is required to operate an organized camp (Group C occupancy).

15. Public haunted house. An operational permit is required to operate a haunted house, ghost walk or similar amusement. Such amusement shall be in compliance with the 2013 California Fire Code, Appendix K.

16. Special event. An operational permit is required for any organized procession or assemblage of 50 or more people, which could significantly impact vehicular traffic or create a safety problem. Examples include, but are not limited to: music festivals, outdoor markets, circus, walkathons, runs, marathons, trail rides, bicycle races, celebrations, parades and other similar activities.

17. Winery caves – publicly accessible. An operational permit is required to operate a Type-2 or Type-3 winery cave that is accessible to the public.

(12) Chapter 1, Division II, Section 105.7.17 is added to read:

105.7. 17Additional construction permits. In addition to the permits required by Section 105.7, the following construction permits shall be obtained from the division of Fire Prevention prior to starting construction:

1. Emergency vehicle access facilities. A construction permit is required for installation or modification of roadways and roadway structures used for emergency vehicle access.

2. Excavation near flammable or combustible liquid pipeline. A construction permit is required to excavate or do any work below grade within ten (10) feet of any pipeline for the transportation of flammable or combustible liquid.

3. Fire-line underground utility piping. A construction permit is required to install, alter, or make improvements to fire-line underground utility piping. A separate utility permit from the building official is required prior to installing any private underground fire protection water piping and associated appliances.

4. Gates. A construction permit is required for the installation of security gates across a fire apparatus access road.

5. Hazardous materials site disclosure (aboveground facility & underground tank). A construction permit is required to permanently remove hazardous materials storage or use premises from service, including the permanent removal of a hazardous materials tank.

6. Medical gas system. A construction permit is required to install a medical gas system.

7. Oil or natural gas well. A construction permit is required to drill an oil or natural gas well.

(13) Chapter 1, Division II, Section 109.4 is amended to read:

109.4 Violation penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(14) Chapter 1, Division II, Section 111.4 is amended to read:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars. A person shall be fined for each day he or she continues to work after having been served with a stop work order.

(15) Chapter 2, Section 202 is amended to revise the definition of “building” to read:

“Building” is defined as set forth in Chapter 13 of the Sonoma County Code.

(16) Chapter 3, Section 307.1 is amended to read:

307.1 General. Open burning shall be conducted in accordance with this section and Article VII of Chapter 13 of the Sonoma County Code.

(17) Chapter 3, Section 307.2 is amended to read:

307.2 Permit required. Prior to commencement of open burning, a burning permit shall be obtained pursuant to section 13-71 of the Sonoma County Code.

(18) Chapter 3, Section 311.3.1 is added to read:

311.3.1 Removal of debris after fire. All rubble, waste, rubbish, and other materials lying upon any premises within the jurisdictional area; having been accumulated thereon by reason of a fire, and having been rendered useless thereby shall be removed from within ten (10) days after notice has been given to do so in writing by the fire chief to the owner, lessee, or other person in charge or control of the premises.

(19) Chapter 5, Section 503.1.1 is amended to read:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within one hundred fifty feet (150') of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Buildings located on slopes of greater than five percent (5%) shall be provided with additional fire protection measures to mitigate access constraints when required by the County fire chief.

Exception: The fire code official is authorized to increase the dimension of one hundred fifty feet (150') where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions,

and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

(20) Chapter 5, Section 503.1.2 is amended to read:

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road in accordance with Appendix D or based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

(21) Chapter 5, Section 503.1.3 is amended to read:

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32 and Appendix D.

(22) Chapter 5, Section 503.2.1 is amended to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width in accordance with this section and Appendix D, including an unobstructed vertical clearance of not less than 13 feet 6 inches.

(23) Chapter 5, Section 503.2.1.1 is added to read:

503.2.1.1 Two-way roads. All two-way roads shall have a right-of-way of not less than twenty-five feet (25') and shall have an unobstructed width of not less than twenty feet (20'), exclusive of shoulders, except for approved security gates in accordance with Section 503.6.

When permitted in a subdivision's conditions of approval and approved by the appropriate County departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12'), exclusive of shoulders, with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one thousand three hundred and twenty feet (1,320').

(24) Chapter 5, Section 503.2.1.2 is added to read:

503.2.1.2 One-way roads. In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20'), exclusive of shoulders, and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

(25) Chapter 5, Section 503.2.1.3 is added to read:

503.2.1.3 Driveways. Driveways shall apply only to one- and two-family dwellings, and accessory structures associated with one- and two family dwellings unless otherwise approved by the fire code official. In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the

driveway. Additional turnarounds shall be provided when a driveway exceeds one thousand three hundred twenty feet (1,320') in length at a length approved by the fire code official.

(26) Chapter 5, Section 503.2.1.4 is added to read:

503.2.1.4 Roadway turnarounds. Any road or driveway structure required to have a turnaround may have either an approved hammerhead/T, a stub out, or approved terminus bulb. All turnarounds shall have a minimum turning radius of forty feet, bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(27) Chapter 5, Section 503.2.1.5 is added to read:

503.2.1.5 Roadway turnouts. Any road or driveway structure required to have a turnout shall have an approved turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

(28) Chapter 5, Section 503.2.3 is amended to read:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces shall be capable of supporting a minimum 40,000 pound load. When other areas of this code require compliance with Appendix D the surface shall be designed pursuant to Section D102 for access and loading, unless otherwise approved by the fire code official.

(29) Chapter 5, Section 503.2.3.1 is added to read:

503.2.3.1 Surface Construction. All structural sections shall be constructed to meet or exceed the following standards:

- (a) On level areas and grades of less than five percent (5%),

roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two-tenths of one foot (0.2') thick. The base portion of the structural section shall be at least five-tenths of one foot (0.5') of compacted Class 2 Aggregate Base.

(d) On grades of greater than fifteen percent (15%), a design of the section shall be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

(e) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

(30) Chapter 5, Section 503.2.4 is amended to read:

503.2.4 Turning radius The required turning radius of a fire apparatus road shall be as follows:

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees.

2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle

greater than forty-five degrees(45°).

The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County fire chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 fire apparatus.

(31) Chapter 5, Section 503.2.5 is amended to read:

503.2.5 Dead ends. In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) Dead-end fire apparatus access roads in excess of one hundred fifty feet (150') in length shall be provided with an approved area for turning around fire apparatus.

(b) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

1) Parcels zoned for less than one (1) acre - eight hundred feet (800')

2) Parcels zoned for one (1) acre to 4.99 acres - one thousand three hundred twenty feet (1,320')

3) Parcels zoned for five (5) acres to nineteen and ninety-nine hundredths (19.99) acres - two thousand six hundred forty feet (2,640')

4) Parcels zoned for twenty (20) acres or larger - five thousand two hundred eighty feet (5,280').

(c) All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring length limits, the shortest allowable length shall apply.

(d) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

(32) Chapter 5, Section 503.2.6 is amended to read:

503.2.6 Bridges and elevated surfaces. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.6.1 Minimum Design .All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted pursuant to Sonoma County Code Section 13-2, and

shall have a minimum designed live-load capacity of HS-20.

(33) Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Evaluation. All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for the purposes of safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. These evaluations shall be performed at the direction of the fire code official.

(34) Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Certification. All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation" Second Edition, 2011, published by the American Association of State Highway and Transportation Officials; or other approved standards.

(35) Chapter 5, Section 503.2.6.4 is added to read:

503.2.6.4 Signage All roadway and driveway structures shall have appropriate signing identifying structure capability, vertical clearance limits, any one-way road or single traffic lane conditions and include weight and/or by axle limit.

(36) Chapter 5, Section 503.2.6.5 is added to read:

503.2.6.5 Width All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12'), shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(37) Chapter 5, Section 503.2.7 is amended to read:

503.2.7 Grade. No road or driveway shall have a maximum grade in excess of fifteen percent (15%).

Exception: A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway with the approval of the County fire chief when one or more

of the following is provided:

1. A secondary means of ingress and egress to the parcel is provided.
2. Additional turnouts and turnarounds are provided.
3. Increased roadway width is provided.
4. Increased emergency water supply is provided
5. Fuel modification sufficient for civilian and firefighter safety is

provided.

(38) Chapter 5, Section 503.2.7.1 is added to read:

503.2.7.1 Surface cross slope. The maximum roadway surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(39) Chapter 5, Section 503.2.7.2 is added to read:

503.2.7.2 Surface cross slope turnaround. Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

(40) Chapter 5, Section 503.2.8 is amended to read:

503.2.8 Angles of approach and departure. A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(41) Chapter 5, Section 503.3.1 is added to read

503.3.1 Signs. Signs shall be installed in compliance with Appendix D 103.6

(42) Chapter 5, Section 503.6 is amended to read:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief and shall comply with section 503.6.1 to

503.6.4 and Appendix D 103.5. A permit is required for the installation of security gates across a fire apparatus access road.

(43) Chapter 5, Section 503.6.1 is added to read:

503.6.1 Width. All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(44) Chapter 5, Section 503.6.2 is added to read:

503.6.2 Setbacks. All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(45) Chapter 5, Section 503.6.3 is added to read:

503.6.3 Emergency operation. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

(46) Chapter 5, Section 503.6.4 is added to read:

503.6.4. Where a one-way road with a single traffic lane provides access to a gated entrance, a minimum of a 40 foot (40') turning radius shall be used.

(47) Chapter 5, Section 505.1 is amended to read:

505.1 Address identification. New and existing buildings shall have approved illuminated address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response. Address numbers shall be Arabic numerals or alphabet letters. Where access is by means of a private road and the building cannot be viewed from the public way a monument, signpost or other sign or means shall be used to identify the

structure. Address numbers shall be maintained.

Exceptions:

1. These requirements may be modified with the approval of the fire code official.
2. Illuminated address numbers are not required for existing buildings where approved, reflective numbers are installed.

(48) Chapter 5, Section 505.1.1 is added to read:

505.1.1 Addresses for buildings. All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Accessory buildings will not be required to have a separate address; however, each unit within a building shall be separately identified.

(49) Chapter 5, Section 505.1.2 is added to read:

505.1.2 Numbers for one- and two- family dwellings. Numbers for one- and two- family dwellings shall be a minimum of four inches (4") high with a minimum stroke width of five tenths of an inch (0.5"). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(50) Chapter 5, Section 505.1.3 is added to read:

505.1.3 Numbers for other than one- and two- family dwellings. Numbers for other than one- and two- family dwellings shall be a minimum of twelve inches (12") high with a minimum stroke width of one inch (1"). Suite numbers for other than one- and two- family dwellings shall be a minimum of six inches (6") high and five tenths of an inch (0.5") stroke.

(51) Chapter 5, Section 505.1.4 is added to read:

505.1.4 Installation, location and visibility of addresses. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

(52) Chapter 5, Section 505.1.4.1 is added to read:

505.1.4.1 Signs posted one-way roads. Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(53) Chapter 5, Section 505.1.4.2 is added to read:

505.1.4.2 Multiple addresses. Where multiple addresses are required at a single driveway, they shall be mounted on a single post.

Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

(54) Chapter 5, Section 505.2.1 is added to read:

505.2.1 Size of letters, numbers and symbols for street and road signs. Size of letters, numbers, and symbols for street and road signs shall be a minimum of three inches (3") for letter height with a three-eighths inch (3/8") stroke, reflectorized, and contrasting with the background color of the sign.

(55) Chapter 5, Section 505.2.2 is added to read:

505.2.2 Visibility and legibility of street and road signs. Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred feet (100').

(56) Chapter 5, Section 505.2.3 is added to read:

505.2.3 Height of street and road signs. Height of street and road signs shall be uniform countywide, and meet the visibility and legibility standards of this section.

(57) Chapter 5, Section 505.2.4 is added to read:

505.2.4 Names and numbers on street and road signs. Newly constructed or approved public and private roads and streets must be identified by a name or number through a consistent countywide system that provides for sequenced or patterned numbering and/or non-duplicating naming within the county. All signs shall be mounted and oriented in a uniform manner. This section does not require any entity to

rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering.

(58) Chapter 5, Section 505.2.5 is added to read:

505.2.5 Intersecting roads, streets and private lanes. Signs required by this article identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes.

(59) Chapter 5, Section 505.2.6 is added to read:

505.2.6 Signs identifying traffic access limitations. A sign identifying traffic access or flow limitations, including, but not limited to weight or vertical clearance limitations, dead-end road, one-way road (or single land conditions) shall be placed: (a) at the intersection preceding the traffic access limitation, and (b) no more than one hundred feet (100') before such traffic access limitation.

(60) Chapter 5, Section 505.2.7 is added to read:

505.2.7 Installation of road, street, and private lane signs. Road, street and private land signs required by this article shall be installed prior to final acceptance by the local jurisdiction of road improvements.

(61) Chapter 5, Section 507.1.1 is added to read:

507.1.1 Completion. The emergency water system shall be available on site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved.

(62) Chapter 5, Section 507.1.2 is added to read:

507.1.2 Temporary water supply. When authorized by the County fire chief, an interim emergency water supply acceptable to the County fire chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection.

(63) Chapter 5, Section 507.2.2 is amended to read:

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

Exception: For Group R-3 occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, and associated accessory structures up to 3,000 square feet in area, plastic water tanks up to 5,000 gallons in volume may be used. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(64) Chapter 5, Section 507.2.3 is added to read:

507.2.3 Urban water system for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings. If the water supply to the parcel is provided by a public or community water system (urban parcel - see Definitions) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(65) Chapter 5, Section 507.2.4 is added to read:

507.2.4 Non-urban water system. If the water supply to the parcel is provided by a private water well (non-urban parcel - see Definitions) the fire code official is authorized to utilize NFPA 1142 or the *International Wildland-Urban Interface Code*.

Exception: When authorized by the authority having jurisdiction, the emergency water supply requirements for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings, may be waived when sufficient evidence is proven that the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met.

(66) Chapter 5, Section 507.3 is amended to read:

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B.

Exception: When the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met, the fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities, where the development of full fire-flow requirements is

impractical.

(67) Chapter 5, Section 507.5.1 is amended to read:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45,179 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exception:

For Group R-3 and Group U Occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than six hundred feet (600’).

(68) Chapter 5, Section 507.5.1.1 is amended to read

507.5.1.1 Hydrant for standpipe and/or fire sprinkler systems.

Buildings equipped with standpipe and/or fire sprinkler systems installed in accordance with section 903 and/or section 905 shall have a fire hydrant within fifty feet (50’) of the fire department connection (FDC).

Exception: The distance shall be permitted to exceed fifty feet (50’) where approved by the fire code official.

(69) Chapter 5, Section 507.5.1.2 is added to read

507.5.1.2 Other areas. Fire hydrant systems shall be required where a public water system, regardless of type of ownership, provides water for human consumption to fifteen (15) or more service connections.

(70) Chapter 5, Section 510.1 is amended to read:

510.1 Emergency responder radio coverage in new buildings. All new buildings, Type-2 winery caves and Type-3 winery caves shall have approved radio coverage for emergency responders within the building or winery cave based upon the existing coverage levels of the public safety communication systems of the jurisdiction, at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2, may be permitted to be installed in lieu of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not necessary.
3. In facilities where emergency responder radio converge is required and such systems, components or equipment could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency radio coverage system.

(71) Chapter 9, Section 901.7.7 - 901.7.7.2 is added to read:

901.7.7 Notice of nuisance alarm. The officer in charge of fire units responding to a fire alarm signal shall determine whether a true emergency exists. If the officer determines that an emergency does not exist, the chief of the local fire agency or the County fire chief may issue a written notice of nuisance alarm to the owner or person in charge or control of the facility where the alarm signal originated.

901.7.7.1 Unreliable fire alarm systems. The fire chief of the local fire agency or the County fire chief may determine that a fire alarm system is unreliable upon receipt of more than four (4) nuisance alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the chief of the local fire agency or the County fire chief may order the following:

1. For any nuisance alarm where the system is not restored, the fire chief may require the system owner to provide standby personnel as defined in Chapter 4, Section 403.1 or take such other measures, as the fire chief deems appropriate. Persons or activities required by the fire chief shall remain in place until a fire department-approved fire alarm maintenance firm certifies in writing to the fire chief that the alarm system has been restored to a reliable condition. The chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.
2. Upon the fifth (5th) and sixth (6th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$150.00, plus the cost of fire engine response, for each occurrence.
3. Upon the seventh (7th) and eighth (8th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$300.00, plus the cost of fire engine response.

4. Upon the ninth (9th) and following nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$500.00, plus the cost of fire engine response, for each occurrence.

901.7.7.2 Hearing on notice. Any person receiving a notice of nuisance alarm who contends that the fire chief erroneously determined that the fire alarm system was not functioning as designed, may file a written request with the fire chief for a hearing on the determination within ten (10) days after receipt of the notice of nuisance alarm. The fire chief shall give the requesting party a hearing on the determination within thirty (30) days of receipt of the request. The request shall set forth: (1) that the system functioned as designed, or (2) that the nuisance alarm resulted from an act of God, flooding, or other violent natural condition without fault and beyond the control of the requesting party. Within ten (10) days following the hearing, the chief shall give written notice of his or her decision to the requesting party.

(72) Chapter 9, Section 902 is amended to add the following definitions:

“Emergency” is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

“False Alarm” is an alarm signal activated by a properly functioning fire alarm system, necessitating response by the fire department when an emergency does not exist.

(73) Chapter 9, Section 903.2 of the California Fire Code is amended to read:

Section 903.2. Where required approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

(74) Chapter 9, Section 903.2.1 - 903.2.1.5 of the California Fire Code is amended to read:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for any new Group A-2 occupancies. -An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for any new Group A-3 occupancies. -An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4. An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2

2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5. An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas where the fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

(75) Chapter 9, Section 903.2.2 of the California Fire Code is amended to read:

903.2.2 Group B An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable
2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.

(76) Chapter 9, Section 903.2.3 of the California Fire Code is amended as follows:

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies and where the fire area of an existing Group E occupancy exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials are in quantities not

exceeding the maximum allowable quantity are used or stored.

4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

5. For public school state-funded construction projects see Section 903.2.19.

(77) Chapter 9, Section 903.2.4 of the California Fire Code is amended to read:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. Group F-1 fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

2. A Group F-1 fire area is located more than three stories above grade plane.

3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.

4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:

a. The canopy and supporting structure are constructed of non-combustible materials.

b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.

c. The crush pad is not used for storage of combustible materials.

d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.

2. Dairy milking facilities less than 12,000 feet in area.

(78) Chapter 9, Section 903.2.4.1.1 of the California Fire Code is added to read:

903.2.4.1.1 Existing F-1 woodworking operations. An automatic sprinkler system shall be provided throughout all existing Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A firewall of less than a four-hour fire resistance rating without openings, or any firewall with opening shall not be used to establish separate fire areas.

(79) Chapter 9, Section 903.2.5.1 of the California Fire Code is amended to read:

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies. An automatic sprinkler system shall be installed when a Group H occupancy undergoes an alteration or area increase.

(80) Chapter 9, Section 903.2.6 of the California Fire Code is added to read:

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.

2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:

2.1 A hydraulic design information sign is located on the system riser;

2.2 Exception 1 of Section 903.4 is not applied; and

2.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.

3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.

4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.6.1 Group I-2. An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

903.2.6.2 Group I-3. Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete

construction.

Exception: Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

1. Automatic fire sprinklers shall be mounted outside the cell a minimum of six feet (6') on center and one foot (1') from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.
2. The maximum amount of combustibles, excluding linen and clothing, shall be maintained at three pounds per inmate.
3. For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).
4. The provisions of the exception in Section 804.4.2 shall not apply.

(81) Chapter 9, Section 903.2.7 of the California Fire Code is amended to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet .
4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5,000 square feet.
5. The structure exceeds 24,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by firewalls of less than 4-hour fire resistance rating.

(82) Chapter 9, Section 903.2.8. is amended to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by table 903.2 as a result of a addition or

alteration.

Exceptions:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.
3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.
4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).
5. Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

(83) Chapter 9, Sections 903.2.8.2 and 903.2.8.2.1 are added to read:

903.2.8.2 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

903.2.8.2.1. Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

(84) Chapter 9, Sections 903.2.8.3, 903.2.8.3.1 and 903.2.8.3.2 are added to read:

903.2.8.3. One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family

dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

903.2.8.3.1. Design and installation for one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3.2. Design and installation for factory built housing, mobile homes and manufactured homes. Automatic residential fire sprinkler systems installed in: factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

(85) Chapter 9, Sections 903.2.9 and 903.2.9.1 of the California Fire Code are amended to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds the area increases permitted by table 903.2 as a result of a addition or alteration.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial

trucks or buses where the fire area exceeds 5,000 square feet.

(86) Chapter 9, Section 903.2.10 of the California Fire Code is amended to read:

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by table 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

(87) Chapter 9, Section 903.2.11.7 and 903.2.11.7.1 is added to read:

903.2.11.7 Group U occupancy special requirements. An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U occupancy as provided in this section.

Exceptions:

1. Detached Group U occupancies 3,000 square feet or less in area.
2. Agricultural exempt buildings and agricultural buildings as approved by the fire code official.

903.2.11.7.1 Group U accessory areas. For a U occupancy less than 3,000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U occupancy regardless of the mixed-use ratio.

(88) Chapter 9, Table 903.2 is added to the California Fire Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1,000 sq ft:	200% ^(c)
1,001-4,000 sq ft:	100% ^{(a)(c)}
Greater than 4,000 sq ft:	50% ^{(a)(b)(c)}

^(a)A 2,000 sq ft. maximum increase is allowed.

^(b)Maximum cumulative allowable area is 6,000 sq ft.

^(c)Fire sprinklers are required when additions to Limited Density Owner-Built Rural

Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 sq ft in area.

(89) Chapter 9, Section 903.2.11.8 is added to read:

903.2.11.8 Changes of occupancy. When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the fire code official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(90) Chapter 9, Section 903.2.11.9 is added to read:

903.2.11.9 Elevation of existing buildings. An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to three or more stories, or more than thirty-five feet (35') in height, from grade to the exposed roof.

Exceptions:

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet (35') is provided for aesthetic purposes only and is a non-habitable space.

2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:

(a) The elevation creates a building no more than three stories in height.

(b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.

(c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.

(d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.

(e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.

(91) Chapter 9, Section 903.2.18 of the California Fire Code is amended to read:

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports with habitable space above, attached garages, and detached Group U structures greater than 3,000 square feet in area containing a use similar to a B occupancy, S occupancy, or M occupancy, which is accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm per square foot over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions to sprinkler placement.

(92) Section 903.3.1 is amended to read:

903.3.1 Standards. Sprinkler systems shall be designed and installed in accordance with 903.3.1.1 unless otherwise permitted by sections 903.3.1.2 and 903.3.1.3

Exceptions:

1. Buildings when approved by the fire code official 6,000 square feet and less in fire area may be authorized to reduce coverage areas to a minimum four (4) head calculation.
2. Buildings greater than 6,000 square feet and less than 12,000 square feet in fire area may be authorized to use alternative fire pump designs as approved by the fire code official.

(93) Section 903.4.1 is amended to read:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and

separately annunciated.

3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

(94) Chapter 9, Section 903.4.2 of the California Fire Code is amended to read

903.4.2 Alarms. One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Visible and audible alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

(95) Chapter 9, Section 905.3.1 is amended to read as follows:

905.3.1 Height. In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout

with an automatic sprinkler system.

5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:

5.1. Recessed loading docks for four vehicles or less; and

5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

(96) Chapter 9, Section 905.9 is amended to read as follows:

905.9 Valve supervision. Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

Exceptions:

Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

(97) Chapter 9, Section 907.2.8.1 is amended to read as follows:

907.2.8.1 Manual fire alarm system for R-1 occupancies. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

Exceptions:

Manual fire alarm boxes are not required throughout the building when the following conditions are met:

1. The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Notification devices will activate within each residential unit upon sprinkler water flow.
3. At least one manual fire alarm box is installed in an approved location.

(98) Chapter 33, Section 3314.3 is added to read:

3314.3 Buildings under construction. In buildings four or more stories in height required to have sprinklers, such sprinklers shall be installed and extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

(99) Chapter 33, Section 3314.4 is added to read:

3314.4 Buildings being demolished. Where a building is being demolished and a sprinkler system exists within such a building, such sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such sprinkler system may be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

(100) Chapter 49, Section 4903 is amended to add the following:

4903.1 General. A fire protection plan shall be required for any new residential or commercial building within a wildland-urban interface fire area. The plan shall be prepared by a qualified professional and shall be approved by the County fire code official. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire resistive vegetation, and a maintenance program for all vegetation. The property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained. When required by the code official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

4903.2 Content. The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

4903.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4903.4 Plan retention. A copy of the fire protection plan shall be retained by the property owner.

(101) Section 5905.4 is added to read:

4905.4 Setbacks for structure defensible space. Except where more restrictive requirements apply, construction, projections, openings and penetrations of exterior walls of buildings constructed on parcels within State Responsibility Areas (SRA) shall have setbacks to the property line and/or exterior wall protection according to table 4905.4 (a) or table 4905.4 (b). This is to meet the intent of California SRA Fire Safe Regulations Sec. 1276.01.

(102) Chapter 49, Table 4905.4(a) and Table 4905.4(b) is added to read:

Table 4905.4 (a)
**Exterior Walls, within State Responsibility Area,
 without Automatic Fire Sprinkler Protection**

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure <i>from</i> both sides	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Sec <i>R327.7</i> or <i>CBC Sec 707A</i>	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Section <i>R327.7</i> or <i>CBC Section 707A</i> Comply with Section <i>CRC Sec R327.9</i> or <i>CBC Sec.709A</i>	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section <i>R327.8</i> or <i>CBC Sec 708A</i>	>10 feet
	Unlimited	Comply with Section <i>R327.8</i> or <i>CBC Sec 708A</i>	20 feet
Penetrations	All	Comply with Section <i>R302.4</i> or <i>CBC 714.3</i>	< 10 feet
		Comply with Section <i>R327.6</i> or <i>CBC 706A</i>	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Table 4905.4 (B)
**Exterior Walls, within State Responsibility Area,
 with Automatic Residential Fire Sprinkler Protection**

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section <i>R327.7</i> or <i>CBC Sec 707A</i>	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

(103) Chapter 50, 5001.5.3 is added to read:

5001.5.3 Required submittal of HMMP and HMIS plans. HMMP and HMIS plans, when required by the fire code official, shall be submitted no later than 30 days from time of notification.

(104) Chapter 50, Section 5004.1.1 is added to read:

5004.1.1 Tank storage prohibited. No new aboveground tanks for the storage of Class I and Class II liquids (except LPG-Propane) outside of buildings shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the fire code official.

(105) Chapter 50, Section 5004.1.2 is added to read:

5004.1.2 Tank storage – other locations. New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to this section within one (1) year after written notice from the fire department.

(106) Chapter 50, Section 5004.1.3 is added to read:

5004.1.3 Existing tank storage. Existing tank storage shall meet the requirements of new tank installations within one year of notice from the fire code official.

(107) Chapter 50, Section 5004.1.4 is added to read:

5004.1.4 Permits. In addition to any permits otherwise required by this Code, all existing and new aboveground tanks for storage of Class I and II liquids shall comply with the permit requirements of any federal, state, or local agency regulating the storage of such liquids in the jurisdiction.

(108) Chapter 61, Section 6103.3.1 is added to read:

6103.3.1 Seismic anchoring. An approved seismic anchoring system shall be installed on all permanently installed, propane/LPG gas containers.

(109) Appendix B, Section B101.1 is amended to read:

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this Appendix. This Appendix does not apply to structures other than buildings. This section applies to residential and commercial developments. One- and two-family residential dwellings in unincorporated areas shall comply with Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

(110) Appendix B, Section B102.1 is amended to read:

B102.1 Fire-flow. The flow rate of a water supply, measured at 20 pounds per square inch (psi) residual pressure, measured in the water main in the vicinity of the flowing hydrant, that is available for fire fighting.

(111) Appendix B, Section B103.3 is amended to read:

B103.3 Areas without water supply systems. For information regarding water supplies for firefighting purposes in rural and suburban areas in which adequate water supply systems do not exist, the fire code official is authorized to utilize the 2007 Edition

of NFPA 1142, the International Wildland-Urban Interface Code or the Sonoma County Fire Safe Standards.

(112) Appendix B, Section B105.1 is amended to read:

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet shall be 1,500 gallons per minute. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in table B105.1.

Exceptions:

1. A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is provided with an approved fire sprinkler system.
2. County unincorporated areas not served by a municipal water system.

(113) Appendix B, Section B105.2 is amended to read:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in table B105.1.

Exceptions:

1. A reduction in required fire-flow of up to 50 percent (50%), as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in table B105.1.
2. Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:
 - 2.1. California State Parks Buildings of an accessory nature (restrooms).
 - 2.2. Safety roadside rest areas (SRRA), public restrooms.
 - 2.3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.
 - 2.4. Sand/salt storage buildings, storage of sand and salt.
 - 2.5. Volunteer fire facilities, including office space and vehicle storage bays.

(114) Appendix C, Section C101.1 is amended to read:

C101.1 Scope. Fire hydrants shall be provided in accordance with this Appendix for the protection of buildings, or portions of buildings, hereafter constructed. This section applies to residential and commercial developments. One- and two-family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

Exception: Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks buildings of an accessory nature (restrooms).
2. Safety roadside rest areas (SRRA), public restrooms.
3. Truck inspection facilities (TIF), CHP office space, and vehicle inspection bays.
4. Sand/salt storage buildings, storage of sand and salt.
5. Volunteer fire facilities, including office space and vehicle storage bays.

(115) Appendix C, Section C102.1 is amended to read:

C102.1 Fire hydrant locations. Where fire hydrants are required, they shall be provided along required fire apparatus access roads and adjacent public streets. A fire hydrant shall be located within 50 feet of any fire department connection, or as approved by the fire code official.

(116) Appendix C, Section C105.1 is amended to read:

C105.1 Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in table C105.1.

Exceptions:

1. The fire chief is authorized to accept a deficiency of up to 10 percent (10%) where existing fire hydrants provide all or a portion of the required fire hydrant service.
2. One- and two-family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distance listed in table C105.1.

(117) Appendix C, Table C105.1 footnote f and g is added to read:

f. For commercial, industrial and multi-family residential, average spacing shall be no greater than 300 feet.

g. A fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), and standpipe systems installed in accordance with Section 905 or as approved by the fire code official

(118) Appendix C, Section C105.2 and table C105.2 is added to read:

C105.2. When public or private water mains are not available to supply fire-flow not within 1,000 feet of the proposed building, table C105.2 may be used for isolated one- and two-family buildings, and accessory buildings thereto less than 3,000 square feet in area, in rural areas or small communities where the development of full fire-flow requirements is impractical.

Table C105.2		
Exception to Hydrant Distance		
<i>Distance is measured from driveway entrance to the hydrant</i>		
Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 gpm	20 psi
1,800 feet	1,000 gpm	20 psi
2,800 feet	1,500 gpm	20 psi
3,800 feet	2,000 gpm	20 psi
4,800 feet	2,500 gpm	20 psi

(119) Appendix D, Section D101.1 is amended to read:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this Appendix as amended and all other applicable requirements of the California Fire Code. This section applies to residential and commercial developments. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with 104.9 Alternative Materials and Methods.

Exception: One- and two-family residential dwellings; detached U occupancy buildings less than 1,000 square feet in area accessory to a one- or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in

area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

(120) Appendix D, Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds or as approved by the fire code official.

Exception: One and two-family residential dwellings; detached U occupancy buildings less than 3000 square feet in area accessory to a one or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

(121) Appendix D, Section D103.2 is amended to read:

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent (10%) in grade.

Exception: Grades steeper than 10 percent (10%) and up to 20 percent (20%) as approved by the fire code official.

(122) Appendix D, Section D103.3 is amended to read:

D103.3 Turning radius. The minimum turning radius shall be determined by the fire code official or as approved by local standards.

(123) Appendix D, Section D103.4 is amended to read:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by local standards.

(124) Appendix D, Table D103.4 is deleted.

(125) Appendix D, Section D103.6 is amended to read:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent “No Parking-Fire Lane” signs complying with the California Vehicle Code.

(126) Appendix D, Section D104.2 is amended to delete Exception and read:

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provided with two separate and approved fire apparatus access roads.

(127) Appendix D, Section D106.1 is amended to delete Exception and read as follows:

D106.1 Projects having more than 50 dwelling units. Multiple family residential projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

(128) Appendix D, Section D106.2 is deleted.

(129) Appendix D, Section D107.1 is amended to delete Exceptions and read:

D107.1 One-or two-family dwelling residential developments. Developments of one- and two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of section D104.3.

Exception:

The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

(130) Article V. Chapter 13 of the Sonoma County Code is amended to read:

Article V. Fire Safe Standards

Division A. In General.

Sec. 13-21. Findings.

The Board of Supervisors makes the following findings pertaining to the conditions and requirements contained in this article:

(a) The conditions and requirements contained in this article are consistent with and in furtherance of the goals, objectives and policies of the public safety element of the general plan.

(b) The conditions and requirements contained in this article are necessary because the failure to adopt them would place residents and property within the unincorporated area of the county in a condition perilous to health or safety, or both.

(c) The conditions and requirements contained in this article are necessary to comply with the requirements of Public Resources Code section 4290.

(d) The conditions and requirements contained in this article are necessary because growth and development within the unincorporated area of the county has increased the potential for significant losses from wildland and structure fires and adversely impacted rural and wildland fire fighting resources.

(e) The conditions and requirements contained in this article are necessary because wildland fires are becoming an increasing threat to structures and loss of life, where in the past the only threat was to wildland resources.

(f) The conditions and requirements contained in this article are necessary because structure fires are escaping to the surrounding wildlands and destroying other structures as well as wildland resources.

(g) The conditions and requirements contained in this article are necessary because there are not enough fire fighting resources available, even with mutual aid, to protect both wildland resources and the structures intermingled amongst such resources and it is financially infeasible to increase firefighting resources to the level necessary to provide such protection.

(h) The conditions and requirements contained in this article are necessary because they represent a cost effective alternative to increasing firefighting resources.

(i) The conditions and requirements contained in this article will ensure that all new development within the unincorporated area of the county will provide a basic level of fire protection around itself making it easier and safer for firefighters to fight wildland and structure fires.

(j) The conditions and requirements contained in this article will not totally prevent losses from wildland and structure fires, but will reduce the severity of the losses that do occur through built-in fire protection and better fire response infrastructure.

(k) The conditions and requirements contained in this article will create an opportunity for firefighters to defend a structure from a threatening wildland fire and protect the wildlands from an escaping structure fire.

(l) The conditions and requirements contained in this article will increase the safety of firefighters protecting lives, structures and wildland resources.

Sec. 13-22. Citation – Purpose.

This article shall be known and may be cited as the “Sonoma County Fire Safe Standards” or the “Fire Safe Standards.” This article is adopted for the purpose of establishing minimum fire safe standards for development within the unincorporated area of the county. Where a development subject to the provisions of this article cannot meet a specified standard, an exception to the standard may be applied for pursuant to Section 13-23. This article is not intended to restrict or otherwise limit the authority or discretion of the County to impose additional requirements when reviewing applications for development. Nothing in this article is intended to supersede more restrictive provisions of this Code and where another provision of this Code establishes a more stringent requirement, that requirement shall control.

Sec. 13-23. Compliance with standards required ~~–~~ exceptions to standards.

(a) All development subject to the provisions of this article shall be constructed and maintained in compliance with the standards specified in this article. Approvals and permits for any development may be withheld or refused until adequate provision has been made to ensure such compliance.

(b) Exceptions to the standards specified in this article and mitigated practices may be allowed where the exception or mitigated practice provides the same overall practical effect as the specified standards.

(c) Application for an exception or mitigated practice shall be made in writing by an applicant for development or the applicant's authorized representative. The application shall state the specific section or sections of this article for which an

exception or mitigated practice is proposed, material facts supporting the contention of the applicant, the details of the exception or mitigated practice proposed, and a map showing the proposed location and setting of the exception or mitigated practice. The burden of proving that a proposed exception or mitigated practice is warranted shall be on the applicant.

(d) The County fire chief shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with the issuance of any building permit. The planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with any development approval under their respective jurisdictions. Modification of an application for an exception or mitigated practice by the County fire chief, planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be limited to the alternate fire protection measures specified in Section 13-62.

(e) Where an application for an exception or mitigated practice is denied or modified, the applicant may appeal such denial or modification. Appeal from a denial or modification by the County fire chief shall be made pursuant to Article III of this chapter. Appeal from a denial or modification by the planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be made pursuant to Chapter 25 or Chapter 26 of this Code, as appropriate. In order to grant an appeal, the body hearing the appeal must find that the exception or mitigated practice proposed meets the intent of this article.

(f) A written copy of any decision granting an appeal within a State Responsibility Area shall be provided to the director of Forestry and Fire Protection within ten (10) days after the decision is final.

Sec. 13-24. Scope of coverage.

(a) Except as otherwise provided in Section 13-25, the provisions of this article shall apply to all development on all lands within the unincorporated area of the county.

(b) Except as otherwise provided in this article, all applications for development approvals shall be accompanied by plans, engineering calculations, and other data necessary to determine compliance with the provisions of this article.

(c) Except as otherwise provided in this article, compliance with the provisions of this article shall occur prior to the commencement of construction of any structure unless otherwise authorized by the County fire chief.

Sec. 13-25. Exemptions.

The provisions of this article shall not apply to any of the following, except to the extent provided for herein:

(a) Any building granted an agricultural exemption pursuant to Chapter 7 of this Code, provided that the building does not exceed 8,000 square feet in size and is not located in a State Responsibility Area.

(b) Any road or bridge used exclusively for access to an agricultural operation; or an agricultural exempt structure; or a Group U occupancy accessory to a one- or two-family residential dwelling, as defined in the County Building Code, that is under less than 1,000 square feet in area.

(c) Any road or bridge used exclusively for the management and harvesting of wood products.

(d) Any new building having a floor area of less than six hundred forty (640) square feet and containing an occupancy other than a detached Group U occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(e) Any new building accessory to a one- or two-family residential dwelling with a floor area of less than one thousand (1,000) square feet and containing a detached Group U occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(f) Any existing road that provides year-round unobstructed access to conventional drive vehicles, including sedans and fire engines, which was constructed and serving a legal parcel prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a development approval, but only to the portion of the road that is extended, reconstructed or improved.

(g) Any road required as a condition of any development approval granted prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the road that is extended, reconstructed or improved.

(h) Any driveway serving a legally constructed residential building prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such

driveway if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the driveway that is extended, reconstructed or improved.

(i) Any legal or legal non-conforming building constructed prior to January 1, 1992, or any building for which a building permit was issued or an application for a building permit was accepted as complete for filing prior to January 1, 1992; except that the provisions of this article shall apply to any such building if the occupancy is changed, altered, or otherwise converted to any Group R, Division 3 occupancy as defined in the County Building Code.

(j) Any addition to an existing building adding a floor area less than six hundred forty (640) square feet including a detached Group U occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

Sec. 13-26. Administration and enforcement – inspections.

(a) The administration and enforcement of the provisions of this article shall be the shared responsibility of the County fire chief and the director of Permit and Resource Management.

(b) Inspections to determine compliance with the provisions of this article shall be the responsibility of the County fire chief or the director of Permit and Resource Management, as appropriate. The County fire chief or the director of Permit and Resource Management may authorize a local fire chief to conduct inspections within a local fire protection district under the direction of the County fire chief or the director of Permit and Resource Management. In such cases, inspection results shall be provided to the County fire chief or the director of Permit and Resource Management promptly after completion of the inspection.

Sec. 13-27. Distance measurements.

All distances specified or referenced in this article shall be measured horizontally unless otherwise stated.

Division B. Emergency Access.

Sec. 13-28. Intent.

This division establishes minimum emergency access requirements to provide safe access for emergency fire equipment and civilian evacuation concurrently, and to allow unobstructed traffic circulation during a wildfire emergency.

Sec. 13-29. Availability of emergency access.

All buildings shall be accessible to emergency fire equipment by a road or driveway constructed to within one hundred fifty (150) feet of any portion of an exterior wall of the first story of the building or such closer distance as the director of Permit and Resource Management deems necessary to provide adequate access for emergency fire equipment. All buildings located on slopes of greater than five percent (5%) shall also include such additional fire protection measures under Section 13-63, as the County fire chief deems necessary to mitigate access constraints.

Sec. 13-30. Road and driveway surfaces.

All roads and driveways shall have all-weather driving surfaces. All structural sections shall be constructed so as to meet or exceed the following standards:

- (a) On level areas and grades of less than five percent (5%), roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two tenths of a foot (0.2') thick. The base portion of the structural section shall be at least five tenths of a foot (0.5') of compacted Class 2 Aggregate Base.
- (d) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design

shall be not less than 3.5.

Sec. 13-31. Road and driveway grades.

(a) No road or driveway shall have a maximum grade in excess of fifteen percent (15%), without the approval of the County fire chief. In granting such approval, the County fire chief may require such additional fire protection measures under Section 13-63 as he or she deems necessary to mitigate access constraints. A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway.

(b) A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(c) The maximum surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(d) Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

Sec. 13-32. Road and driveway horizontal curves and intersections.

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

(1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees; and

(2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle greater than forty-five (45°) degrees.

The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be

used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County fire chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 Fire Apparatus.

Sec. 13-33. Roadway and driveway structures (bridges).

(a) All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted pursuant to Section 13-2, and shall have a minimum designed live-load capacity of HS-20. All roadway and driveway structures shall be constructed pursuant to a valid building permit. All roadway and driveway structures shall be inspected according to the

administrative and inspection provisions of the County Building Code.

(b) All roadway and driveway structures shall have appropriate signing identifying structure capability, including weight and vertical clearance limits, and any one-way road or single traffic lane conditions.

(c) All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12') shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(d) All driveway structures shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway structure. Any driveway structure with a minimum unobstructed width of twelve feet (12') shall not exceed sixty-five feet (65') in length.

(e) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40'), bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(f) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout, and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-34. Two-way roads.

(a) In addition to meeting the applicable standards in the preceding sections, all two-way roads shall have a right-of-way of not less than twenty-five (25') and shall be constructed to provide a roadway with a minimum of two (2) nine foot (9') traffic lanes providing two-way traffic flow. When permitted in a subdivision's conditions of approval and approved by the appropriate county departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12') with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one thousand three hundred and twenty feet (1,320').

(b) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40') bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(c) Any road or driveway structure required to have a turnout shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-35. One-way roads.

In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20') and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

(e) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-36. Dead-end roads.

In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

- (1) Parcels zoned for less than one (1) acre - eight hundred feet (800');
- (2) Parcels zoned for 1 acre to 4.99 acres - one thousand three hundred twenty feet (1,320');
- (3) Parcels zoned for 5 acres to 19.99 acres - two thousand six hundred forty feet (2,640'); and
- (4) Parcels zoned for 20 acres or larger - five thousand two hundred eighty feet (5,280').

All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differently zoned parcels, requiring different length limits, the average size of the parcels served shall determine the maximum allowable length of the road.

(b) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

(c) All dead-end roads shall have a turnaround constructed at the terminus of the road. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top-of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-37. Driveways.

In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the driveway.

(d) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-38. Gate entrances.

(a) All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(b) All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(c) Where a gated entrance is locked, a lock box or other emergency release device approved by the County fire chief shall be provided for emergency access.

Division C. Signing and Building Numbering.

Sec. 13-39. Intent.

This division establishes minimum signing and building numbering requirements to facilitate locating a fire and to avoid delays in response.

Sec. 13-40. Names of roads.

(a) All roads serving more than two (2) parcels shall be identified by a road name.

(b) All public roads requiring a road name shall be named by the Board of Supervisors pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any public road having a road name may be renamed using the procedures for naming a public road.

(c) 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.

(d) When naming or renaming any road, the Board of Supervisors or the director of Permit and Resource Management, as the case may be, shall use the following standards:

(1) Road names shall not be greater than eighteen (18) characters in length, exclusive of road digits and suffixes.

(2) Road names shall have simple spelling and easy pronunciation.

(3) Road names shall be compatible with road and street names in cities and other counties where appropriate.

(4) Road names shall not duplicate or cause confusion with existing road names. Road names shall be deemed to be duplicates if they have different suffixes, but are otherwise the same.

(5) Road names that are numbers or letters shall be avoided.

(6) Road names that are geographically misleading shall be avoided.

(7) Road names that are inappropriate or offensive shall be prohibited.

(8) A road having a continuous alignment shall bear the same name.

(9) Road extensions shall bear the same name as the existing road.

(10) Roads or portions of roads to be connected in the future into a continuous alignment shall bear the same name.

(11) Roads intersecting one another, or forming a deflection angle of greater than ninety (90) degrees shall generally have different names.

(12) A cul-de-sac road may bear the same name as the road it intersects, provided that the suffix is court or place.

(13) No road shall be named such that it will intersect itself or create an intersection with a road having a duplicate name.

(14) Any other standards established by resolution or ordinance of the Board of Supervisors.

Sec. 13-41. Size of letters, numbers and symbols for road signs.

All letters, numbers and symbols designating names on road signs shall be according to county road standards.

Sec. 13-42. Visibility and legibility of road signs.

All road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred feet (100'). All road signs shall indicate the road name and whether the road is public or private in each direction of vehicle travel in conformance with county road standards.

Sec. 13-43. Orientation and height of road signs.

All road signs shall have an orientation and height in conformance with county road standards.

Sec. 13-44. Placement of road signs identifying intersecting roads.

All road signs identifying intersecting roads shall be placed at the intersection of such roads.

Sec. 13-45. Signs identifying traffic access limitations.

All road signs identifying traffic access or flow limitations, including but not limited to, weight or vertical clearance limits, dead-end roads, one-way roads or single traffic lane conditions, shall be placed as follows:

- (a) At the intersection preceding the traffic access limitation; and
- (b) No more than one hundred feet (100') before such traffic access limitation.

Sec. 13-46. Addresses for buildings.

All buildings shall be identified by an address issued by the director of Permit and Resource Management. When issuing addresses, the director of Permit and Resource Management shall use the following standards:

- (a) Addresses shall be compatible with addresses in cities and other counties where appropriate.
- (b) Addresses shall be assigned to reflect the road from which the primary driveway originates.
- (c) Addresses shall be issued in sequential order and have even numbers on one side of the road and odd on the other. In general, the even numbers shall be on the north and east sides of roads and/or on the right when facing in the direction of increasing magnitude. Existing addresses for roads requiring a road name change that do not conform to the provisions of this subsection may be accepted if the sequence is in logical order and the addresses are approved by the director of Permit and Resource Management and the County fire chief.
- (d) All buildings other than accessory buildings shall be assigned separate addresses. Individual units within residential and commercial buildings may be assigned subsidiary numbers or letters (e.g., apartment 10; suite A). Where possible individual units in multiple story buildings shall be assigned numbering sequences that identify the floor by the leading digit(s).
- (e) Any other standards adopted by resolution or ordinance of the Board of Supervisors or by administrative regulation of the director of Permit and Resource Management.

Sec. 13-47. Size of letters, numbers and symbols for addresses.

- (a) **Numbers for one- and two- family dwellings.** Numbers for one- and two-family dwellings shall be a minimum of four inches (4") high with a minimum stroke

width of 0.5 inches (0.5"). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(b) **Numbers for other than one- and two- family dwellings.** Numbers for other than one- and two- family dwellings shall be a minimum of 12 inches (12") high with a minimum stroke width of one inch (1"). Suite numbers for other than one- and two-family dwellings shall be a minimum of six inches (6") high and 0.5 inches (0.5") stroke.

Exceptions:

1. These requirements may be modified with the approval of the fire code official.
2. Illuminated address numbers are not required for existing buildings where approved; reflective numbers are to be installed.

Sec. 13-48. Installation, location and visibility of addresses.

(a) All buildings shall have a permanently posted address, which shall be placed on building and shall be plainly visible and legible from the road on which the address is located or the primary driveway. The numbers shall contrast with their background.

(b) All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and shall be visible and legible from both directions of travel along the road on which the address is located.

Exception: An approved internally lighted building address device may be used when such building address device is located on the building and the building is located within thirty feet (30' of the edge of the road on which the address is located.

(c) All address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(d) Where multiple addresses are required at a single driveway, such addresses shall be mounted on a single approved post.

(e) Where a road provides access solely to a commercial building, the address sign shall be placed at the nearest road intersection providing access to the site.

Division D. Emergency Water Supply.

Sec. 13-50. Intent.

This division establishes minimum emergency water supply requirements to ensure a supply of water to attack a fire or defend property from a fire.

Sec. 13-51. Emergency water supply.

(a) All buildings shall have a permanent emergency water supply approved by the County fire chief, which shall be installed, maintained and available for use as follows:

(1) Except as otherwise provided in subsection (a)(3), where water is provided by a public water system, the permanent emergency water supply shall be installed and available for use prior to the completion of road construction;

(2) Except as otherwise provided in subsection (a)(3), where water is provided by a water system other than a public water system, the permanent emergency water supply shall be installed and available for use prior to the commencement of construction of any permanent structure;

(3) When authorized by the County fire chief, an interim emergency water supply acceptable to the County fire chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection;

(4) When authorized by the County fire chief and local fire chief, the emergency water supply requirements may be waived when sufficient evidence is proven the intent to Title 14 of the Natural Resources Code, Division 1.5, Article 4 - Emergency Water Standards have been met.

(b) If the water supply to the parcel is provided by a public or community water system (urban parcel - see Definitions) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(c) If the water supply to the parcel is provided by a private water well (non-urban parcel - see Definitions) an emergency water storage of not less than two thousand five hundred (2,500) gallon capacity shall be provided. A single two-thousand five-hundred (2,500) gallon tank may serve more than one building on the same parcel, provided all hydrants are located in accordance with Section 13-52. When multiple tanks

are utilized to achieve the required volume of water, the connection between the tanks shall be an approved minimum four inch (4") diameter water line.

(d) Water tanks for emergency water supply placed inside the minimum setback requirement of Section 13-55 shall be constructed of non-combustible material. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(e) All permanent emergency water supplies for commercial buildings shall meet the requirements of the California Fire Code if the building is served by a public water system or NFPA 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting" if the building is served by a water system other than a public water system.

Sec. 13-52. Hydrants.

(a) All buildings shall be protected by hydrants. The location, number, and type of hydrants for any building shall be as required and approved by the County fire chief or the director of Permit and Resource Management.

(b) All hydrants for residential and commercial buildings that are part of a public water system on urban parcels shall have a fire flow which is the greater of either five hundred (500) gallons per minute with a residual pressure of twenty (20) pounds per square inch or the minimums specified in Public Utilities Commission of California revised General Order No. 103, adopted June 12, 1956 (corrected September 7, 1983, Decision 83-09-001), Section VIII Fire Protection Standards and other applicable sections relating to fire protection water delivery systems or the minimums for static water systems equaling or exceeding the National Fire Protection Association Standard 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting."

(c) All hydrants for non-urban parcels shall comply with the following requirements:

(1) Hydrant outlets shall be a minimum of eighteen inches (18") and a maximum of twenty-four inches (24") above grade, eight feet (8') from flammable vegetation, no closer than six feet (6') nor farther than twelve feet (12') from the edge of the road or driveway, and in a location where emergency fire equipment using it will not block the roadway. The hydrant serving any residential building shall be located at a turnout or turnaround, along the driveway to the building, or along the road that intersects with the driveway. The hydrant serving any residential building shall be connected to the emergency water supply by an approved minimum four inch (4") diameter water line.

(2) All hydrants shall be located between sixty feet (60') and one hundred fifty feet (150') from the residential building. The fire hydrant shall be installed so that a fire engine utilizing the hydrant may maintain a minimum distance of sixty feet

(60') from the residential building. Distance measurements shall be determined by hose lay along a road or driveway, not horizontal distance.

Exceptions:

1. The distance to the hydrant, on a non-urban parcel with exclusively residential buildings on it, may exceed one hundred fifty feet (150') by one hundred fifty feet (150') for each additional five hundred (500) gallons of water storage capacity up to a maximum of two thousand five hundred and fifty feet (2,550') from the residential building as allowed by Table 13-52a.

2. A public fire hydrant can be used for the emergency water supply as allowed by Table 13-52b, for non-urban parcels with exclusively residential buildings on them.

a. All hydrants shall have at least one (1) two and one-half inch (2½") outlet with male National Hose Threads and a cap. On water systems of greater than ten thousand five hundred (10,500) gallons, there shall also be at least one (1) four and one-half inch (4½") outlet with male National Hose Threads and a four and one half inch (4½") by two and one half inch (2½") reducer with a cap.

b. All hydrants shall be a wet barrel hydrant or a draft hydrant as required by the delivery system and shall have suitable crash protection. The maximum height differential between the water source and the draft hydrant outlet shall be 10 feet (10'). Draft hydrants shall be supplied by six inch (6") minimum pipe size, and be equipped with a four and one-half inch (4½") National Hose male thread fitting with a cap.

c. Crash protection shall be per California Fire Code, Chapter Three, Section 312.

Table 13-52a¹

Distance to hydrants based on volume of storage

Distance is from structure to hydrant

Gallons of Storage/Distance to Hydrant

2,500/150'	7,000/1,500'
3,000/300'	7,500/1,650'
3,500/450'	8,000/1,800'
4,000/600'	8,500/1,950'
4,500/750'	9,000/2,100'
5,000/900'	9,500/2,250'
5,500/1,050'	10,000/2,400'
6,000/1,200'	10,500/2,550'
6,500/1,350'	

Note:

¹This table applies only to parcels that have exclusively residential buildings on them.

Table 13-52b¹
Exception to hydrant distance²

Distance is measured from driveway entrance to the hydrant

Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 GPM	20 PSI
1,800 feet	1,000 GPM	20 PSI
2,800 feet	1,500 GPM	20 PSI
3,800 feet	2,000 GPM	20 PSI
4,800 feet	2,500 GPM	20 PSI

Notes:

¹This table applies only to parcels that have exclusively residential buildings on them.

²Distances within these ranges can be prorated based on volume of flow available.

Sec. 13-53. Signing of water sources.

Each hydrant or access to water for any residential or commercial building shall be identified as follows:

(a) If located along a driveway, a reflective blue marker, with a minimum dimension of three inches (3"), shall be located on the driveway address sign and mounted on a fire retardant post; or

(b) If located along a road either of the following is acceptable:

(1) A reflective blue marker, with a minimum dimension of three inches (3"), shall be mounted on a fire retardant post. The sign post shall be within three feet (3') of the hydrant, with the sign no less than three feet (3') nor greater than five feet (5') above ground, aimed toward headlights, in a horizontal position and visible from the driveway, or

(2) As specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

Division E. Fuel Modification.

Sec. 13-54. Intent.

This division establishes minimum fuel modification requirements to reduce the possibility and intensity of a wildfire, to provide increased safety for emergency fire equipment, personnel and evacuating civilians, and to provide a point of attack against or defense from a wildfire.

Sec. 13-55. Setback for building defensible space.

(a) On parcels less than one (1) acre, all buildings shall have a setback from any property line or the centerline of any road of not less than the applicable minimum setbacks specified in Chapter 26 of the County Building Code.

(b) On parcels one (1) acre or larger all buildings and accessory buildings shall have setbacks to the property line and/or exterior wall protection according to Table 13-55(a) and Table 13-55(b).

Table 13-55 (a)
Exterior walls, within State Responsibility Area,
without automatic fire sprinkler protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10feet
	(Not fire-resistance rated)	Comply with CRC Sec R327.7 or CBC Sec 707A	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Section R327.7 or CBC Section 707A Comply with Section CRC Sec R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section R327.8 or CBC Sec 708A	>10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	20 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Table 4905.4 (B)
Exterior Walls, Within State Responsibility Area,
With Automatic Fire Sprinkler Protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.7 or CBC Sec 707A	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Sec. 13-56. Flammable vegetation clearance areas for roads and driveways.

All roads and driveways shall have a flammable vegetation clearance area on each side of the road or driveway of not less than ten feet (10') unless otherwise authorized by the director of Permit and Resource Management.

Sec. 13-57. Setbacks for planted vegetation from electric power lines – installation of new power lines.

All electric utility companies shall make every reasonable effort to select routes and types of conductors that minimize the risk of fire when installing new overhead electric utilities.

Sec. 13-58. Disposal of flammable vegetation and fuels.

All disposal, including chipping, burying, burning or removal to a landfill site, of flammable vegetation and fuels caused by site development and construction, road and

driveway construction, or fuel modification shall be completed prior to completion of road or driveway construction, or foundation inspection for a building permit, whichever occurs first.

Sec. 13-59. Greenbelts.

Any development which designates a facility or land use as a greenbelt shall locate the greenbelt strategically, as a separation between wildland fuels and buildings. The director of Permit and Resource Management shall approve the location of any greenbelt.

Sec. 13-59.5. Defensible Space.

(a) A Fire Protection Plan shall be required for any new residential or commercial building within a State Responsibility Area (SRA) located in a Very High Severity Zone. The plan shall be prepared by a qualified professional and shall be approved by the County fire chief. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire-resistive vegetation, and a maintenance program for all vegetation. When required by the Code official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

(b) The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

(c) A copy of the fire protection plan shall be retained by the property owner.

(d) The cost of fire protection plan preparation and review shall be the responsibility of the applicant. All existing buildings shall meet the requirements of Public Resources Code (PRC 4291) for defensible space.

(e) All existing buildings shall meet the requirements of the California Fire Code, Chapter 49, Section 4906 and 4907.

Sec. 13-60. Roofing.

All structures regulated by the County Building Code shall have roof coverings that comply with the requirements of Chapter 7 of this Code.

Division F. Other Fire Protection Measures.

Sec. 13-61. Intent.

This division establishes alternate fire protection measures for use in place of standards specified in this article which cannot be met and additional fire protection measures to mitigate parcel specific fire protection problems.

Sec. 13-62. Alternate fire protection measures.

When authorized, pursuant to Section 13-23, any of the following alternate fire protection measures may be used as exceptions to the standards specified in this article or as mitigated practices:

- a) Increased emergency water supply requirements;
- b) Installation of a sprinkler system that meets the requirements of the National Fire Protection Association and includes protection of eaves where not required by code;
- c) Increased flammable vegetation clearance areas for buildings;
- d) Increased flammable vegetation clearance areas for roads and driveways;
- e) Use of fire-resistive vegetation;
- f) Installation of fire-resistive exterior siding;
- g) Use of fire-resistive deck and eave construction;
- h) Construction of additional turnouts and turnarounds;
- i) Creation of areas of safe refuge;
- j) Installation of a centrally monitored fire alarm system;
- k) Provision of a secondary means of ingress and egress to the parcel.
- l) Increased width and surface for emergency vehicle access.

Sec. 13-63. Additional fire protection measures.

When the County fire chief determines that access constraints, hazard severity or topography and terrain adversely affect the ability of emergency fire equipment and personnel to respond to an emergency on a parcel, the County fire chief may require additional fire protection measures as follows:

- (a) Where conditions delay, limit or prohibit access by emergency fire equipment and personnel to a parcel, the County fire chief may require any of the following fire protection measures in addition to the other standards specified in this

article:

- (1) Increased emergency water supply;
- (2) Installation of an automatic sprinkler system that meets the requirements of the National Fire Codes and local regulations where not required by code;
- (3) Increased flammable vegetation clearance areas for buildings;
- (4) Use of fire-resistive vegetation;
- (5) Use of fire-resistive deck and eave construction;
- (6) Installation of fire-resistive exterior siding;
- (7) Installation of a centrally monitored fire alarm system;
- (8) Creation of areas of safe refuge;
- (9) Vegetation management plan.

(b) Where a parcel is located within a high or very high fire hazard severity zone as defined by the California Department of Forestry and Fire Protection, the County fire chief may require any of the following fire protection measures in addition to the other standards specified in this article:

- (1) Any of the fire protection measures specified in subsection (a);
- (2) Construction of additional turnouts and turnarounds;
- (3) Provision of a secondary means of ingress and egress to the parcel;
- (4) Vegetation management plan.

(c) Where features of topography or terrain create conditions on a parcel which the County fire chief determines warrant additional fire protection measures, the County fire chief may consider the parcel to be an area of high or very high fire hazard severity and require any of the fire protection measures specified in subsection (b) in addition to the other standards specified in this article.

Article VI. Fireworks.

Sec. 13-66. Sale, use or discharge of fireworks prohibited--Exception.

(a) Except for public displays of fireworks authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks within the unincorporated area of the county.

(b) Any person or group desiring to perform a public display of fireworks within the unincorporated area of the county shall first make written application for a permit to the local fire chief, if the display is to be held within a local fire protection district, or the County fire chief, if the display is to be held within a portion of the unincorporated area of the county not in a local fire protection district. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the local fire chief or County fire chief, as appropriate, pursuant to Title 19 of the California Code of Regulations. Any permit for a public display of fireworks may be suspended or revoked at any time by the local fire chief or the County fire chief, as appropriate. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article VII. Open Burning.

Sec. 13-71. Burning permits required.

It is unlawful for any person to undertake or authorize the undertaking of any open burning within the unincorporated area of the county at any time between May 1st and the date the director of Forestry and Fire Protection declares, by proclamation, that the hazardous fire conditions have abated for that year or at any other time when the director of Forestry and Fire Protection has declared, by proclamation, that unusual fire hazard conditions exist within the region wherein the County is located without first obtaining a written burning permit as follows:

(a) Within those portions of the unincorporated area of the county in a fire protection district, burning permits shall be obtained from the fire protection district.

(b) Within those portions of the unincorporated area of the county in a State Responsibility Area, burning permits shall be obtained from the California Department of Forestry and Fire Protection or, if the location of the open burning is also in a fire protection district and the district is authorized by the California Department of Forestry and Fire Protection to issue such permits, from the fire protection district.

(c) Within those portions of the unincorporated area of the county not in a fire protection district or State Responsibility Area, burning permits shall be obtained from

Sonoma County's Bay Area Management District.

(d) If the County fire chief determines that conditions of high fire hazard exist within any or all of the unincorporated area of the county, the County fire chief may suspend the issuance of any burning permit authorized by this section or stay the effect of any such permit already issued or both for such period as the County fire chief deems necessary, not to exceed one hundred fifty (150) days. The County fire chief shall notify the Board of Supervisors of any such suspension or stay by memorandum within twenty-four (24) hours following its commencement. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-72. Hours and days for burning.

All burning permits issued pursuant to this article shall restrict open burning to the hours and days specified by the air pollution control district having jurisdiction. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-73. Burning of land of another.

No burning permit shall be issued pursuant to this article for open burning by the applicant upon land owned by another person unless the applicant has the written consent of the owner, lessee or other person in charge or control of the land on which the open burning is to be done. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-74. Effect of article on fire protection districts and state responsibilities.

Nothing in this article shall be construed as preventing any fire protection district within the county from adopting an ordinance or ordinances regulating burning containing more restrictive regulations, nor shall anything herein be construed as limiting or releasing the state or the California Department of Forestry and Fire Protection of any responsibility for fire prevention and suppression under the laws of this state. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-75. Effect of issuance of permit.

The issuance of any burning permit pursuant to this article shall not be deemed to be a waiver of noncompliance within or authorize violation of any zoning or other law whatsoever or constitute a sanction of or permit for any public or private nuisance. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-76. Burning to be under supervision of responsible person.

All burning for which a permit is required pursuant to this article shall be done under the direction and constant surveillance of a responsible person. (Ord. No. 5373 § 2,

2002: Ord. No. 4905 § 1, 1995.)

Article VIII. Fees and Charges.

Sec. 13-81. Schedule of fees and charges.

(a) The Board of Supervisors may from time to time establish a schedule of fees and charges following the procedure set forth in California law (currently Government Code Section 66016 et seq.) to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this chapter.

(b) The Board of Directors of any fire protection district may from time to time establish a schedule of fees and charges following the procedure set forth in California Law to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this Chapter. Pursuant to Health and Safety Code Section 13916, no such fee or charge on new construction or development shall be for construction of public improvements or facilities or the acquisition of equipment. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article IX. Enforcement.

Sec. 13-86. Responsibility for enforcement.

Except as otherwise provided herein, the County fire chief shall be responsible for enforcing the provisions of this chapter. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-87. Issuance of citations.

The County fire chief, director of Permit and Resource Management, and local fire chiefs may, pursuant to Section 836.5 of the California Penal Code, arrest a person without a warrant whenever they have reasonable cause to believe that the person to be arrested has committed a misdemeanor in their presence which is a violation of this chapter or any other ordinance or statute which they have a duty to enforce, and to issue a written notice to appear and to release such person on his or her written promise to appear in court, as prescribed by Chapter 5C (commencing with section 853.6) of the California Penal Code. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article X. Chapter 13 of the Sonoma County Code is amended to read:

Article X. Violations.

Sec. 13-91. Violation--Penalty.

Any person who violates or fails to comply with any provision of the California Fire Code, the California Fire Code Standards, or the National Fire Codes, as adopted, or this chapter, or who violates or fails to comply with any order or regulation made thereunder, or who acts in violation of any detailed statement of specifications or plans submitted and approved thereunder, or who violates any provisions of a certificate or permit issued thereunder, is guilty of a misdemeanor, punishable as provided by law. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified in any citation or notice of violation, each day or portion thereof that prohibited conditions are maintained shall constitute a separate offense. The application of the provisions of this section shall not be held to prevent the enforced removal of prohibited conditions. (Ord. No. 5373 § 2, 2002; Ord. No. 4905 § 1, 1995.)

SECTION II. Pursuant to Health and Safety Code, Section 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the 2013 California Fire Code, including the adoption of fire protection sprinkler and fire alarm standards, are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Sonoma County has climatic conditions which are unique in character. The county is subject to year-round coastal winds. Average yearly rainfall for the county is approximately 30 inches. This rainfall generally occurs from October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85-90 degrees Fahrenheit (85-90° F) during the summer months, temperatures can climb to higher than 110 degrees Fahrenheit (110° F) in parts of the county. Afternoon winds can move a fire quickly in any part of the county, particularly during times of high temperatures and low humidity.

Drought conditions occur periodically in the County and when they occur they often last for several years. When drought conditions occur, they result in reduced available water. Groundwater as well as surface supplies are affected. When drought conditions occur, they create a situation where lowered water tables, water contamination, and increased demand on water systems due to population growth all

negatively impact water availability for fire protection. These impacts degrade the quality of fixed fire protection as well as fire suppression activities.

2. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors alike. The County is situated in a primarily rural setting with rugged coastline forming its western boundary, rugged mountainous areas forming its northern and eastern boundaries, and forested areas and grasslands making up much of the county. These features establish the roadways and building sites in the county as well as create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County create windbreaks from oncoming winds, but also produce fuel through the annual fall needles and leaves which drop to the ground along with decayed trees and branches which contribute to the fuel load. The dry vegetation and low water availability create a terrain which causes access problems and other problems for emergency fire equipment and personnel.

The grassland areas in the County have easily ignitable fuels which are subject to high winds. A southern exposure and unbroken fuel create a potential for major conflagrations.

The County has potentially active seismic hazards within its boundaries (the San Andreas Fault and several other fault traces have been identified within the county). Large portions of the county are within the Alquist-Priolo Special Studies Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to predict (with reliability) the potential for activity on active faults. Seismic activity within the county occurs yearly with little or no damage although the very real potential for damage exists with the active faults within the county. While new construction may be limited by their respective distances to faults, existing structures and replacement of these structures present a serious problem.

The mixture of developed and undeveloped areas within the county creates hazardous conditions when a storm of gale force winds causes trees to fall onto roadways used for access by emergency fire equipment and personnel. In addition, flooding occurs in certain areas of the county during heavy winter storms limiting or eliminating access for emergency fire equipment and personnel.

Landslides have been experienced in various areas of the county. While stabilization can sometimes be provided, heavy winter storms cause failures. These failures have closed roadways within the county making access for emergency fire equipment and personnel impossible until properly cleared.

3. Sonoma County has topographical conditions which are closely associated with the geological and geographic characteristics noted above. The

topographical conditions are the result of the design and construction of development within the county based on elevation changes in the county as well as the hills, canyons, lakes and streams which exist in the county.

The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems, and the Sonoma County Water Agency distribution network. Water supplies within the county vary from less than ten (10) gallons per minute to flows in excess of four thousand (4,000) gallons per minute. This wide variation causes major problems to development as well as fire suppression forces.

The roadway system through most of the county is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades, and overhanging tree branches. The grades on roadway surfaces sometimes exceed 25% and widths of less than twelve feet (12') are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the county, with high concentrations of building within these areas. The exposure created by these structures poses a significant problem. For practical and cost reasons, these structures are built of wood (Type V) construction. The potential of conflagration exists with the high buildout of certain areas in the county. The concentrated commercial, industrial, and residential occupancies in these areas cause concern when considering the "exposure" of building-to-building and building-to-grassland areas of the county.

The topographical nature of the county also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive and, thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Due to the narrow roads which are congested with residents and visitors alike, this situation occurs more than could be normally expected.

4. The preceding findings identify the local climatic, geological, and topographical conditions which the Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications or changes to the requirements published in the California Building Standards Code contained herein reasonably necessary. This Board further finds that it has amended the 2013 California Fire Code to assist in mitigating such conditions.

SECTION III. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 13 as previously adopted shall remain in full force and effect.

SECTION IV. The County fire chief is directed to file a copy of this Ordinance with the

State Fire Marshal and California Building Standards Commission of the State of California.

SECTION V. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VI. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 22nd day of October, 2013, and finally passed and adopted this 5th day of November, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin _____ Zane _____ McGuire _____ Carrillo _____ Rabbitt _____
Ayes _____ Noes _____ Absent _____ Abstain _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED

**Summary of
Ordinance No.**

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 13 (Fire Safety Ordinance) of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code of Regulations, 2013 Edition of the California Building Standards Code, Including: (1) the California Fire Code; and Sonoma County Fire Safe Standards; and Adopting Local Findings; and to Make Technical and Administrative Revisions to Chapter 13.

On October 22, 2013, the Board of Supervisors of the County of Sonoma directed the setting of, and on November 5, 2013, the Board of Supervisors held, a public hearing after which it adopted an ordinance entitled, “An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Amending Chapter 13, ‘Fire Safety Ordinance’ of the Sonoma County Code to Adopt by Reference and Amend Selected Provisions, Chapters and Appendices of the California Code of Regulations, Title 24, 2013 Edition of the California Fire Code; to Adopt by Reference the National Fire Codes, Save and Except Specified Portions; to Adopt Local Findings; and to Make Other Technical and Administrative Revisions to Chapter 13.”

The Ordinance makes the following changes to Chapter 13 of the Sonoma County Code:

1. It amends Chapter 13, Section 13-17, to adopt by reference with local amendments the 2013 Edition of the California Building Standards Code, Title 24 Part 9, the 2013 California Fire Code.
2. It revises other Sections of Chapter 13, Sonoma County Fire Safety Ordinance, to make technical and administrative updates to the Sonoma County Code, including Sections 13-6 Definitions; 13-11 Board of Appeals; 13-12 Appeals; 13-15 County Fire Code designated – Administration and enforcement – amendment by local fire districts; 13-16 Conflicting regulations; 13-21 Findings; 13-23 Compliance with standards required – exceptions to standards; 13-24 Scope of coverage; 13-25 Exemptions; 13-26 Administration and enforcement – inspections; 13-29 Availability of emergency access; 13-30 Road and driveway surfaces; 13-31 Road and driveway grades; 13-32 Road and driveway horizontal curves and intersections; 13-33 Road and driveway structures (bridges); 13-34 Two-way roads; 13-35 One-way roads; 13-36 Dead-end roads; 13-37 Driveways; 13-38 Gate entrances; 13-40 Names of roads; 13-46 Addresses for buildings; 13-47 Size of letters, numbers and symbols for addresses; 13-48 Installation, location and visibility of addresses; 13-51 Emergency water supply; 13-52 Hydrants; 13-53 Signing of water sources; 13-55 Setbacks for buildings; 13-56 Flammable vegetation clearance areas for roads and driveways; 13-57 Setbacks for planted vegetation from electric power lines – installation of new power lines; 13-59.5 Defensible space; 13-62 Alternate fire protection measures; 13-63 Additional fire protection measures; 13-66 Sale, use or discharge of

fireworks prohibited – Exception; 13-71 Burning permits required; 13-86 Responsibility for enforcement; 13-87 Issuance of citations.

3. It finds pursuant to Health and Safety Code sections 17958.7, 18941.5 and 13143.5 that the changes or modifications made therein are reasonably necessary because of local climatic, geological and topographical conditions. The ordinance adopts findings in connection with the local amendments.

Copies of the ordinance, which shall become effective on **January 1, 2014**, are available for public inspection during regular business hours in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California, as are copies of the 2013 Edition of the California Fire Code.

SUPERVISORS:

GORIN____ ZANE ____ MCGUIRE____ CARRILLO____ RABBITT_____

AYES_____ NOES_____ ABSENT_____ A BSTAIN_____

Michelle Arellano, Clerk of the Board of Supervisors



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 36C
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Fire and Emergency Services

Staff Name and Phone Number:

Andrew Parsons, 565-1174

Supervisorial District(s):

All

Title: Ordinance amending Chapter 29 of the Sonoma County Code, including 2013 California Code, with local amendments.

Recommended Actions:

Conduct a public hearing on November 5, 2013 at 10:00 a.m. on the proposed adoption of an ordinance amending Chapter 29 of the Sonoma County Code, relating to the California Fire Code, 2013 edition, and making technical and administrative revisions. The first reading for this ordinance was on October 22, 2013. If adopted the effective date of the ordinance will be January 1, 2014.

Executive Summary:

Chemicals are widely used in commerce and by individuals in our society and properly controlled and utilized chemicals can be beneficial to our overall well being. However, unknown quantities and qualities of chemicals exist which may be toxic, corrosive, irritating, sensitizing, or flammable and which may cause serious illness or harm to humans, animals, and the environment. The public has a right to expect regulation of these materials.

Public protection from hazardous materials release or threatened release to the environment is essential. This requires proper planning on the part of the community as well as those responsible for hazardous materials. Substantial public and private cooperation and education is essential for the appropriate understanding and control of chemicals.

The ability to respond to hazardous materials emergencies is essential to the protection of the public health and welfare and the environment from risks of harm by unplanned, threatened or actual releases of hazardous materials. Financial responsibility for emergency response must be assumed by responsible persons in order to preserve the Certified Unified Program Agency's (CUPA's) ability to respond to hazardous materials emergencies.

Sonoma County Code Chapter 29, the Sonoma County "Hazardous Materials Management Ordinance", has been adopted by the county to manage hazardous materials within the unincorporated county and

provide a high level of safety to our citizens; however this ordinance requires certain technical and administrative changes to bring it up to date with current codes and regulations.

ANALYSIS OF REVISIONS

The revisions are minor and needed to make correctly reference current applicable codes and nationally recognized standards.

The sections have been updated to reflect deleted and inaccurate references including exemptions no longer allowed under current regulations. The only significant proposed change to Chapter 29 of the Sonoma County Code is to delete the original language found in Section 29-8, which listed the exceptions to consolidated permits. The CUPA does not have the authority to grant exemptions from permitting and inspections to hazardous waste generators, regardless of the quantity of hazardous waste they generate (29-8(a)). Also, in 2004, State auditors recommended that the CUPA discontinue its self-audit program for hazardous waste generators because the CUPA was required to continue to perform physical inspections of these facilities (29-8(b)). As a final note, the CUPA is 100% fee-funded; any costs it incurs, including those related to inspections, must be recovered through fees in order to provide an equitable distribution of its costs to the regulated community. There will be no change to the CUPA fees as the current fee structure already recoups the costs incurred.

The item before you is requesting the Board of Supervisors to adopt a Resolution introducing an ordinance amending Chapter 29 of the Sonoma County Code making technical and administrative revisions; waving further readings and setting November 5, 2013 as the date and time for a public hearing adopting the ordinance.

Prior Board Actions:

Chapter 29 of the Sonoma County Code was amended during the triennial adoption cycle of the California Code in November 1997.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The standards set in this ordinance will enhance public health and safety.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

No fiscal impacts.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

No staffing impacts.

Attachments:

1. Pre-adoption Summary
2. Draft Chapter 29 ordinance with revisions identified
3. Chapter 29 ordinance with revisions accepted
4. Post-adoption Summary

Related Items "On File" with the Clerk of the Board:

Chapter 29 Ordinance – copy for public reference

**Summary of
Ordinance No. _____**

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 29 (Hazardous Materials Management Ordinance) of the Sonoma County Code, and to Make Technical and Administrative Revisions to Chapter 29.

On October 22, 2013, the Board of Supervisors of the County of Sonoma introduced, waived reading of, and directed the Clerk of the Board of Supervisors to set a public hearing for November 5, 2013 at 10:00 a.m. to consider the adoption of a proposed ordinance entitled, “An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 29 (Hazardous Materials Management Ordinance) of the Sonoma County Code, and to Make Technical and Administrative Revisions to Chapter 29.” The Board of Supervisors will conduct the public hearing at 10:00 a.m. on Tuesday, November 5, 2013, to consider the Ordinance. The public hearing will be held in the Board of Supervisors Chambers, Sonoma County Administration Building, 575 Administration Drive, Room 102A, Santa Rosa, California.

The Ordinance makes the following changes to Chapter 29 of the Sonoma County Code:

It revises Sections of Chapter 29, Sonoma County Fire Safety Ordinance, to make technical and administrative updates to the Sonoma County Code, including Sections: 29-2 Findings and purpose; 29-3 Scope; 29-4 Definitions; 29-7 Consolidated permit application; 29-8 Consolidated permits – Exceptions; 29-9 Permit fees; 29-10 Permit transfer; 29-11 Underground storage tank permits; 29-12 Emergency repair permit; 29-13 Permit suspension; 29-14 Inspections; 29-15 Dispute resolution; 29-16 Notice to comply; 29-17 Reporting releases or threatened releases; 29-18 Emergency response; 29-19 Administrative review; 29-20 Regulatory action; 29-21 Filing an appeal; 29-22 Notice of hearing; 29-23 Hearing procedures; 29-24 Disposition of appeal; 29-25 Decision of hearing officer; 29-26 Liabilities and defenses; 29-27 Penalties; 29-28 Local agency assistance; 29-29 Regulations; 9-30 Statutory severability; and 29-31 Interpretation; 29-32 State-mandated provisions.

Copies of the proposed ordinance, are available for public inspection during regular business hours in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California, as are copies of the 2013 Edition of the California Hazardous Materials Management Code.

Michelle Arellano, Clerk of the Board of Supervisors

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 29, "HAZARDOUS MATERIALS MANAGEMENT ORDINANCE" OF THE SONOMA COUNTY CODE AND TO MAKE TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 29.

SECTION I. Chapter 29 of the Sonoma County Code is amended to read:

**CHAPTER 29
HAZARDOUS MATERIALS MANAGEMENT ORDINANCE**

~~Article I. Administrative.~~

Article I is amended to read:

Article I. Administrative.

Sec. 29-1. Title.

This chapter shall be known as the "Hazardous Materials Management Ordinance" (HMMO) of Sonoma County.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-2. Findings and purpose.

- (a) The ~~B~~board of ~~s~~Supervisors, ~~e~~County of Sonoma, ~~s~~State of California, finds and declares that chemicals are widely used in commerce and by individuals in our society and that properly controlled and utilized chemicals can be beneficial to our overall well being. However, the ~~b~~Board further finds that unknown quantities and qualities of chemicals exist which may be toxic, corrosive, irritating, sensitizing, or flammable and which may cause serious illness or harm to humans, animals, and the environment. The public has a right to expect regulation of these materials.
- (b) The ~~board of supervisors~~Board of Supervisors further finds and declares that public protection from hazardous materials release or threatened release to the environment is essential. This requires proper planning on the part of the community as well as those responsible for hazardous materials.
- (c) The ~~board of supervisors~~Board of Supervisors finds and declares that substantial public and private cooperation and education is essential for the appropriate understanding and control of chemicals.

- (d) The ~~board of supervisors~~Board of Supervisors further finds and declares that the ability to respond to hazardous materials emergencies is essential to the protection of the public health and welfare and the environment from risks of harm by unplanned, threatened or actual releases of hazardous materials. Financial responsibility for emergency response must be assumed by responsible persons in order to preserve the Certified Unified Program Agency's (CUPA's) ability to respond to hazardous materials emergencies.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-3. Scope.

- (a) It is the intent of this chapter to regulate the storage, handling, and management of hazardous materials, whether in waste or non-waste form, unless specifically preempted by state or federal law.
- (b) This chapter provides for the inventory and control of hazardous materials which are stored above ground and underground in both the incorporated and unincorporated areas of Sonoma County to the extent permitted by law except in those incorporated cities which are ~~certified unified program agen~~Certified Unified Program Agencies (CUPAs). The applicable statutes and regulations include the following:
- (1) Hazardous Materials Business Plans. This program includes chemical and hazardous waste inventories and emergency response plans. California Health and Safety Code, Division 20, Chapter 6.9, ~~Article 1~~ and Title 19 of the California Code of Regulations.
 - (2) Risk Management and Prevention Planning. This program includes facilities which handle, use, or store acutely hazardous materials. California Health and Safety Code, Division 20, Chapter 6.95, ~~Article 2~~ and Title 19 of the California Code of Regulations.
 - (3) Underground Storage Tank (UST) Program. This program includes all underground storage tanks except those exempted under federal and state law. California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75, and Title 23, Division 3, Chapter 16 and 18 of the California Code of Regulations.
 - (4) Hazardous Waste Generator Program/Tiered Permitting Hazardous Waste On-Site Treatment. This program includes facilities which generate any quantity of hazardous waste. California Health and Safety Code, Division 20, Chapter 6.5 ; ~~Articles 1 — 13~~ and Title 22, Division 4.5, Chapters 10, 11, 12, ~~16, 20, 23, 29, and 31, 32, and 45~~ of the California Code of Regulations.
 - (5) Aboveground Petroleum Storage Act Spill Prevention, Control and Countermeasure (SPCC) Plans. This program includes facilities which have aboveground storage of petroleum products ~~in excess of six hundred sixty (660)~~

~~gallons per tank or~~ in excess of one thousand three hundred twenty (1,320) total gallons. California Health and Safety Code, Division 20, Chapter 6.67.

- (6) California Fire Code, California Health and Safety Code, Division 13, Chapter 4, Part 2.5 commencing with Section 18935, Part 9 and Title 24, California Code of Regulations. This section of the Fire Code includes requirements for the hazardous materials business plan.
- (c) This chapter provides for regulatory action by the ~~e~~County to remedy or prevent an imminent risk of harm to the public health, domestic livestock, wildlife, or the environment arising out of any actual or threatened disposal or release of a material; authorizes the ~~county~~County to remedy any actual or threatened release not corrected by the responsible person, designates the persons responsible for the cost of such actions by the ~~e~~County; and provides for criminal and civil penalties to be assessed for violations of this chapter.
- (d) All definitions of terms stated herein are found in state and federal regulations and statutes except those noted in [Section 29-4](#), Definitions.
- (e) The CUPA shall enforce standards found in the currently adopted ~~Uniform Fire Code~~California Fire Code as they relate to hazardous materials business plans.
- (Ord. No. 5015 § 1, 1997.)

Sec. 29-4. Definitions.

Unless the context indicates otherwise, the following definitions govern the construction of this chapter.

"Abandonment" means removing a hazardous material storage facility from service without compliance with this chapter.

"Board of ~~s~~Supervisors" or "~~B~~board" means the ~~board of supervisors~~Board of Supervisors of Sonoma County.

"Business" means an employer, self-employed individual, trust, firm, joint stock company, corporation, partnership, or association. For purposes of this chapter, "business" includes a business organized for profit and nonprofit business. "Business" also includes any city, county, district, the state, any department or agency thereof, or the United States.

"Business advisory group" means the CUPA advisory group comprised of a minimum of three (3) representatives from the local trade associations.

"Certified ~~U~~nified ~~P~~rogram ~~A~~gency (CUPA)" means ~~the Sonoma County agencies that have been certified by the Secretary of Cal-EPA to implement the unified program pursuant to Health and Safety Code Chapter 6.11 and California Code of Regulations Title 27, Division 1. Other~~ ~~e~~County boards, departments and agencies may be designated by the ~~board of supervisors~~Board of Supervisors to assist a unified program

in the gathering of information, execution of investigations, enforcement, or other duties. ~~the Sonoma County department of health services or the Sonoma County department of emergency services or the agricultural commissioner or such other agencies as may be designated by the board of supervisors. Designees may be other county departments or agencies and such agencies or entities approved by the board of supervisors. All designees shall be responsible to the director of the department of emergency services.~~

"Environment" means navigable waters, waters of zones contiguous to any navigable waters, oceans, seas, streams, creeks, rivers, ponds, pools, lakes, surface waters, groundwaters, drinking water supplies, land surface or subsurface strata, and ambient air.

"Facility" means:

- (1) Any one or, combination of, underground tanks used by a single business entity at a single location or site.
- (2) Contiguous land or structures, or other appurtenances, or improvements on land used for the above ground storage of hazardous materials.
- (3) Any combination of subsections (1) and (2).

"Health officer" means the Sonoma County public health officer or designee.

"Hearing officer" shall be a member of the California Bar admitted to practice no less than five (5) years as is required ~~and shall have those powers set forth by in~~ Government Code ~~Section 27724. Hearing officers shall have those powers set forth in Sections 27721 and 27722 of the Government Code~~ Title 3, Division 2, Part 3, Chapter 14 including the power to conduct the hearing, the power to decide a matter upon which a hearing has been held, the power to make findings of fact and conclusions of law required for the decision, the power to issue subpoenas at the request of a party in interest, the power to receive evidence, the power to administer oaths, the power to rule on questions of law and the admissibility of evidence, the power to continue the hearing from time to time, and the power to prepare a record of the proceedings.

"Highly toxic material" means material ~~which produces a lethal dose or lethal concentration in accordance with the with a health hazard rating of 3 or 4 when rated in accordance with Uniform Fire Code~~ California Fire Code Standard No. 79-3.

"Imminent risk of harm" means a reasonable likelihood that public health, welfare, domestic livestock, wildlife, or the environment may be placed at risk in the near future. This term shall be construed consistent with CERCLA (42 USC Section 9601, et seq., as amended) and RCRA (42 USC Section 6901 et seq., as amended.)

"Lead agency" for hazardous materials management means the Sonoma County ~~department of emergency services~~ Fire and Emergency Services Department.

"Operator" means those persons described as "operators" by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended (42 USC

Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(4)).

"Owner" means those persons described as "owners" by the Comprehensive Environmental Response and Liability Act, as amended (42 USC Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(3)).

"Person" means an individual, business, trust, firm, joint stock company, corporation, including a government corporation, partnership, and association. "Person" also includes any city, county, district, the state, any department or agency thereof, or the United States, to the extent authorized by federal laws.

"Public agency" means any city, county, district, the state, any department or agency thereof, or the United States to the extent authorized by federal law.

"Recovery action" means those actions taken in connection with monitoring, assessing or evaluating a release or threatened release of a hazardous material or ~~are~~ taken in connection with attempting an amelioration or permanent removal of a release or threatened release of a hazardous material, or any action taken by any governmental agency to compel the lawful disposal of hazardous materials, the remediation of a contaminated site, the removal of a threatened release, or to recover costs of disposal or remediation where a governmental agency has arranged for or accomplished the remediation of a threatened or actual release.

"Regulatory action" means any action taken by any governmental agency to enforce laws or regulations or this chapter relating to the storage, handling, or management, of hazardous materials.

"Substantial repair or modification" means any repair or modification that occurs within a six (6) month period that is equal to or greater than twenty percent (20%) of the replacement cost or results in deviation from approved plans and specifications unless otherwise provided by law.

"Threatened release" means a condition creating an unreasonable risk of release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-5. Certified ~~u~~Unified ~~p~~Program ~~a~~Agency (CUPA).

This chapter shall be administered by the CUPA in cooperation with other agencies enforcing hazardous materials regulations and statutes. Regulatory duplication shall be avoided where adequate control of hazardous materials exists.

(Ord. No. 5015 § 1, 1997.)

Article II. General Applicability.

Sec. 29-6. Applicability.

- (a) No person shall cause, suffer, or permit the storage of hazardous materials:
 - (1) In a manner which violates a provision of this chapter or any other local, federal, or state statute, code, rule, or regulation relating to hazardous materials; or
 - (2) In a manner which causes any actual or threatened disposal or release of hazardous materials into the environment or poses a significant risk of such actual or threatened disposal or release.
- (b) Violations of this chapter shall be deemed to be a public or private nuisance and may be remedied through abatement proceedings or other regulatory action in accordance with the provisions of this chapter, or state or federal law, if applicable.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article III is amended to read:

Article III. Permits.

Sec. 29-7. Consolidated permit application.

- (a) A consolidated permit shall be required to store or handle hazardous materials for those programs as defined in [Title 27](#), Division 1, Subdivision 4, Chapter 1 of the California Code of Regulations. This article does not apply to private households storing or handling reasonable household quantities of hazardous materials in consumer-sized containers for domestic use. ~~A consolidated permit shall be required to store any quantity of a carcinogen, used for business purposes.~~
- (b) Application for consolidated permits required by this chapter shall be made by the owner, operator, or handler on a standardized form provided by the CUPA and shall be accompanied by the appropriate fee.
- (c) Consolidated permits issued pursuant to this chapter shall be valid for three (3) years. Facilities must submit updated information and fees annually to the CUPA. The CUPA may not issue or renew a consolidated permit unless the premises are inspected in accordance with Section 29-134 and determined to comply with this chapter.
- (d) Additional information may be required by the CUPA for processing a consolidated permit application.
- (e) Every consolidated permit application shall contain a signed statement, and date of signature, under penalty of perjury, by the applicant that the information contained therein is true and correct. If any permit is issued upon the basis of an application which contains false information, the permit shall be void and of no effect, regardless of whether the falsification is willful or negligent.

(Ord. No. 5015 § 1, 1997.)

~~Sec. 29-8. Consolidated permits—Exceptions.~~

- ~~(a) A CUPA may grant an exemption from permitting and inspection requirements of the hazardous waste generator program for those facilities which generate less than five (5) gallons each of a recyclable hazardous waste per month and which recycle such waste. Facilities granted an exemption are responsible for adherence to all local, state and federal hazardous waste regulations. The CUPA has the right, at any time, to inspect facilities to insure compliance with these regulations. This exemption will be removed, if upon inspection, the CUPA determines that the facility is not in compliance with the regulations. All fees will be due at that time.~~

~~(b) Persons who accumulate less than fifty five (55) gallons of hazardous waste at any one time, up to a maximum of three hundred twenty five (325) gallons per year, may participate in the self-audit program. The self-audit program includes yearly submittal of self-audit checklist and reduced fees in the following years after issuance and compliance with the initial consolidated permit to the owner/operator. If such a person is found to be out of compliance due to Class I or repeated Class II violations as discovered through the audit inspection process, they will lose their eligibility for fee reductions, and their fees will convert back to the full small quantity generator permit fee.~~

(Ord. No. 5015 § 1, 1997.)

Sec. 29-89. Permit fees.

- (a) An application fee shall be paid to the CUPA by each person who submits an application for any permit required by this chapter and for the renewal or amendment of any such permit. An annual fee shall be paid to the CUPA by each person issued a permit pursuant to this chapter during the term of such permit. The ~~board of supervisors~~Board of Supervisors shall establish the amounts at a level sufficient to pay the necessary and reasonable costs of services incurred in administering this chapter including, but not limited to, permitting and inspection responsibilities. The ~~b~~Board may provide for the waiver of fees when a public agency applies for a permit or for a renewal of a permit to operate.
- (b) The application and annual fee shall include a state surcharge as determined by the legislature to cover the costs of state agencies.
- (c) There shall be added to and collected with any permit fee a penalty equal to ten percent (10%) of the local fee for all fees that are delinquent for thirty (30) days. For each additional month or fraction thereof in which the delinquency continues, an additional ten percent (10%) penalty shall be collected. In no event shall the total penalty exceed one hundred percent (100%) of the permit fee. This penalty may be assessed in addition to any violation re-inspection fee.
- (d) No refund or rebate of any permit fee or other fee required by this chapter shall be allowed by reason of the fact that the permit is denied or the permittee discontinues the activity or use of a facility prior to the expiration of the term of that permit or that the permit is suspended or revoked prior to the expiration of the term.
- (e) Any person who shall commence any work for which a permit is required by this chapter without first having obtained a permit ~~therefor~~, or has failed to apply for an operating permit or failed to register their underground storage tank(s) with the lead agency prior to March 1, 1986, shall, if subsequently permitted to obtain a permit, pay double the permit fee for such work, provided, however, that this provision shall not apply to emergency work in accordance with Section 29-112 when it shall be

proved to the satisfaction of the lead agency that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-910. Permit transfer.

- (a) Except as provided in subsection (b) of this section, no person shall own or operate a hazardous materials storage facility unless a permit application for its operation has been submitted to the CUPA. Any person who is to assume the ownership of a hazardous materials storage facility from the previous owner shall complete an approved form accepting the obligations of the permit and submit the completed form to the CUPA within thirty (30) days after the ownership is transferred. The CUPA may review and modify or terminate the transfer of the permit to operate the premises, pursuant to the criteria specified in this chapter.
- (b) Any person assuming ownership of hazardous materials storage facility for which a valid operating permit has been issued shall have thirty (30) days after the date of assumption of ownership to apply for an operating permit pursuant to this chapter or, if accepting a transferred permit, shall submit to the CUPA the completed form accepting the obligations of the transferred permit as specified in subsection (a) of this section. During the period from the date of application until the permit is issued or refused, the person shall not be held in violation of this section.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-101. Underground storage tank permits.

- (a) A permit must be obtained from the CUPA for installation, modification, repair or closure of an underground storage tank in accordance with state law and regulations. The permit application must be submitted along with two (2) sets of plan drawings, specifications, and the appropriate plan check fee. Upon approval of plans and specifications, the CUPA shall issue a permit to install, construct, modify, or close a tank. The permit shall be valid for up to one (1) calendar year from date of issue. A permit shall not be renewed or reissued for more than one (1) year. Application for extension of a permit shall be made at least thirty (30) days prior to expiration of such a permit.
- (b) The testing of underground storage tanks shall require a precision testing permit. The application shall be made on forms provided by the CUPA.
- (c) The CUPA may perform such inspections which are necessary at the discretion of the CUPA, to ensure compliance with this chapter or other applicable laws and regulations or to protect the public health or safety or the environment.

- (d) Any permit issued for activities relating to underground storage tanks must include evidence of worker's compensation insurance or other compliance with Section 3800 of the California Labor Code.
- (e) For the purposes of this section, hazardous materials storage facilities include tanks with capacities of one thousand one hundred (1,100) gallons or less which are located on farms and which store motor vehicle fuel used primarily for agricultural purposes and are not for resale, as well as tanks located on farms or at personal residences which have capacities of one thousand one hundred (1,100) gallons or less, and which store home heating oil for consumptive use on the premises where stored, where a change of use occurs in any of the following: the tanks, the contents of the tanks, or the land.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-112. Emergency repair permit.

The permittee may make emergency repairs to a facility in advance of seeking an additional permit approval whenever an immediate repair is required to prevent or contain any actual or threatened disposal or release or to protect the integrity of the containment. However, within five (5) working days after such emergency repairs have been started, the permittee shall seek approval pursuant to Section 29-104 by submitting drawings or other information adequate to describe the repairs to the CUPA. The repair of items that would normally be considered a part of ongoing maintenance do not need a permit, e.g. replacing a valve, coating a floor, sealing cracks, etc., even if done in response to an emergency situation.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-123. Permit suspension.

Whenever the CUPA finds that the suspension of a permit prior to a hearing for regulatory action is necessary to protect the public health or safety from an immediate threat to public health or safety, the CUPA may immediately suspend any permit. The CUPA shall immediately notify the permittee or designated twenty-four (24) hour contact person of such suspension by any of the following methods: (1) written notice of suspension mail certified, return receipt requested to the owner or operator of the facility and to the persons shown on the latest equalized ~~county~~County tax roll to be the owners of the real property on which the facility is located; (2) personal delivery of written notice of suspension served upon an owner or operator of the facility; (3) posting notice of suspension on the property and thereafter mailing a copy of the notice by first class mail, postage pre-paid to the persons shown on the latest equalized ~~county~~County tax roll to be the owners of the real property. Service in this manner is deemed complete at the time of mailing.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article IV is amended to read:

Article IV. Inspections and Enforcement.

Sec. 29-134. Inspections.

- (a) The CUPA shall inspect every hazardous materials storage facility every three (3) years unless covered by ~~Section 29-8~~ Section 29-8(b). After an inspection, the CUPA shall prepare a compliance report detailing the inspection and shall send a copy of the report to the permit holder.
- (b) Any facility using hazardous materials only for heating or cooking purposes shall be inspected once upon inclusion in the program and, thereafter, must submit an annual self-inspection form supplied by the CUPA.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-145. Dispute resolution.

Mediation of disputes or peer review may be held pursuant to procedures adopted by the CUPA in concert with the business advisory group. The mediation process is available only for Class I hazardous waste violations. The peer review process is available for any CUPA violation except for Class I hazardous waste violations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-156. Notice to comply.

Unless the CUPA finds that a summary permit suspension is necessary to protect the public health or safety from immediate threat, the CUPA shall issue a notice to comply for failure to comply with provisions of this chapter or any conditions of the permit including payment of any fee required by this chapter or state law, or before instituting regulatory action pursuant to this chapter.

- (a) The contents of the notice to comply shall:
 - (1) Identify the property on which the condition exists;
 - (2) Describe the condition to be remedied;
 - (3) State the legal basis for issuance of the notice; and
 - (4) State the time within which the condition shall be remedied.
- (b) The notice shall also inform the recipient that failure to remedy the condition as directed may result in the ~~county~~County taking further regulatory action or recovery action. Such regulatory action may include, but is not limited to:

suspension, modification, or revocation of a permit, or institution of abatement or other proceedings by the ~~county~~County to correct the condition.

- (c) The notice shall contain the definition of "responsible party" and "costs" set out in Section 29-256 of the chapter and shall inform the recipient that the ~~county~~County may recover the cost of any recovery action through a lien on the property.
- (d) The notice shall inform the person to whom it is directed that he or she may have a right to a hearing before a hearing officer regarding the issuance, denial or modification of a permit and shall inform the recipient how to file an appeal as set out in Section 29-204
- (e) Notice shall be sent by first-class mail or hand delivered to the permittee or violator.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article V is amended to read:

Article V. Recovery Action or Regulatory Action.

Sec. 29-167. Reporting releases or threatened releases.

- (a) The operator, owner, or handler shall institute and complete all actions necessary to remedy the effects of an actual or threatened release. The operator, owner, or handler shall reimburse the ~~county~~County or city all costs incurred by the ~~county~~County or city in responding to such an actual or threatened release within thirty (30) days of submission of an invoice. This responsibility is not conditioned upon evidence of willfulness or negligence of the operator, owner, or handler in causing or allowing such release.
- (b) The reporting requirements of this section shall be in accordance with applicable state laws and regulations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-178. Emergency response.

- (a) An emergency is a condition creating a reasonable cause for concern that someone or something may be exposed to a risk of harm by a release or a threatened release of a hazardous material if prompt recovery action is not taken.
- (b) In the event of an emergency, the CUPA may take any investigative, regulatory action or recovery action necessary to identify, remedy, or prevent an imminent risk of harm. The responsible person ~~or persons(s)~~ shall be jointly and severally liable to the ~~county~~County for all costs incurred by it in taking any investigative, regulatory action or recovery action except as expressly provided in this chapter.
- (c) Where the CUPA has taken investigative, regulatory action or recovery action to identify, remedy, or prevent an imminent risk of harm to the public health, safety or welfare, domestic livestock, wildlife, or the environment, arising out of any actual or threatened release of any hazardous material of any ~~amount~~ amount or concentration, a presumption shall arise that an actual or threatened release occurred and that the regulatory action or recovery action was reasonably necessary to prevent an actual or threatened release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-189. Administrative review.

The CUPA shall review the permit whenever there has been an actual or threatened release or when it is determined that any underground storage tank is unsafe. In determining whether to modify or terminate the permit, the CUPA shall consider the age

of the storage system, the methods of containment, the methods of monitoring, the feasibility of any required repairs, the concentration of the hazardous materials stored, the severity of potential unauthorized releases, and the suitability of any other long-term preventative measures which would meet the requirements of this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-1920. Regulatory action.

- (a) Regulatory action includes, but is not limited to, suspension or revocation of a permit, an order to cease noncompliance with the terms or conditions of a permit, an order to correct a condition, or cease a practice, or modify a business plan.
- (b) A permit may be subjected to regulatory action for any of the following causes, arising from acts or omissions of the permittee, either before or after a permit is issued:
 - (1) Fraud, ~~wilful~~willful misrepresentation, or any ~~wilful~~willful, inaccurate, or false statement in applying for a new or renewed permit;
 - (2) Fraud, ~~wilful~~willful misrepresentation, or ~~wilful~~willful, inaccurate or false statement in any report required by this chapter;
 - (3) Failure to abate, correct or rectify any noncompliance within the time specified in the notice of compliance;
 - (4) Failure to correct conditions constituting an unreasonable risk of any actual or threatened disposal or release of hazardous materials within a reasonable time after notice from any governmental entity;
 - (5) Failure to abide by the regulatory action imposed by the CUPA;
 - (6) Failure to pay fees established by this chapter.

(Ord. No. 5015 § 1, 1997.)

Article VI. Appeals.

Sec. 29-201. Filing an appeal.

An appeal shall be filed in writing with the CUPA within thirty (30) days of receipt of the notice to comply. The appeal must be filed with the CUPA. Such appeals shall indicate the name and address of the person or entity filing the appeal and the name and address of the facility involved, if applicable. The appeal shall also contain, setting forth with particularity the ground or grounds for the appeal, the person's contentions on appeal and a legal basis for the person's contentions. The appellant shall assert any claim for trade secrets to be raised at the hearing, together with a legal justification for the claim. Failure to assert such a claim in a timely fashion may be deemed by the hearing officer to constitute a waiver of the claim. If the hearing officer determines that a trade secret exists, it may take any step necessary to prevent unnecessary disclosure including excluding the public from that portion of the hearing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-212. Notice of hearing.

- (a) (1) Subsequent to receipt of an appeal, a notice of hearing shall be served on the appellant by the CUPA, in writing, setting forth the time and place of the hearing, the ground or grounds upon which the recovery action is based, the pertinent code section or sections, and a brief statement of the factual matters in support thereof. The notice shall be given at least ten (10) days prior to the hearing date which shall be not less than thirty (30) nor more than ninety (90) days from the date upon which the request for hearing was filed. The hearing officer may reschedule the hearing for good cause shown by either party.
- (2) A notice of hearing shall also include the names of hearing officers empowered to hear appeals together with the following notice:

"One of the individuals set forth above will be acting in the capacity of a Hearing Officer in connection with the alleged hazardous materials incident for which you have been deemed a responsible party. If you object to having any one of these individuals sit as a Hearing Officer, you must advise the CUPA in writing of your objections, together with specific reasons why such officer could not impartially conduct the administrative abatement hearing, no later than ten (10) days from the date of this letter. Failure to file a timely objection with the CUPA or failure to set forth good cause as to why any such individual should not serve as a Hearing Officer in connection with your property shall be deemed a waiver of any rights to object to or recuse such Hearing Officer at the time of the hazardous materials liability appeal hearing.

- (b) Hearings shall be conducted informally according to rules or procedures established by the hearing officer.
 - (c) Proceedings before the hearing officer shall be electronically recorded. Either party may request that the proceedings also be recorded by a court stenographer, at the cost of the requesting party. Transcriptions shall be at the cost of the requesting party.
 - (d) A hearing officer will conduct the hearing and prepare findings.
 - (e) If no action is taken by the hearing officer within thirty (30) days of the hearing on the appeal, the appeal shall be deemed denied.
 - (f) Costs associated with the hearing officer will be reimbursed by the party deemed responsible in the findings of the appeal, if any.
- (Ord. No. 5015 § 1, 1997.)

Sec. 29-223. Hearing procedures.

- (a) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objections in civil actions before a court of competent jurisdiction. Unduly repetitious or irrelevant evidence shall be excluded at the discretion of the hearing officer.
- (b) The ~~county~~County and its officials shall have the burden of producing evidence supporting the liability of the party seeking to be excused from hazardous materials clean up costs. Upon such a showing, the appellant will have the burden of producing evidence in support of his/her theory that he/she does not bear liability for hazardous materials cleanup costs.
- (c) Findings shall be made upon a preponderance of the evidence in the administrative record.
- (d) After all of the testimony is taken, the hearing officer shall close the public hearing unless he or she deems it necessary to continue the hearing for the receipt of additional evidence or an ordinance interpretation from the ~~board of supervisors~~Board of Supervisors. During the course of the hearing, the hearing officer may question any witness and may, at the request of a party in interest, allow cross examination if he or she deems it in the interests of justice to do so.
- (e) Whenever the hearing officer deems it necessary to take a field trip to view the site in question, public notice of the time and location shall be given. Unless the site visit is tape recorded, the hearing officer shall not talk to any members of the public during the conduct of such site visit. In the event of a site visit, the hearing officer shall continue the hearing to a time certain on a date after that upon which the site visit

will occur. At the time of the continued hearing, the hearing officer shall place into the record his or her visual observations made and the conclusions drawn as a result of such visit.

- (f) Hearing officers may, upon good cause shown, issue subpoenas. If a party in interest requests the issuance of a subpoena for the attendance of a witness or the production of documents, such party shall bear the responsibility and cost of serving such subpoenas together with the reasons for requesting same shall be sent to the CUPA which will, in turn, forward them to the hearing officer.
- (g) Hearings shall be conducted in a manner suitable to ensure fundamental fairness to all parties concerned, limited by the need to secure relevant information necessary to render a decision without unnecessary delay. Appeals from the hazardous materials hearing officer's decision shall be processed as provided in this chapter under Section 29-245

(Ord. No. 5015 § 1, 1997.)

Sec. 29-234. Disposition of appeal.

- (a) After hearing the appeal, the hearing officer may: (1) refer the matter back to the CUPA for a new investigation and decision; (2) may affirm or modify the decision of the CUPA; or (3) may direct the CUPA to issue a permit which may or may not contain conditions which must be met in order to obtain or maintain the permit. If the matter is referred back to the CUPA, the CUPA must respond within the time specified by the hearing officer in its referral.
- (b) If the hearing officer, after the hearing, finds that cause exists for regulatory action, the hearing officer may impose one (1) or more of the following:
 - (1) A warning;
 - (2) An order to correct the particular noncompliance specified in the notice issued pursuant to Section 29-156
 - (3) A revocation of the permit for the facility;
 - (4) Suspension of the permit for the facility for a specified period not to exceed six (6) months;
 - (5) Modification or addition of conditions to the permit;
 - (6) Revocation of the permit with no reapplication permitted for a specified period not to exceed three (3) years. If the grounds for regulatory action are based on Section 29-1920(b)(3), (4), or (5), and if such grounds are limited to one (1) portion of the storage facility, the regulatory action shall be limited to that portion.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-245. Decision of hearing officer.

- (a) The hearing officer shall render a written decision stating the findings upon which the decision is based and the action taken, if any. The decision of the hearing officer is final.
- (b) Judicial review of the decision of the hearing officer shall be according to the provisions of Code of Civil Procedure Section 1094.6. The decision of the hearing officer shall contain a statement notifying the permittee that any petition for review must be filed within the time specified in that section.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article VII is amended to read:**Article VII. Legal.****Sec. 29-256. Liabilities and defenses.**

- (a) This section shall be construed consistent with CERCLA, ~~42~~ 42 USC Section 9601, et seq., as amended and California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75 as amended.
- (b) The following described persons are considered "responsible persons" for the purposes of this chapter and shall be jointly and severally liable to the ~~county~~ County for all costs incurred by it in taking any investigative, recovery or regulatory action or emergency response or action, in connection with an actual or threatened release of any hazardous material:
- (1) Any person whose negligent or ~~wilful~~ willful act or omission proximately caused any actual or threatened disposal or release of a hazardous material;
 - (2) Any person who owned or had dominion or control of any hazardous material at the time of such actual or threatened disposal or release without regard to fault or proximate cause;
 - (3) Any person who owned or had dominion or control of any container which held any hazardous material at the time of, or immediately prior to any actual or threatened disposal or release without regard to fault or proximate cause;
 - (4) Any "owner" as defined by this chapter, including, but not limited to, any owner of land on which a release of hazardous materials actually occurs or threatens to occur, any owner of a facility at which an actual or threatened release occurs, any owner of hazardous materials which are involved in an actual or threatened release;
 - (5) Any "operator" as defined by this chapter, including, but not limited to, any person who operates a hazardous materials facility involved in an actual or threatened release of hazardous material, or any person with control over the operation or management of a hazardous materials facility involved in an actual or threatened release;
 - (6) Any person who by contract arranged for the disposal of hazardous material at a site involved in an actual or threatened release of a hazardous material which was the subject of the contract;
 - (7) Any person who accepts or accepted any hazardous material for transport to a disposal or treatment site selected by that person;
 - (8) Any hazardous waste generator;

- (9) Any person who is a tenant, lessee, or sublessee of land on which an actual or threatened release of hazardous materials occurs where the person possesses dominion or control over the land.
- (c) Responsibility is strict and is not conditioned upon evidence of ~~wilful~~willfulness, negligence, fault, or proximate cause in causing or allowing such actual or threatened release of hazardous substances except as expressly provided in this chapter.
- (d) "Costs" under this article include, but are not limited to, the reasonable costs of equipment, personnel, laboratory fees, administrative costs, court costs, witness fees, and attorneys' fees.
- (e) The following constitute defenses to liability based on this section:
- (1) Defenses available to a "responsible party" pursuant to CERCLA, [42](#) USC Section 9601, et seq., as amended;
 - (2) Defendant proves, by a preponderance of the evidence, the actual or threatened release was proximately caused by an act of God as defined under state or federal laws or regulations and that the defendant took reasonable precautions to avoid an actual or threatened release;
 - (3) Defendant proves, by a preponderance of the evidence, the actual or threatened release was exclusively caused by an act of war;
 - (4) Defendant is named as a responsible party solely by virtue of his or her ownership of land where an actual or threatened release occurred and defendant proves all of the following, by a preponderance of the evidence:
 - (i) Defendant had no reason to know or suspect that an actual or threatened release of hazardous materials occurred or was reasonably likely to occur on the land,
 - (ii) If the actual or threatened release occurred prior to defendant's purchase, defendant must prove, by a preponderance of the evidence, that defendant undertook adequate inquiry into the uses of the land consistent with good commercial practice, good customary practice, and which was reasonable under the circumstances, in order to ascertain whether or not hazardous materials were present on the land. In determining whether or not defendant undertook adequate inquiry, the following shall be taken into account:
 - (A) The special knowledge or experience of defendant,
 - (B) The relationship of any purchase price to the value of comparable uncontaminated real estate,
 - (C) Commonly known or reasonable ascertainable information about the land,
 - (D) Obviousness of presence or likely presence of hazardous materials,

- (E) Defendant's ability to detect the presence or likely presence of hazardous material by reasonable inquiry or inspection;
- (5) Where the hazardous material was placed on defendant's land subsequent to defendant's purchase of the land, and the defendant proves the following:
- (i) Neither the landowner nor the lessees of the landowner had knowledge of the placement, ~~nor~~ neither did the landowner nor the lessee of the landowner consent to the placement,
 - (ii) The landowner did not acquiesce ~~in~~ to the presence of hazardous materials on the land subsequent to placement. In determining whether or not defendant acquiesced ~~to~~ the presence of a hazardous material, the following shall be taken into account:
 - (A) The landowner made reasonable inspections of the land,
 - (B) The landowner had no reason to suspect a hazardous material was present,
 - (C) The landowner did not know nor have reason to know a hazardous material was present,
 - (D) The landowner took reasonable steps to cause the removal of the hazardous materials upon discovery.
- (f) If one (1) or more responsible persons asserts that responsibility for an actual or threatened release is capable of apportionment among them, the burden of proof as to the apportionment is upon each such responsible person. In order to show responsibility for an actual or threatened release is capable of apportionment, a responsible person must show that each responsible person to a divisible harm and that it is reasonable, under the circumstances, to apportion responsibility. Nothing in this section shall affect the imposition of joint and several liability.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-267. Penalties.

Except where the act constituting a violation of this chapter constitutes a violation of any state or federal law which is designed to achieve the same purposes as this chapter, or where a penalty under this chapter is otherwise prohibited by law, violations of this chapter shall be punishable as follows:

- (a) Any owner, operator or handler or handler of a hazardous materials facility subject to this chapter shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
 - (1) Operation without an appropriate permit.

- (2) Failure to monitor the hazardous materials facility as required by the permit.
 - (3) Failure to report an actual or threatened release as required by Section 29-167
 - (4) Failure to properly close an underground storage tank as required by Section 29-104
- (b) Any owner of a hazardous materials facility shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
- (1) Failure to obtain a permit as specified by this chapter.
 - (2) Failure to repair a hazardous materials facility in accordance with the provisions of this chapter.
 - (3) Abandonment or improper closure of any hazardous materials facility subject to the provisions of this chapter.
 - (4) Knowing failure to take reasonable and necessary steps to assure compliance with this chapter by the owner, operator or handler or handler of a hazardous materials facility.
- (c) Any person who falsifies any monitoring records required by this chapter, or knowingly fails to report an actual or threatened release shall, upon conviction, be punished by a fine of not less than five thousand dollars (\$5,000.00) or more than ten thousand dollars (\$10,000.00) or by imprisonment in the ~~county~~County jail for a period not to exceed one (1) year or by both that fine and imprisonment.
- (d) Any person or business who violates Section 29-167 of this chapter or Section 25507 of the Health and Safety Code shall, upon conviction, be punished by a fine of not more than twenty-five thousand dollars (\$25,000.00) for each day of violation, or by imprisonment in the ~~county~~County jail for not more than one (1) year or by both the fine and imprisonment. If the conviction is for a violation committed after a first conviction under this section, the person or business shall be punished by a fine of not less than two thousand dollars (\$2,000.00) or more than fifty thousand dollars (\$50,000.00) per day of violation, or by imprisonment in the state prison for sixteen (16), twenty (20), or twenty-four (24) months or in the ~~county~~County jail for not more than one (1) year or by both the fine and imprisonment. Furthermore, if the violation results in, or significantly contributes to an emergency, including a fire to which a public agency is required to respond, the person or business shall also be assessed the full cost of the emergency response as well as the cost of cleaning up and disposing of the hazardous materials and any costs associated with collecting moneys owed under this section.
- (e) In determining both the civil and criminal penalties imposed pursuant to this section, the court shall consider all relevant circumstances including, but not

limited to, the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, and the frequency of past violations and the regulatory action, if any, taken by the person who holds the permit.

- (f) Except where prohibited by law, penalties under this section are in addition to, and do not supersede or limit, any and all other legal remedies and penalties.
- (g) Persons providing information with respect to certain hazardous material law violations may be eligible for a reward under Sections 25517 of the Health and Safety Code.
- (h) Other penalties or remedies may apply under state law. This article is not intended to be all-encompassing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-278. Local agency assistance.

The CUPA may request the assistance of other governmental agencies to remedy the effects of, and remove any hazardous material which has been released.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-289. Regulations.

The ~~board of supervisors~~Board of Supervisors may adopt, by resolution, regulations implementing and enforcing this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-2930. Statutory severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not ~~effect~~affect the validity of the remaining portions of the chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-301. Interpretation.

It is the intent of this chapter to regulate the storage, handling, use and management of hazardous materials or substances unless specifically preempted by state or federal law. This chapter is not intended, and shall not be construed, to apply to any substance or activity which is preempted by federal or state law or to the extent that such application would unduly interfere with the achievement of federal or state regulatory activities. It is the intention of the ~~board of supervisors~~Board of Supervisors that this chapter shall be

interpreted to be compatible with federal and state enactments and in furtherance of the public purposes which those enactments express.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-312. State-mandated provisions.

Those provisions of this chapter which are mandated by state law may be subject to change without notice or action by the ~~county~~County. This chapter will be periodically updated to reflect such changes.

(Ord. No. 5015 § 1, 1997.)

SECTION II. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 29 as previously adopted shall remain in full force and effect.

SECTION III. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION IV. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The ~~d~~Director of ~~the~~ Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION V. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VI. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the ~~S~~supervisors voting for or against the same, in a newspaper of general circulation published and circulated in

the County of Sonoma.

SECTION VII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the ~~XXXXXX~~22nd day of October, 2013, and finally passed and adopted this ~~XXXXXXX~~5th day of November, 2013 , on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

~~McGuire~~ Gorin _____ Zane _____ ~~Rabbitt~~ McGuire _____ Carrillo _____
~~Goren~~ Rabbitt _____

Ayes _____ Noes _____ Absent _____ Abstain _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 29, "HAZARDOUS MATERIALS MANAGEMENT ORDINANCE" OF THE SONOMA COUNTY CODE AND TO MAKE TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 29.

SECTION I. Chapter 29 of the Sonoma County Code is amended to read:

**CHAPTER 29
HAZARDOUS MATERIALS MANAGEMENT ORDINANCE**

Article I is amended to read:

Article I. Administrative.

Sec. 29-1. Title.

This chapter shall be known as the "Hazardous Materials Management Ordinance" (HMMO) of Sonoma County.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-2. Findings and purpose.

- (a) The Board of Supervisors, County of Sonoma, State of California, finds and declares that chemicals are widely used in commerce and by individuals in our society and that properly controlled and utilized chemicals can be beneficial to our overall well being. However, the Board further finds that unknown quantities and qualities of chemicals exist which may be toxic, corrosive, irritating, sensitizing, or flammable and which may cause serious illness or harm to humans, animals, and the environment. The public has a right to expect regulation of these materials.
- (b) The Board of Supervisors further finds and declares that public protection from hazardous materials release or threatened release to the environment is essential. This requires proper planning on the part of the community as well as those responsible for hazardous materials.
- (c) The Board of Supervisors finds and declares that substantial public and private cooperation and education is essential for the appropriate understanding and control of chemicals.

- (d) The Board of Supervisors further finds and declares that the ability to respond to hazardous materials emergencies is essential to the protection of the public health and welfare and the environment from risks of harm by unplanned, threatened or actual releases of hazardous materials. Financial responsibility for emergency response must be assumed by responsible persons in order to preserve the Certified Unified Program Agency's (CUPA's) ability to respond to hazardous materials emergencies. (Ord. No. 5015 § 1, 1997.)

Sec. 29-3. Scope.

- (a) It is the intent of this chapter to regulate the storage, handling, and management of hazardous materials, whether in waste or non-waste form, unless specifically preempted by state or federal law.
- (b) This chapter provides for the inventory and control of hazardous materials which are stored above ground and underground in both the incorporated and unincorporated areas of Sonoma County to the extent permitted by law except in those incorporated cities which are Certified Unified Program Agencies (CUPAs). The applicable statutes and regulations include the following:
- (1) Hazardous Materials Business Plans. This program includes chemical and hazardous waste inventories and emergency response plans. California Health and Safety Code, Division 20, Chapter 6.9, and Title 19 of the California Code of Regulations.
 - (2) Risk Management and Prevention Planning. This program includes facilities which handle, use, or store acutely hazardous materials. California Health and Safety Code, Division 20, Chapter 6.95, and Title 19 of the California Code of Regulations.
 - (3) Underground Storage Tank (UST) Program. This program includes all underground storage tanks except those exempted under federal and state law. California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75, and Title 23, Division 3, Chapter 16 and 18 of the California Code of Regulations.
 - (4) Hazardous Waste Generator Program/Tiered Permitting Hazardous Waste On-Site Treatment. This program includes facilities which generate any quantity of hazardous waste. California Health and Safety Code, Division 20, Chapter 6.5 and Title 22, Division 4.5, Chapters 10, 11, 12, 16, 20, 23, 29, 31, 32, and 45 of the California Code of Regulations.
 - (5) Aboveground Petroleum Storage Act Spill Prevention, Control and Countermeasure (SPCC) Plans. This program includes facilities which have aboveground storage of petroleum products in excess of one thousand three

hundred twenty (1,320) total gallons. California Health and Safety Code, Division 20, Chapter 6.67.

- (6) California Fire Code, California Health and Safety Code, Division 13, Chapter 4, Part 2.5 commencing with Section 18935, Part 9 and Title 24, California Code of Regulations. This section of the Fire Code includes requirements for the hazardous materials business plan.
- (c) This chapter provides for regulatory action by the County to remedy or prevent an imminent risk of harm to the public health, domestic livestock, wildlife, or the environment arising out of any actual or threatened disposal or release of a material; authorizes the County to remedy any actual or threatened release not corrected by the responsible person, designates the persons responsible for the cost of such actions by the County; and provides for criminal and civil penalties to be assessed for violations of this chapter.
- (d) All definitions of terms stated herein are found in state and federal regulations and statutes except those noted in [Section 29-4](#), Definitions.
- (e) The CUPA shall enforce standards found in the currently adopted California Fire Code as they relate to hazardous materials business plans.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-4. Definitions.

Unless the context indicates otherwise, the following definitions govern the construction of this chapter.

"Abandonment" means removing a hazardous material storage facility from service without compliance with this chapter.

"Board of Supervisors" or "Board" means the Board of Supervisors of Sonoma County.

"Business" means an employer, self-employed individual, trust, firm, joint stock company, corporation, partnership, or association. For purposes of this chapter, "business" includes a business organized for profit and nonprofit business. "Business" also includes any city, county, district, the state, any department or agency thereof, or the United States.

"Business advisory group" means the CUPA advisory group comprised of a minimum of three (3) representatives from the local trade associations.

"Certified Unified Program Agency (CUPA)" means the Sonoma County agencies that have been certified by the Secretary of Cal-EPA to implement the unified program pursuant to Health and Safety Code Chapter 6.11 and California Code of Regulations Title 27, Division 1. Other County boards, departments and agencies may be designated

by the Board of Supervisors to assist a unified program in the gathering of information, execution of investigations, enforcement, or other duties.

"Environment" means navigable waters, waters of zones contiguous to any navigable waters, oceans, seas, streams, creeks, rivers, ponds, pools, lakes, surface waters, groundwaters, drinking water supplies, land surface or subsurface strata, and ambient air.

"Facility" means:

- (1) Any one or, combination of, underground tanks used by a single business entity at a single location or site.
- (2) Contiguous land or structures, or other appurtenances, or improvements on land used for the above ground storage of hazardous materials.
- (3) Any combination of subsections (1) and (2).

"Health officer" means the Sonoma County public health officer or designee.

"Hearing officer" shall be a member of the California Bar admitted to practice no less than five (5) years as is required and shall have those powers set forth in Government Code Title 3, Division 2, Part 3, Chapter 14 including the power to conduct the hearing, the power to decide a matter upon which a hearing has been held, the power to make findings of fact and conclusions of law required for the decision, the power to issue subpoenas at the request of a party in interest, the power to receive evidence, the power to administer oaths, the power to rule on questions of law and the admissibility of evidence, the power to continue the hearing from time to time, and the power to prepare a record of the proceedings.

"Highly toxic material" means material which produces a lethal dose or lethal concentration in accordance with the California Fire Code.

"Imminent risk of harm" means a reasonable likelihood that public health, welfare, domestic livestock, wildlife, or the environment may be placed at risk in the near future. This term shall be construed consistent with CERCLA (42 USC Section 9601, et seq., as amended) and RCRA (42 USC Section 6901 et seq., as amended.)

"Lead agency" for hazardous materials management means the Sonoma County Fire and Emergency Services Department.

"Operator" means those persons described as "operators" by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended (42 USC Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(4)).

"Owner" means those persons described as "owners" by the Comprehensive Environmental Response and Liability Act, as amended (42 USC Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(3)).

"Person" means an individual, business, trust, firm, joint stock company, corporation, including a government corporation, partnership, and association. "Person" also includes any city, county, district, the state, any department or agency thereof, or the United States, to the extent authorized by federal laws.

"Public agency" means any city, county, district, the state, any department or agency thereof, or the United States to the extent authorized by federal law.

"Recovery action" means those actions taken in connection with monitoring, assessing or evaluating a release or threatened release of a hazardous material or taken in connection with attempting an amelioration or permanent removal of a release or threatened release of a hazardous material, or any action taken by any governmental agency to compel the lawful disposal of hazardous materials, the remediation of a contaminated site, the removal of a threatened release, or to recover costs of disposal or remediation where a governmental agency has arranged for or accomplished the remediation of a threatened or actual release.

"Regulatory action" means any action taken by any governmental agency to enforce laws or regulations or this chapter relating to the storage, handling, or management, of hazardous materials.

"Substantial repair or modification" means any repair or modification that occurs within a six (6) month period that is equal to or greater than twenty percent (20%) of the replacement cost or results in deviation from approved plans and specifications unless otherwise provided by law.

"Threatened release" means a condition creating an unreasonable risk of release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-5. Certified Unified Program Agency (CUPA).

This chapter shall be administered by the CUPA in cooperation with other agencies enforcing hazardous materials regulations and statutes. Regulatory duplication shall be avoided where adequate control of hazardous materials exists.

(Ord. No. 5015 § 1, 1997.)

Article II. General Applicability.

Sec. 29-6. Applicability.

- (a) No person shall cause, suffer, or permit the storage of hazardous materials:
 - (1) In a manner which violates a provision of this chapter or any other local, federal, or state statute, code, rule, or regulation relating to hazardous materials; or
 - (2) In a manner which causes any actual or threatened disposal or release of hazardous materials into the environment or poses a significant risk of such actual or threatened disposal or release.
- (b) Violations of this chapter shall be deemed to be a public or private nuisance and may be remedied through abatement proceedings or other regulatory action in accordance with the provisions of this chapter, or state or federal law, if applicable.

(Ord. No. 5015 § 1, 1997.)

Article III is amended to read:

Article III. Permits.

Sec. 29-7. Consolidated permit application.

- (a) A consolidated permit shall be required to store or handle hazardous materials for those programs as defined in [Title 27](#), Division 1, Subdivision 4, Chapter 1 of the California Code of Regulations. This article does not apply to private households storing or handling reasonable household quantities of hazardous materials in consumer-sized containers for domestic use.
- (b) Application for consolidated permits required by this chapter shall be made by the owner, operator, or handler on a standardized form provided by the CUPA and shall be accompanied by the appropriate fee.
- (c) Consolidated permits issued pursuant to this chapter shall be valid for three (3) years. Facilities must submit updated information and fees annually to the CUPA. The CUPA may not issue or renew a consolidated permit unless the premises are inspected in accordance with Section 29-13 and determined to comply with this chapter.
- (d) Additional information may be required by the CUPA for processing a consolidated permit application.
- (e) Every consolidated permit application shall contain a signed statement, and date of signature, under penalty of perjury, by the applicant that the information contained therein is true and correct. If any permit is issued upon the basis of an application which contains false information, the permit shall be void and of no effect, regardless of whether the falsification is willful or negligent.

(Ord. No. 5015 § 1, 1997.)

(Ord. No. 5015 § 1, 1997.)

Sec. 29-8. Permit fees.

- (a) An application fee shall be paid to the CUPA by each person who submits an application for any permit required by this chapter and for the renewal or amendment of any such permit. An annual fee shall be paid to the CUPA by each person issued a permit pursuant to this chapter during the term of such permit. The Board of Supervisors shall establish the amounts at a level sufficient to pay the necessary and reasonable costs of services incurred in administering this chapter including, but not limited to, permitting and inspection responsibilities. The Board may provide for the waiver of fees when a public agency applies for a permit or for a renewal of a permit to operate.

- (b) The application and annual fee shall include a state surcharge as determined by the legislature to cover the costs of state agencies.
- (c) There shall be added to and collected with any permit fee a penalty equal to ten percent (10%) of the local fee for all fees that are delinquent for thirty (30) days. For each additional month or fraction thereof in which the delinquency continues, an additional ten percent (10%) penalty shall be collected. In no event shall the total penalty exceed one hundred percent (100%) of the permit fee. This penalty may be assessed in addition to any violation re-inspection fee.
- (d) No refund or rebate of any permit fee or other fee required by this chapter shall be allowed by reason of the fact that the permit is denied or the permittee discontinues the activity or use of a facility prior to the expiration of the term of that permit or that the permit is suspended or revoked prior to the expiration of the term.
- (e) Any person who shall commence any work for which a permit is required by this chapter without first having obtained a permit, or has failed to apply for an operating permit or failed to register their underground storage tank(s) with the lead agency prior to March 1, 1986, shall, if subsequently permitted to obtain a permit, pay double the permit fee for such work, provided, however, that this provision shall not apply to emergency work in accordance with Section 29-11 when it shall be proved to the satisfaction of the lead agency that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-9. Permit transfer.

- (a) Except as provided in subsection (b) of this section, no person shall own or operate a hazardous materials storage facility unless a permit application for its operation has been submitted to the CUPA. Any person who is to assume the ownership of a hazardous materials storage facility from the previous owner shall complete an approved form accepting the obligations of the permit and submit the completed form to the CUPA within thirty (30) days after the ownership is transferred. The CUPA may review and modify or terminate the transfer of the permit to operate the premises, pursuant to the criteria specified in this chapter.
- (b) Any person assuming ownership of hazardous materials storage facility for which a valid operating permit has been issued shall have thirty (30) days after the date of assumption of ownership to apply for an operating permit pursuant to this chapter or, if accepting a transferred permit, shall submit to the CUPA the completed form accepting the obligations of the transferred permit as specified in subsection (a) of this section. During the period from the date of application until the permit is issued or refused, the person shall not be held in violation of this section.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-10. Underground storage tank permits.

- (a) A permit must be obtained from the CUPA for installation, modification, repair or closure of an underground storage tank in accordance with state law and regulations. The permit application must be submitted along with two (2) sets of plan drawings, specifications, and the appropriate plan check fee. Upon approval of plans and specifications, the CUPA shall issue a permit to install, construct, modify, or close a tank. The permit shall be valid for up to one (1) calendar year from date of issue. A permit shall not be renewed or reissued for more than one (1) year. Application for extension of a permit shall be made at least thirty (30) days prior to expiration of such a permit.
- (b) The testing of underground storage tanks shall require a precision testing permit. The application shall be made on forms provided by the CUPA.
- (c) The CUPA may perform such inspections which are necessary at the discretion of the CUPA, to ensure compliance with this chapter or other applicable laws and regulations or to protect the public health or safety or the environment.
- (d) Any permit issued for activities relating to underground storage tanks must include evidence of worker's compensation insurance or other compliance with Section 3800 of the California Labor Code.
- (e) For the purposes of this section, hazardous materials storage facilities include tanks with capacities of one thousand one hundred (1,100) gallons or less which are located on farms and which store motor vehicle fuel used primarily for agricultural purposes and are not for resale, as well as tanks located on farms or at personal residences which have capacities of one thousand one hundred (1,100) gallons or less, and which store home heating oil for consumptive use on the premises where stored, where a change of use occurs in any of the following: the tanks, the contents of the tanks, or the land.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-11. Emergency repair permit.

The permittee may make emergency repairs to a facility in advance of seeking an additional permit approval whenever an immediate repair is required to prevent or contain any actual or threatened disposal or release or to protect the integrity of the containment. However, within five (5) working days after such emergency repairs have been started, the permittee shall seek approval pursuant to Section 29-10 by submitting drawings or other information adequate to describe the repairs to the CUPA. The repair of items that would normally be considered a part of ongoing maintenance do not need a permit, e.g. replacing a valve, coating a floor, sealing cracks, etc., even if done in response to an emergency situation.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-12. Permit suspension.

Whenever the CUPA finds that the suspension of a permit prior to a hearing for regulatory action is necessary to protect the public health or safety from an immediate threat to public health or safety, the CUPA may immediately suspend any permit. The CUPA shall immediately notify the permittee or designated twenty-four (24) hour contact person of such suspension by any of the following methods: (1) written notice of suspension mail certified, return receipt requested to the owner or operator of the facility and to the persons shown on the latest equalized County tax roll to be the owners of the real property on which the facility is located; (2) personal delivery of written notice of suspension served upon an owner or operator of the facility; (3) posting notice of suspension on the property and thereafter mailing a copy of the notice by first class mail, postage pre-paid to the persons shown on the latest equalized County tax roll to be the owners of the real property. Service in this manner is deemed complete at the time of mailing.

(Ord. No. 5015 § 1, 1997.)

Article IV is amended to read:

Article IV. Inspections and Enforcement.

Sec. 29-13. Inspections.

- (a) The CUPA shall inspect every hazardous materials storage facility every three (3) years unless covered by Section 29-8(b). After an inspection, the CUPA shall prepare a compliance report detailing the inspection and shall send a copy of the report to the permit holder.
- (b) Any facility using hazardous materials only for heating or cooking purposes shall be inspected once upon inclusion in the program and, thereafter, must submit an annual self-inspection form supplied by the CUPA.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-14. Dispute resolution.

Mediation of disputes or peer review may be held pursuant to procedures adopted by the CUPA in concert with the business advisory group. The mediation process is available only for Class I hazardous waste violations. The peer review process is available for any CUPA violation except for Class I hazardous waste violations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-15. Notice to comply.

Unless the CUPA finds that a summary permit suspension is necessary to protect the public health or safety from immediate threat, the CUPA shall issue a notice to comply for failure to comply with provisions of this chapter or any conditions of the permit including payment of any fee required by this chapter or state law, or before instituting regulatory action pursuant to this chapter.

- (a) The contents of the notice to comply shall:
 - (1) Identify the property on which the condition exists;
 - (2) Describe the condition to be remedied;
 - (3) State the legal basis for issuance of the notice; and
 - (4) State the time within which the condition shall be remedied.
- (b) The notice shall also inform the recipient that failure to remedy the condition as directed may result in the County taking further regulatory action or recovery action. Such regulatory action may include, but is not limited to: suspension,

modification, or revocation of a permit, or institution of abatement or other proceedings by the County to correct the condition.

- (c) The notice shall contain the definition of "responsible party" and "costs" set out in Section 29-25 of the chapter and shall inform the recipient that the County may recover the cost of any recovery action through a lien on the property.
- (d) The notice shall inform the person to whom it is directed that he or she may have a right to a hearing before a hearing officer regarding the issuance, denial or modification of a permit and shall inform the recipient how to file an appeal as set out in Section 29-20
- (e) Notice shall be sent by first-class mail or hand delivered to the permittee or violator.

(Ord. No. 5015 § 1, 1997.)

Article V is amended to read:

Article V. Recovery Action or Regulatory Action.

Sec. 29-16. Reporting releases or threatened releases.

- (a) The operator, owner, or handler shall institute and complete all actions necessary to remedy the effects of an actual or threatened release. The operator, owner, or handler shall reimburse the County or city all costs incurred by the County or city in responding to such an actual or threatened release within thirty (30) days of submission of an invoice. This responsibility is not conditioned upon evidence of willfulness or negligence of the operator, owner, or handler in causing or allowing such release.
- (b) The reporting requirements of this section shall be in accordance with applicable state laws and regulations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-17. Emergency response.

- (a) An emergency is a condition creating a reasonable cause for concern that someone or something may be exposed to a risk of harm by a release or a threatened release of a hazardous material if prompt recovery action is not taken.
- (b) In the event of an emergency, the CUPA may take any investigative, regulatory action or recovery action necessary to identify, remedy, or prevent an imminent risk of harm. The responsible person(s) shall be jointly and severally liable to the County for all costs incurred by it in taking any investigative, regulatory action or recovery action except as expressly provided in this chapter.
- (c) Where the CUPA has taken investigative, regulatory action or recovery action to identify, remedy, or prevent an imminent risk of harm to the public health, safety or welfare, domestic livestock, wildlife, or the environment, arising out of any actual or threatened release of any hazardous material of any amount or concentration, a presumption shall arise that an actual or threatened release occurred and that the regulatory action or recovery action was reasonably necessary to prevent an actual or threatened release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-18. Administrative review.

The CUPA shall review the permit whenever there has been an actual or threatened release or when it is determined that any underground storage tank is unsafe. In determining whether to modify or terminate the permit, the CUPA shall consider the age

of the storage system, the methods of containment, the methods of monitoring, the feasibility of any required repairs, the concentration of the hazardous materials stored, the severity of potential unauthorized releases, and the suitability of any other long-term preventative measures which would meet the requirements of this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-19. Regulatory action.

- (a) Regulatory action includes, but is not limited to, suspension or revocation of a permit, an order to cease noncompliance with the terms or conditions of a permit, an order to correct a condition, or cease a practice, or modify a business plan.
- (b) A permit may be subjected to regulatory action for any of the following causes, arising from acts or omissions of the permittee, either before or after a permit is issued:
 - (1) Fraud, willful misrepresentation, or any willful, inaccurate, or false statement in applying for a new or renewed permit;
 - (2) Fraud, willful misrepresentation, or willful inaccurate or false statement in any report required by this chapter;
 - (3) Failure to abate, correct or rectify any noncompliance within the time specified in the notice of compliance;
 - (4) Failure to correct conditions constituting an unreasonable risk of any actual or threatened disposal or release of hazardous materials within a reasonable time after notice from any governmental entity;
 - (5) Failure to abide by the regulatory action imposed by the CUPA;
 - (6) Failure to pay fees established by this chapter.

(Ord. No. 5015 § 1, 1997.)

Article VI. Appeals.

Sec. 29-20. Filing an appeal.

An appeal shall be filed in writing with the CUPA within thirty (30) days of receipt of the notice to comply. The appeal must be filed with the CUPA. Such appeals shall indicate the name and address of the person or entity filing the appeal and the name and address of the facility involved, if applicable. The appeal shall also contain, setting forth with particularity the ground or grounds for the appeal, the person's contentions on appeal and a legal basis for the person's contentions. The appellant shall assert any claim for trade secrets to be raised at the hearing, together with a legal justification for the claim. Failure to assert such a claim in a timely fashion may be deemed by the hearing officer to constitute a waiver of the claim. If the hearing officer determines that a trade secret exists, it may take any step necessary to prevent unnecessary disclosure including excluding the public from that portion of the hearing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-21. Notice of hearing.

- (a) (1) Subsequent to receipt of an appeal, a notice of hearing shall be served on the appellant by the CUPA, in writing, setting forth the time and place of the hearing, the ground or grounds upon which the recovery action is based, the pertinent code section or sections, and a brief statement of the factual matters in support thereof. The notice shall be given at least ten (10) days prior to the hearing date which shall be not less than thirty (30) nor more than ninety (90) days from the date upon which the request for hearing was filed. The hearing officer may reschedule the hearing for good cause shown by either party.
- (2) A notice of hearing shall also include the names of hearing officers empowered to hear appeals together with the following notice:

"One of the individuals set forth above will be acting in the capacity of a Hearing Officer in connection with the alleged hazardous materials incident for which you have been deemed a responsible party. If you object to having any one of these individuals sit as a Hearing Officer, you must advise the CUPA in writing of your objections, together with specific reasons why such officer could not impartially conduct the administrative abatement hearing, no later than ten (10) days from the date of this letter. Failure to file a timely objection with the CUPA or failure to set forth good cause as to why any such individual should not serve as a Hearing Officer in connection with your property shall be deemed a waiver of any rights to object to or recuse such Hearing Officer at the time of the hazardous materials liability appeal hearing.

- (b) Hearings shall be conducted informally according to rules or procedures established by the hearing officer.
 - (c) Proceedings before the hearing officer shall be electronically recorded. Either party may request that the proceedings also be recorded by a court stenographer, at the cost of the requesting party. Transcriptions shall be at the cost of the requesting party.
 - (d) A hearing officer will conduct the hearing and prepare findings.
 - (e) If no action is taken by the hearing officer within thirty (30) days of the hearing on the appeal, the appeal shall be deemed denied.
 - (f) Costs associated with the hearing officer will be reimbursed by the party deemed responsible in the findings of the appeal, if any.
- (Ord. No. 5015 § 1, 1997.)

Sec. 29-22. Hearing procedures.

- (a) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objections in civil actions before a court of competent jurisdiction. Unduly repetitious or irrelevant evidence shall be excluded at the discretion of the hearing officer.
- (b) The County and its officials shall have the burden of producing evidence supporting the liability of the party seeking to be excused from hazardous materials clean up costs. Upon such a showing, the appellant will have the burden of producing evidence in support of his/her theory that he/she does not bear liability for hazardous materials cleanup costs.
- (c) Findings shall be made upon a preponderance of the evidence in the administrative record.
- (d) After all of the testimony is taken, the hearing officer shall close the public hearing unless he or she deems it necessary to continue the hearing for the receipt of additional evidence or an ordinance interpretation from the Board of Supervisors. During the course of the hearing, the hearing officer may question any witness and may, at the request of a party in interest, allow cross examination if he or she deems it in the interests of justice to do so.
- (e) Whenever the hearing officer deems it necessary to take a field trip to view the site in question, public notice of the time and location shall be given. Unless the site visit is tape recorded, the hearing officer shall not talk to any members of the public during the conduct of such site visit. In the event of a site visit, the hearing officer shall continue the hearing to a time certain on a date after that upon which the site visit

will occur. At the time of the continued hearing, the hearing officer shall place into the record his or her visual observations made and the conclusions drawn as a result of such visit.

- (f) Hearing officers may, upon good cause shown, issue subpoenas. If a party in interest requests the issuance of a subpoena for the attendance of a witness or the production of documents, such party shall bear the responsibility and cost of serving such subpoenas together with the reasons for requesting same shall be sent to the CUPA which will, in turn, forward them to the hearing officer.
- (g) Hearings shall be conducted in a manner suitable to ensure fundamental fairness to all parties concerned, limited by the need to secure relevant information necessary to render a decision without unnecessary delay. Appeals from the hazardous materials hearing officer's decision shall be processed as provided in this chapter under Section 29-24

(Ord. No. 5015 § 1, 1997.)

Sec. 29-23. Disposition of appeal.

- (a) After hearing the appeal, the hearing officer may: (1) refer the matter back to the CUPA for a new investigation and decision; (2) may affirm or modify the decision of the CUPA; or (3) may direct the CUPA to issue a permit which may or may not contain conditions which must be met in order to obtain or maintain the permit. If the matter is referred back to the CUPA, the CUPA must respond within the time specified by the hearing officer in its referral.
- (b) If the hearing officer, after the hearing, finds that cause exists for regulatory action, the hearing officer may impose one (1) or more of the following:
 - (1) A warning;
 - (2) An order to correct the particular noncompliance specified in the notice issued pursuant to Section 29-15
 - (3) A revocation of the permit for the facility;
 - (4) Suspension of the permit for the facility for a specified period not to exceed six (6) months;
 - (5) Modification or addition of conditions to the permit;
 - (6) Revocation of the permit with no reapplication permitted for a specified period not to exceed three (3) years. If the grounds for regulatory action are based on Section 29-19(b)(3), (4), or (5), and if such grounds are limited to one (1) portion of the storage facility, the regulatory action shall be limited to that portion.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-24. Decision of hearing officer.

- (a) The hearing officer shall render a written decision stating the findings upon which the decision is based and the action taken, if any. The decision of the hearing officer is final.
- (b) Judicial review of the decision of the hearing officer shall be according to the provisions of Code of Civil Procedure Section 1094.6. The decision of the hearing officer shall contain a statement notifying the permittee that any petition for review must be filed within the time specified in that section.

(Ord. No. 5015 § 1, 1997.)

Article VII is amended to read:

Article VII. Legal.

Sec. 29-25. Liabilities and defenses.

- (a) This section shall be construed consistent with CERCLA, 42 USC Section 9601, et seq., as amended and California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75 as amended.
- (b) The following described persons are considered "responsible persons" for the purposes of this chapter and shall be jointly and severally liable to the County for all costs incurred by it in taking any investigative, recovery or regulatory action or emergency response or action, in connection with an actual or threatened release of any hazardous material:
 - (1) Any person whose negligent or willful act or omission proximately caused any actual or threatened disposal or release of a hazardous material;
 - (2) Any person who owned or had dominion or control of any hazardous material at the time of such actual or threatened disposal or release without regard to fault or proximate cause;
 - (3) Any person who owned or had dominion or control of any container which held any hazardous material at the time of, or immediately prior to any actual or threatened disposal or release without regard to fault or proximate cause;
 - (4) Any "owner" as defined by this chapter, including, but not limited to, any owner of land on which a release of hazardous materials actually occurs or threatens to occur, any owner of a facility at which an actual or threatened release occurs, any owner of hazardous materials which are involved in an actual or threatened release;
 - (5) Any "operator" as defined by this chapter, including, but not limited to, any person who operates a hazardous materials facility involved in an actual or threatened release of hazardous material, or any person with control over the operation or management of a hazardous materials facility involved in an actual or threatened release;
 - (6) Any person who by contract arranged for the disposal of hazardous material at a site involved in an actual or threatened release of a hazardous material which was the subject of the contract;
 - (7) Any person who accepts or accepted any hazardous material for transport to a disposal or treatment site selected by that person;
 - (8) Any hazardous waste generator;

- (9) Any person who is a tenant, lessee, or sublessee of land on which an actual or threatened release of hazardous materials occurs where the person possesses dominion or control over the land.
- (c) Responsibility is strict and is not conditioned upon evidence of willfulness, negligence, fault, or proximate cause in causing or allowing such actual or threatened release of hazardous substances except as expressly provided in this chapter.
- (d) "Costs" under this article include, but are not limited to, the reasonable costs of equipment, personnel, laboratory fees, administrative costs, court costs, witness fees, and attorneys' fees.
- (e) The following constitute defenses to liability based on this section:
- (1) Defenses available to a "responsible party" pursuant to CERCLA, [42](#) USC Section 9601, et seq., as amended;
 - (2) Defendant proves, by a preponderance of the evidence, the actual or threatened release was proximately caused by an act of God as defined under state or federal laws or regulations and that the defendant took reasonable precautions to avoid an actual or threatened release;
 - (3) Defendant proves, by a preponderance of the evidence, the actual or threatened release was exclusively caused by an act of war;
 - (4) Defendant is named as a responsible party solely by virtue of his or her ownership of land where an actual or threatened release occurred and defendant proves all of the following, by a preponderance of the evidence:
 - (i) Defendant had no reason to know or suspect that an actual or threatened release of hazardous materials occurred or was reasonably likely to occur on the land,
 - (ii) If the actual or threatened release occurred prior to defendant's purchase, defendant must prove, by a preponderance of the evidence, that defendant undertook adequate inquiry into the uses of the land consistent with good commercial practice, good customary practice, and which was reasonable under the circumstances, in order to ascertain whether or not hazardous materials were present on the land. In determining whether or not defendant undertook adequate inquiry, the following shall be taken into account:
 - (A) The special knowledge or experience of defendant,
 - (B) The relationship of any purchase price to the value of comparable uncontaminated real estate,
 - (C) Commonly known or reasonable ascertainable information about the land,
 - (D) Obviousness of presence or likely presence of hazardous materials,

- (E) Defendant's ability to detect the presence or likely presence of hazardous material by reasonable inquiry or inspection;
- (5) Where the hazardous material was placed on defendant's land subsequent to defendant's purchase of the land, and the defendant proves the following:
 - (i) Neither the landowner nor the lessees of the landowner had knowledge of the placement, neither did the landowner nor the lessee of the landowner consent to the placement,
 - (ii) The landowner did not acquiesce to the presence of hazardous materials on the land subsequent to placement. In determining whether or not defendant acquiesced to the presence of a hazardous material, the following shall be taken into account:
 - (A) The landowner made reasonable inspections of the land,
 - (B) The landowner had no reason to suspect a hazardous material was present,
 - (C) The landowner did not know nor have reason to know a hazardous material was present,
 - (D) The landowner took reasonable steps to cause the removal of the hazardous materials upon discovery.
- (f) If one (1) or more responsible persons assert that responsibility for an actual or threatened release is capable of apportionment among them, the burden of proof as to the apportionment is upon each such responsible person. In order to show responsibility for an actual or threatened release is capable of apportionment, a responsible person must show that each responsible person to a divisible harm and that it is reasonable, under the circumstances, to apportion responsibility. Nothing in this section shall affect the imposition of joint and several liability.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-26. Penalties.

Except where the act constituting a violation of this chapter constitutes a violation of any state or federal law which is designed to achieve the same purposes as this chapter, or where a penalty under this chapter is otherwise prohibited by law, violations of this chapter shall be punishable as follows:

- (a) Any owner, operator or handler or handler of a hazardous materials facility subject to this chapter shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
 - (1) Operation without an appropriate permit.

- (2) Failure to monitor the hazardous materials facility as required by the permit.
 - (3) Failure to report an actual or threatened release as required by Section 29-16
 - (4) Failure to properly close an underground storage tank as required by Section 29-10
- (b) Any owner of a hazardous materials facility shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
- (1) Failure to obtain a permit as specified by this chapter.
 - (2) Failure to repair a hazardous materials facility in accordance with the provisions of this chapter.
 - (3) Abandonment or improper closure of any hazardous materials facility subject to the provisions of this chapter.
 - (4) Knowing failure to take reasonable and necessary steps to assure compliance with this chapter by the owner, operator or handler or handler of a hazardous materials facility.
- (c) Any person who falsifies any monitoring records required by this chapter, or knowingly fails to report an actual or threatened release shall, upon conviction, be punished by a fine of not less than five thousand dollars (\$5,000.00) or more than ten thousand dollars (\$10,000.00) or by imprisonment in the County jail for a period not to exceed one (1) year or by both that fine and imprisonment.
- (d) Any person or business who violates Section 29-16 of this chapter or Section 25507 of the Health and Safety Code shall, upon conviction, be punished by a fine of not more than twenty-five thousand dollars (\$25,000.00) for each day of violation, or by imprisonment in the County jail for not more than one (1) year or by both the fine and imprisonment. If the conviction is for a violation committed after a first conviction under this section, the person or business shall be punished by a fine of not less than two thousand dollars (\$2,000.00) or more than fifty thousand dollars (\$50,000.00) per day of violation, or by imprisonment in the state prison for sixteen (16), twenty (20), or twenty-four (24) months or in the County jail for not more than one (1) year or by both the fine and imprisonment. Furthermore, if the violation results in, or significantly contributes to an emergency, including a fire to which a public agency is required to respond, the person or business shall also be assessed the full cost of the emergency response as well as the cost of cleaning up and disposing of the hazardous materials and any costs associated with collecting moneys owed under this section.
- (e) In determining both the civil and criminal penalties imposed pursuant to this section, the court shall consider all relevant circumstances including, but not limited to, the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, and the

frequency of past violations and the regulatory action, if any, taken by the person who holds the permit.

- (f) Except where prohibited by law, penalties under this section are in addition to, and do not supersede or limit, any and all other legal remedies and penalties.
- (g) Persons providing information with respect to certain hazardous material law violations may be eligible for a reward under Sections 25517 of the Health and Safety Code.
- (h) Other penalties or remedies may apply under state law. This article is not intended to be all-encompassing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-27. Local agency assistance.

The CUPA may request the assistance of other governmental agencies to remedy the effects of, and remove any hazardous material which has been released.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-28. Regulations.

The Board of Supervisors may adopt, by resolution, regulations implementing and enforcing this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-29. Statutory severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-30. Interpretation.

It is the intent of this chapter to regulate the storage, handling, use and management of hazardous materials or substances unless specifically preempted by state or federal law. This chapter is not intended, and shall not be construed, to apply to any substance or activity which is preempted by federal or state law or to the extent that such application would unduly interfere with the achievement of federal or state regulatory activities. It is the intention of the Board of Supervisors that this chapter shall be interpreted to be compatible with federal and state enactments and in furtherance of the public purposes which those enactments express.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-31. State-mandated provisions.

Those provisions of this chapter which are mandated by state law may be subject to change without notice or action by the County. This chapter will be periodically updated to reflect such changes.

(Ord. No. 5015 § 1, 1997.)

SECTION II. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 29 as previously adopted shall remain in full force and effect.

SECTION III. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION IV. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The director of the Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION V. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VI. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

SECTION VII. This ordinance shall be and the same is hereby declared to be in full

force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 22nd day of October, 2013, and finally passed and adopted this 5th day of November, 2013 , on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin _____ Zane _____ McGuire _____ Carrillo _____ Rabbitt _____

Ayes _____ Noes _____ Absent _____ Abstain _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED

**Summary of
Ordinance No. _____**

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 29 (Hazardous Materials Management Ordinance) of the Sonoma County Code, and to Make Other Technical and Administrative Revisions to Chapter 29.

On October 22, 2013, the Board of Supervisors of the County of Sonoma directed the setting and on November 5, 2013, the Board of Supervisors held a public hearing after which it adopted an ordinance entitled, “An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 29 (Hazardous Materials Management Ordinance) of the Sonoma County Code, and to Make Other Technical and Administrative Revisions to Chapter 29.”

The Ordinance makes the following changes to Chapter 29 of the Sonoma County Code:

It revises Sections of Chapter 29, Sonoma County Fire Safety Ordinance, to make technical and administrative updates to the Sonoma County Code, including Sections: 29-2 Findings and purpose; 29-3 Scope; 29-4 Definitions; 29-7 Consolidated permit application; 29-8 Consolidated permits – Exceptions; 29-9 Permit fees; 29-10 Permit transfer; 29-11 Underground storage tank permits; 29-12 Emergency repair permit; 29-13 Permit suspension; 29-14 Inspections; 29-15 Dispute resolution; 29-16 Notice to comply; 29-17 Reporting releases or threatened releases; 29-18 Emergency response; 29-19 Administrative review; 29-20 Regulatory action; 29-21 Filing an appeal; 29-22 Notice of hearing; 29-23 Hearing procedures; 29-24 Disposition of appeal; 29-25 Decision of hearing officer; 29-26 Liabilities and defenses; 29-27 Penalties; 29-28 Local agency assistance; 29-29 Regulations; 9-30 Statutory severability; and 29-31 Interpretation; 29-32 State mandated provisions.

Copies of the ordinance, which shall become effective on **January 1, 2014**, are available for public inspection during regular business hours in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California, as are copies of the 2013 Edition of the California Hazardous Materials Management Code.

SUPERVISORS:

GORIN _____ ZANE _____ MCGUIRE _____ CARRILLO _____ RABBITT _____

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____ SUPERVISORS:

Michelle Arellano, Clerk of the Board of Supervisors



County of Sonoma Agenda Item Summary Report

Agenda Item Number: 37

(This Section for use by Clerk of the Board Only.)

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Water Agency

Staff Name and Phone Number:

Brad Sherwood / 547-1927

Supervisory District(s):

All Districts

Title: Building Resiliency for Our Water Supply Against Seismic and Extreme Weather Events

Recommended Actions:

- 1) Direct the General Manager to return to the Board of Directors with a work plan to conduct a Vulnerability Assessment and prepare a Climate Change Adaptation Plan.
- 2) Adopt a resolution supporting continued development of the San Francisco Bay Area Advanced Quantitative Precipitation Information System and its inclusion in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding.

Executive Summary:

Staff will provide an informational presentation on extreme weather events forecasting and modeling program efforts. Staff will ask the Board to 1) Direct the General Manager to return to the Board of Directors with a work plan to conduct a Vulnerability Assessment and prepare a Climate Change Adaptation Plan; and 2) adopt a resolution supporting continued development of the San Francisco Bay Area Advanced Quantitative Precipitation Information System (System) and its inclusion in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding.

HISTORY OF ITEM/BACKGROUND:

The Sonoma County Water Agency (Water Agency) has been working to increase the resiliency of its facilities and operations against threats from seismic events, extreme weather events, and climate change. Staff will present the status of Water Agency programs designed to improve reliability of the above-mentioned threats. As part of this presentation, staff will request that the Board consider the following actions: (1) direct the General Manager to return to the Board of Directors with a work plan to conduct a Vulnerability Assessment and Prepare a Climate Change Adaptation Plan; and (2) adopt a resolution supporting continued development of the System and its inclusion in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding. The Water Agency is coordinating with the appropriate County departments, including General Services, Permit Resource Management Department (PRMD), Agricultural Preservation and Open Space District, Resource Climate Protection Agency, and Transportation and Public Works to ensure collaboration and cross functional expertise is utilized to ensure this work is successfully completed.

Some examples of this collaboration include work with the Agricultural and Open Space District on eco system

services initiatives and assistance with PRMD's application to the Coastal Conservancy for a grant to fund evaluation of sea level rise along the Sonoma Coast.

Between 2002 and 2004, the Water Agency conducted a comprehensive assessment of the potential impacts to its water transmission system from natural hazards such as floods, seismic events, and wildfires. The analysis identified seismic hazards as the most significant threat to the Water Agency's facilities. Based on this evaluation, the Water Agency identified several capital improvement projects to increase resiliency against seismic hazards. The Water Agency has been working over the past several years to complete some of these projects. To support this effort, the Water Agency developed a Local Hazard Mitigation Plan (Mitigation Plan) in 2008, updated in 2012. Both Mitigation Plans were approved by the Federal Emergency Management Agency. Projects contained in the Mitigation Plans are eligible for federal funding through the Federal Emergency Management Agency's pre-disaster mitigation fund. To date, the Water Agency has received commitments of approximately \$9M from the Federal Emergency Management Agency.

Approximately 45 percent of the rainfall received within the Russian River water supply system comes from extreme weather events, otherwise known as atmospheric rivers. The Russian River watershed has the highest recurrent flood damage in California and the Sonoma County region is prone to extreme weather events including flooding and droughts. The Water Agency is proactively collaborating with local, regional, state and federal agencies to develop and implement extreme weather forecasting/modeling programs to protect human life, property and the environment. Better understanding extreme weather events will help the Water Agency and the U.S. Army Corps of Engineers better operate reservoirs and manage scarce water resources by anticipating the location and amount of rainfall and thus not making releases of water when not necessary.

The Water Agency, in collaboration with the National Oceanic and Atmospheric Administration, is developing a regional project called the 'San Francisco Bay Area Advanced Quantitative Precipitation Information System' for inclusion in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding. The System will provide early notification of more precise rainfall location, intensity and amount for the improved management of water supply reservoirs, the improved operations of combined sewer and wastewater systems, the improved operations of flood protection facilities, and a myriad of other benefits to transportation and emergency response agencies.

The System's network of observation stations and strategically placed, gap-filling, lower-elevation aiming radar units would supplement existing higher-level aiming radar units, together with a gap-filling, lower-elevation aiming radar in the Sonoma County coast, to provide lead time of impending precipitation in the greater San Francisco Bay Area with estimated amounts and more precise locations. The System would be integrated with existing National Oceanic and Atmospheric Administration weather prediction facilities and the backbone network of precipitation monitoring equipment supported by the California Department of Water Resources throughout the state. Water Agency staff see the System as helping to adapt to the impacts of climate change that include more severe storms, extended droughts and rising sea levels.

The Water Agency has been working with the U.S. Geological Survey to evaluate the hydrologic impacts from the results of climate change models, downscaled to 270 meter grids for Sonoma County and portions of Mendocino County (Russian River Watershed). This work provides a picture of the potential range of hydrologic conditions that this region could experience through 2100. Staff will discuss the implications to the Water Agency's facilities and operations based on the current understanding of climate science and provide recommendations on how to move forward to increase resiliency against threats due to climate change.

The Water Agency will provide regular updates to the Board on progress made in these and other initiatives responding to Climate Adaptation.

Prior Board Actions:

- 06/25/2013: Execute a Modification to the Memorandum of Understanding for Sonoma County Quantitative Precipitation and Frost Information Proof-of-Concept Demonstration between the Sonoma County Water Agency and National Oceanic and Atmospheric Administration, United States Department of Commerce, in an amount not to exceed \$815,000 for a new not-to-exceed total of \$1,115,400 and extending the term by four years for a new end date of January 17, 2017.
- 09/25/2012: Execute Agreement to Update the Local Hazard Mitigation Plan with MMI Engineering, Inc. (\$64,688; agreement terminated on June 30, 2013).
- 01/10/2012: Execute the Memorandum of Understanding for Sonoma County Quantitative Precipitation and Frost Information Proof-of-Concept Demonstration between the Sonoma County Water Agency and National Oceanic and Atmospheric Administration, United States Department of Commerce (\$300,400).
- 01/08/2008: Resolution to formally adopt the Sonoma County Water Agency’s Local Hazard Mitigation Plan.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The resolution supports County Goal 2 by continuing to invest in data driven programs that protect the environment and public health related to better modeling/forecasting of extreme weather events.

Water Agency Water Supply Goals and Strategies, Goal 1: Work with water contractors to retain and improve the reliability of the water supply production and distribution systems, including during short-term emergencies, such as earthquakes, and during long-term challenges caused by extended droughts and global climate change.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ -0-	Water Agency Gen Fund	\$ -0-
Add Appropriations Req'd.	\$ -0-	State/Federal	\$ -0-
	\$	Fees/Other	\$ -0-
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
Total Expenditure	\$ -0-	Total Sources	\$ -0-

Narrative Explanation of Fiscal Impacts (If Required):

None.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Resolution (R1)

Related Items "On File" with the Clerk of the Board:

None.

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Weather Events_summ.docm

CF/0-0-20 Potential Grant Funding Sources (ID 146)



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

Santa Rosa, CA

4/5 Vote Required

Resolution of the Sonoma County Water Agency Board of Directors Supporting the Proposed San Francisco Bay Area Advanced Quantitative Precipitation Information System to be Included in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding.

Whereas, California voters in 2006 passed Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act, which provided for \$1 billion for Integrated Regional Water Management Planning and Implementation; and

Whereas, when Round 3 of Proposition 84 funding is appropriated by the Legislature, the San Francisco Bay Area Integrated Regional Water Management Plan will have more than \$73 million allocated for implementation grants with proposals expected to be submitted to the California Department of Water Resources in 2014-2015; and

Whereas, the Sonoma County Water Agency, in collaboration with the National Oceanic and Atmospheric Administration, is developing a regional project called the San Francisco Bay Area Advanced Quantitative Precipitation Information System for inclusion in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding; and

Whereas, the San Francisco Bay Area Advanced Quantitative Precipitation Information System will provide early notification of more precise rainfall location, intensity and amount for the improved management of water supply reservoirs, the improved operations of combined sewer and wastewater systems, the improved operations of flood protection facilities, and a myriad of other benefits to transportation and emergency response agencies; and

Whereas, the San Francisco Bay Area Advanced Quantitative Precipitation Information System's network of observation stations and strategically placed, gap-filling, lower-elevation aiming radar units would supplement existing higher-level aiming radar units, together with a gap-filling, lower-elevation aiming radar in the Sonoma County coast, to provide lead time of impending precipitation in the greater San Francisco Bay Area with estimated amounts and more precise locations; and

Whereas, best management practices and data developed through implementing the

San Francisco Bay Area Advanced Quantitative Precipitation Information System will be shared with regional, statewide and federal agencies and local communities to expand awareness and understanding of the benefits of an advanced precipitation system to better prepare for and manage natural resources during or after an extreme event; and

Whereas, this initial phase of the Bay Area Advanced Quantitative Precipitation Information System would be integrated with existing National Oceanic and Atmospheric Administration weather prediction facilities and the backbone network of precipitation monitoring equipment supported by the Department of Water Resources throughout the state; and

Whereas, the Sonoma County Water Agency and other agencies and organizations in the San Francisco Bay Area see the Advanced Quantitative Precipitation Information System as helping to adapt to the impacts of climate change that include more severe storms, extended droughts and rising sea levels; and

Whereas, the Sonoma County Water Agency's Russian River water supply system receives approximately 45 percent of its annual precipitation from extreme weather events, otherwise referred to as atmospheric rivers; and

Whereas, the Russian River watershed has the highest recurrent flood damage in California and the Sonoma County region is prone to extreme weather events including flooding and droughts; and

Whereas, potentially billions of dollars in flood damage and other costs, and the possible loss of life, could be avoided with advanced notice of location, intensity and amount of precipitation of severe storm events; and

Whereas, the advanced radar units and resulting precipitation forecast would assist emergency responders to better prepare resources and staff before an extreme weather event occurred; and

Whereas, operators of reservoirs would be able to better manage already scarce water resources by better anticipating the location and amount of rainfall and thus not making releases of water when not necessary; and

Whereas, the present and near-future financial expenditures of the Sonoma County Water Agency and the National Oceanic and Atmospheric Administration in developing their own individual projects and the greater Bay Area Advanced Quantitative Precipitation Information System would contribute to the amount of matching funds required by the Department of Water Resources for the estimated \$20 million; and

Resolution #

Date: November 5, 2013

Page 3

Whereas, the many public and private entity beneficiaries of the Advanced Quantitative Precipitation Information System are expected to pay for its annual operations and maintenance costs.

Now, therefore, be it resolved that the Sonoma County Water Agency Board of Directors supports continued development of the San Francisco Bay Area Advanced Quantitative Precipitation Information System and its inclusion in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding.

PASSED AND ADOPTED this 5th of November, 2013, by the following vote of the Board:

Directors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

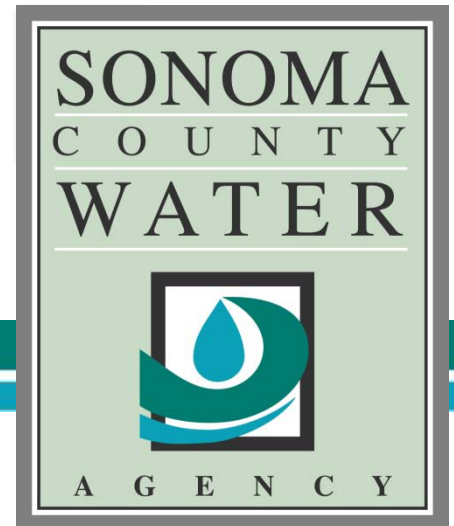


Building Resiliency for Our Water Supply Against Seismic and Extreme Weather Events

November 5, 2013

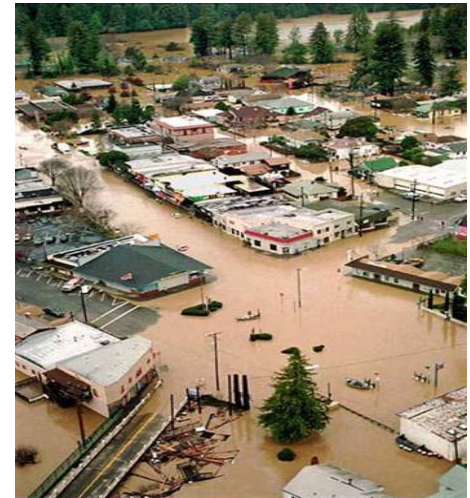
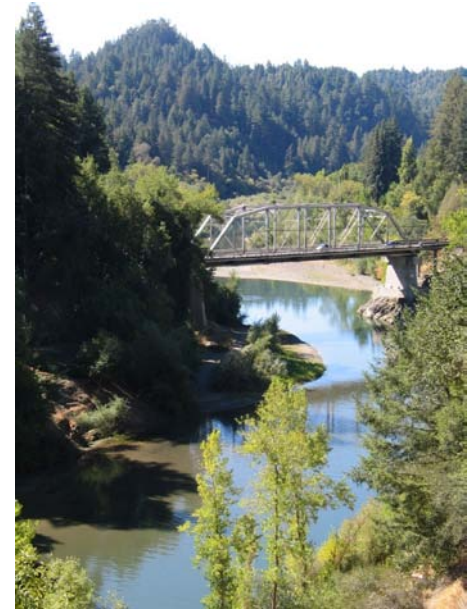
Brad Sherwood
Community & Government Affairs

Jay Jasperse, P.E.
Chief Engineer



Overview

- Background
 - Water Supply Challenges
 - Integrated Water Management
- Building Seismic Hazard Resiliency
- Preparing for Extreme Weather Events
- Climate Change & Adaptation
- Partnerships
- Requested Board Actions



Our Key Water Supply Challenges...

Ensure Water Supply Reliability

Changing Regulations, Drought, Growth

Maintain Operational Reliability

Water Quality, Aging Infrastructure

Improve Resilience Against Natural Hazards

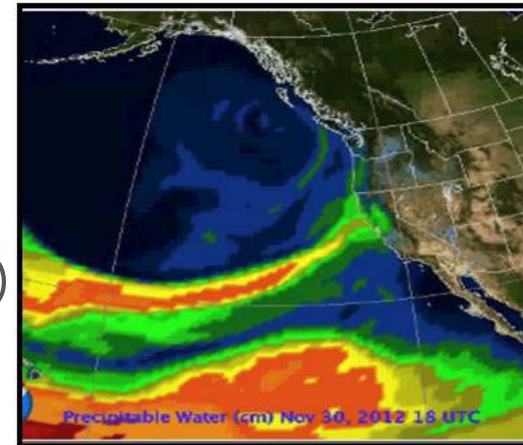
Seismic Hazards, Extreme Weather Events

Adapt to Climate Change

Climate Variability, Sea Level Rise, Habitat Changes, Increased Water Demand (ET, soil moisture)

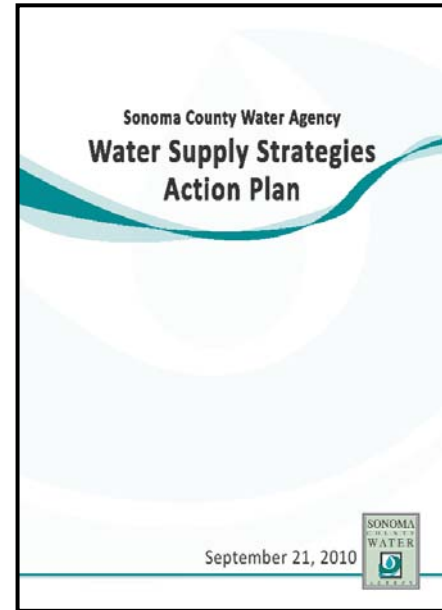
Ensure Affordability & Stable Funding

Conservation vs. Rates, Increased Regulations



Addressing Water Supply Challenges

- Spring 2009 Board Workshop: Comprehensive Assessment of Issues & Proposed Strategies to Address Challenges
- 2 Phases of Outreach: 2009-2010
- Dozens of Meetings & Hundreds of Comments
- Water Supply Strategy Action Plan Approved in 2010. Updated in 2011 and 2013
- Improving Water Supply Resiliency Important Component of Water Supply Strategy Action Plan



What Is Resiliency?

National Academies:

“The Ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse events”.



Addressing Seismic Hazards

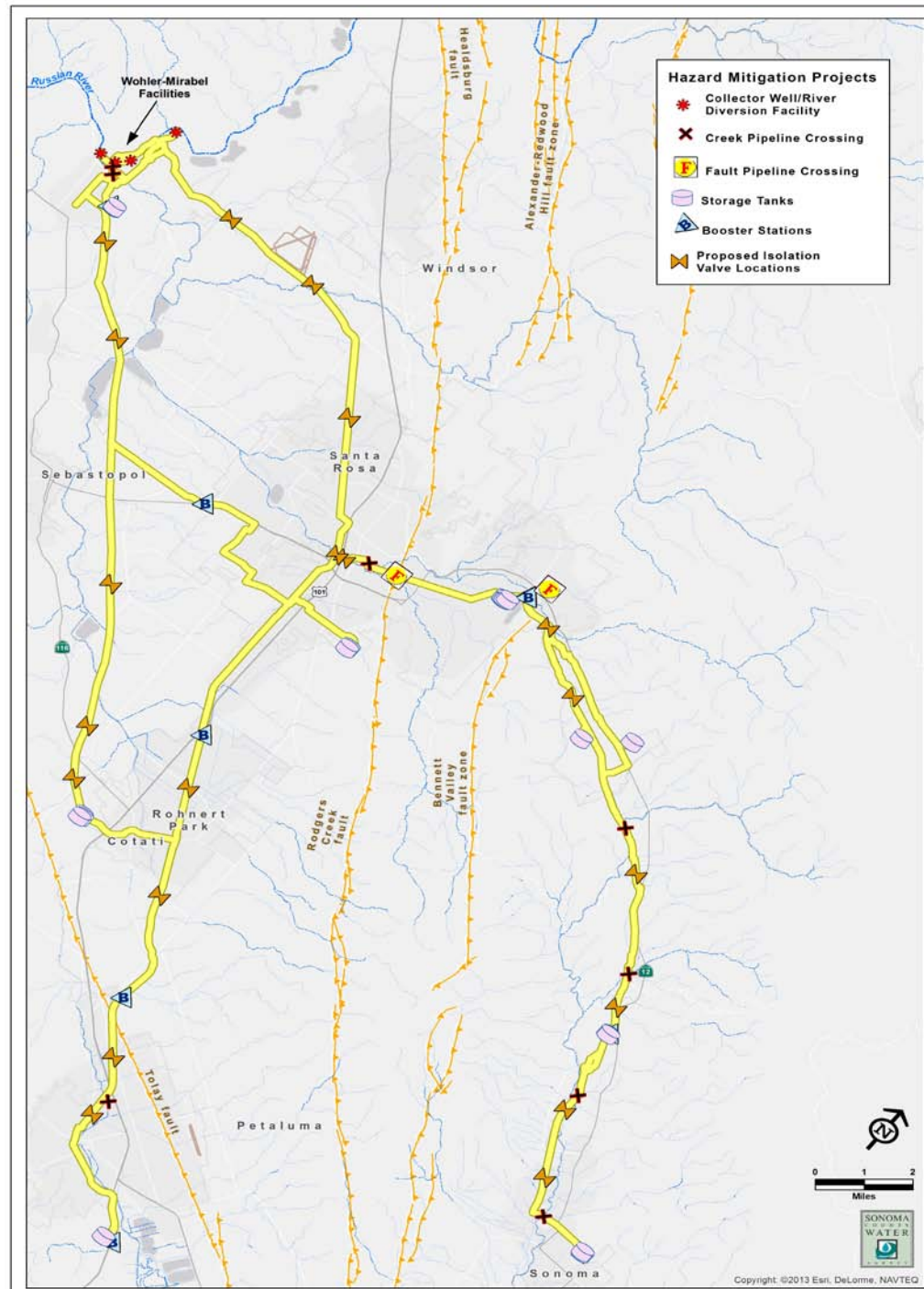
- Natural Hazard Vulnerability Assessment of Water Transmission System Completed 2004
- Multiple Hazards Evaluated: Seismic Most Significant - Highest Priority
- Several Facility Vulnerabilities Identified & Improvement Projects Developed
- Many Projects Completed or Currently in Planning/Design
- Natural Hazard Capital Improvement Projects Included in Long-Range Financial Plan to Assess Rate Impacts

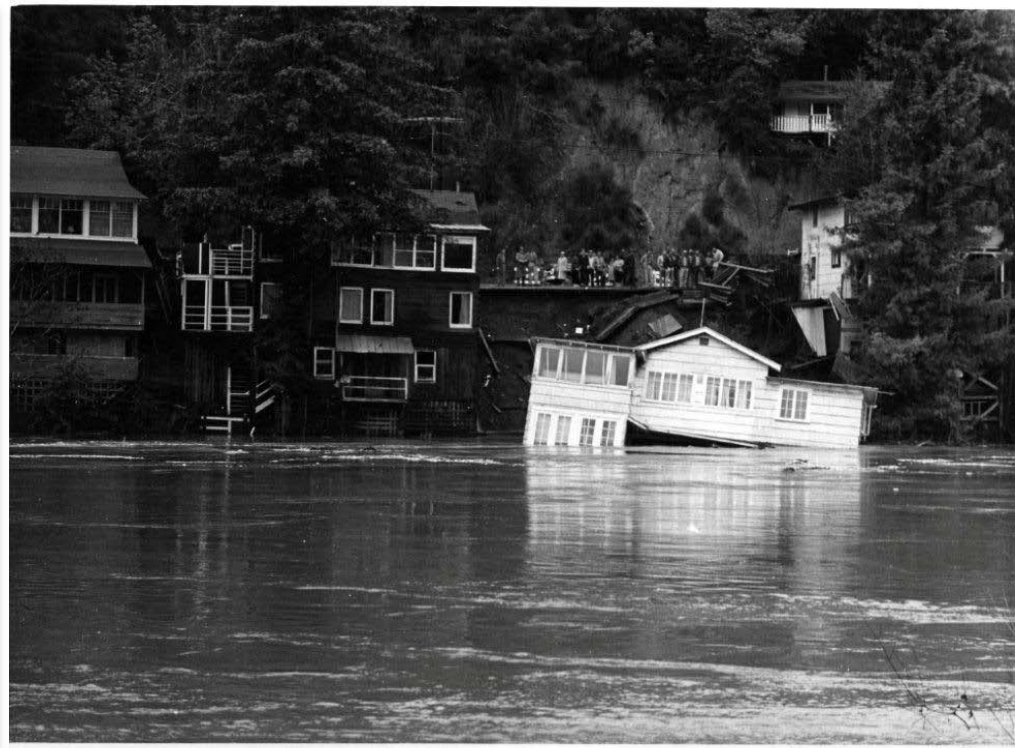
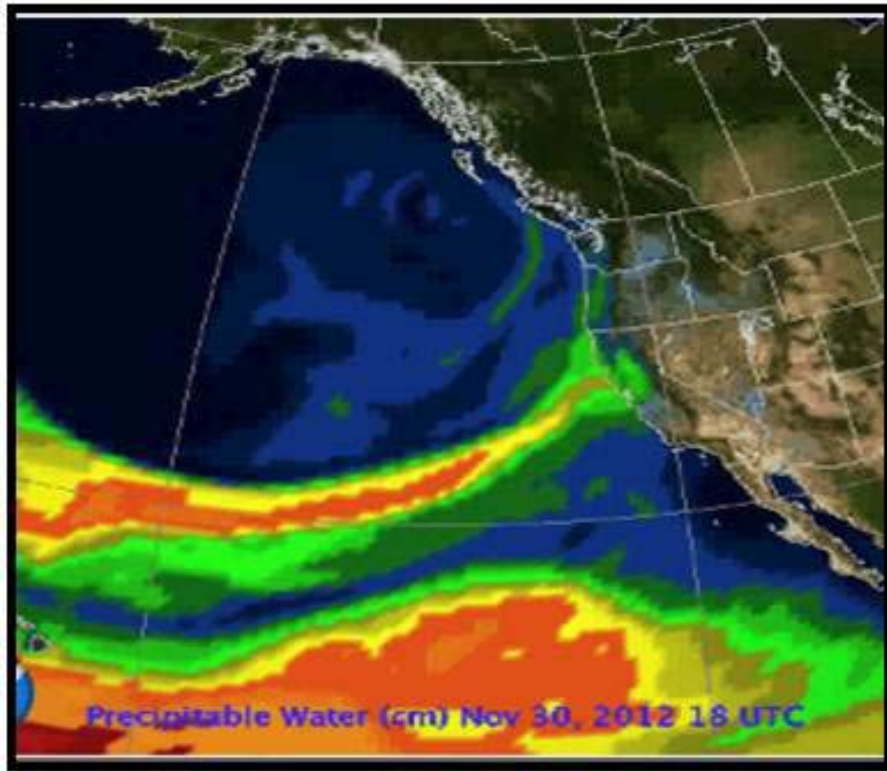
Addressing Seismic Hazards

- Submitted Local Hazard Mitigation Plan (LHMP) to FEMA in 2008: Qualify for Pre-Disaster Mitigation Funds
- To Date, FEMA Funding Awarded ~\$9M for 4 Projects (Total estimated cost ~\$13.2M)
- LHMP for Water Transmission System Updated 2012
- LHMPs to be Developed for Sonoma Valley CSD & Russian River CSD in 2014-2015

Natural Hazard Mitigation Projects

- Russian River Water Supply Facilities
- Booster Stations
- Storage Reservoirs
- Aqueducts:
 - Fault Crossings
 - Creek Crossings

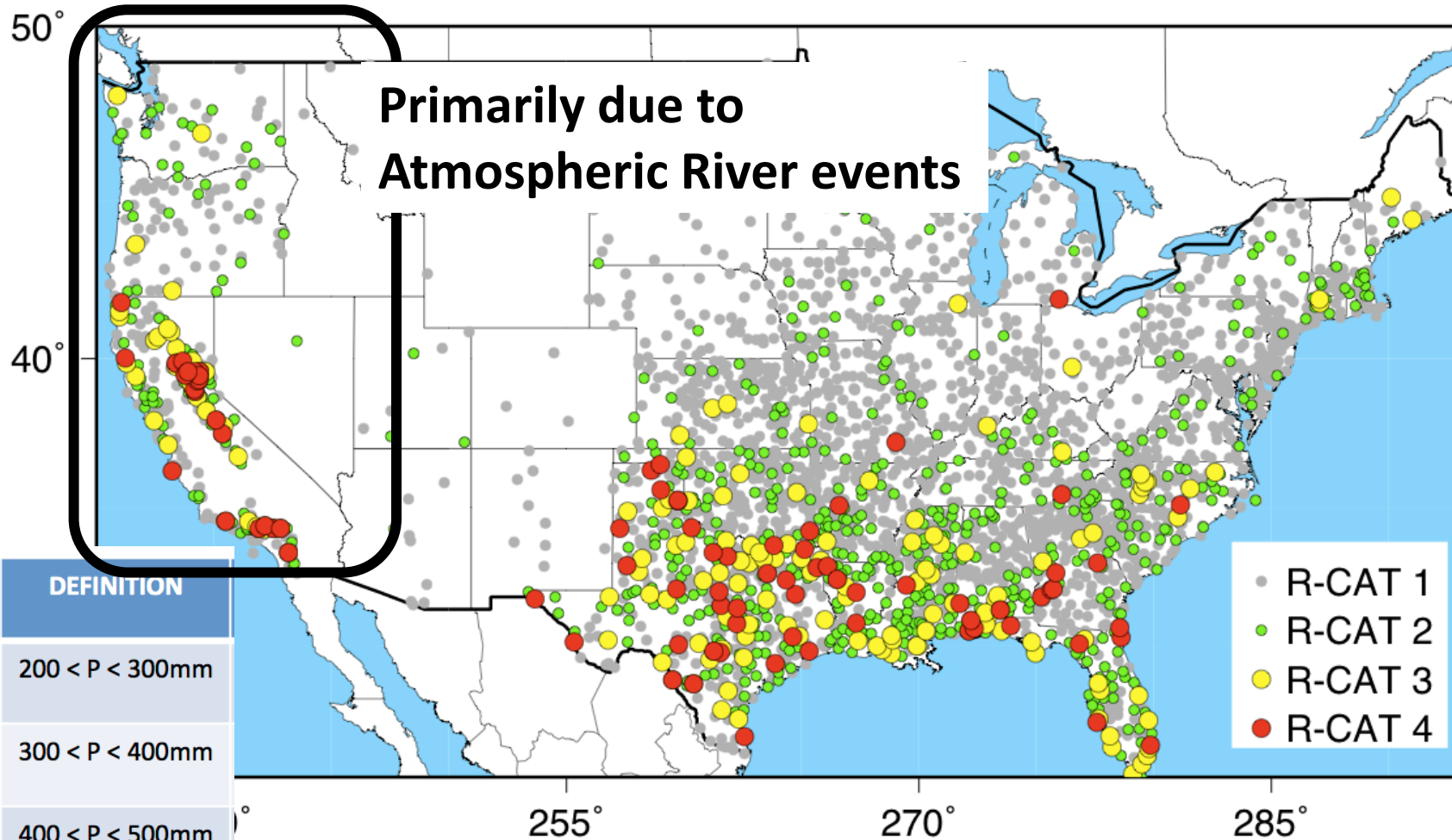




**Preparing For
Extreme Weather:
It's All or Nothing!**



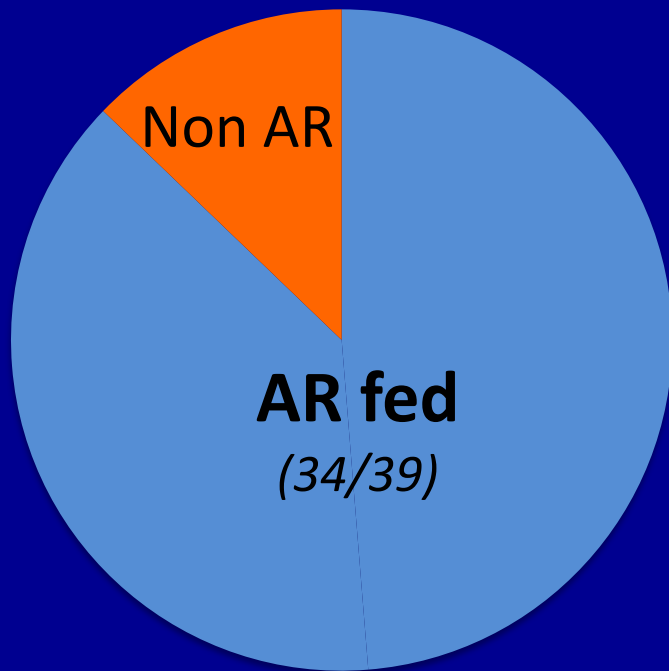
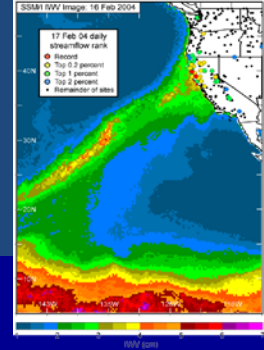
LARGEST 3-DAY PRECIPITATION TOTALS, 1950-2008



R-CAT	DEFINITION
1	$200 < P < 300\text{mm}$
2	$300 < P < 400\text{mm}$
3	$400 < P < 500\text{mm}$
4	$P > 500\text{mm}$

Ralph, F.M., and Dettinger, M.D., Historical and national perspectives on extreme west-coast precipitation associated with atmospheric rivers during December 2010: Bulletin of the American Meteorological Society, (in press, Nov 2011)

ARs & Russian River floods



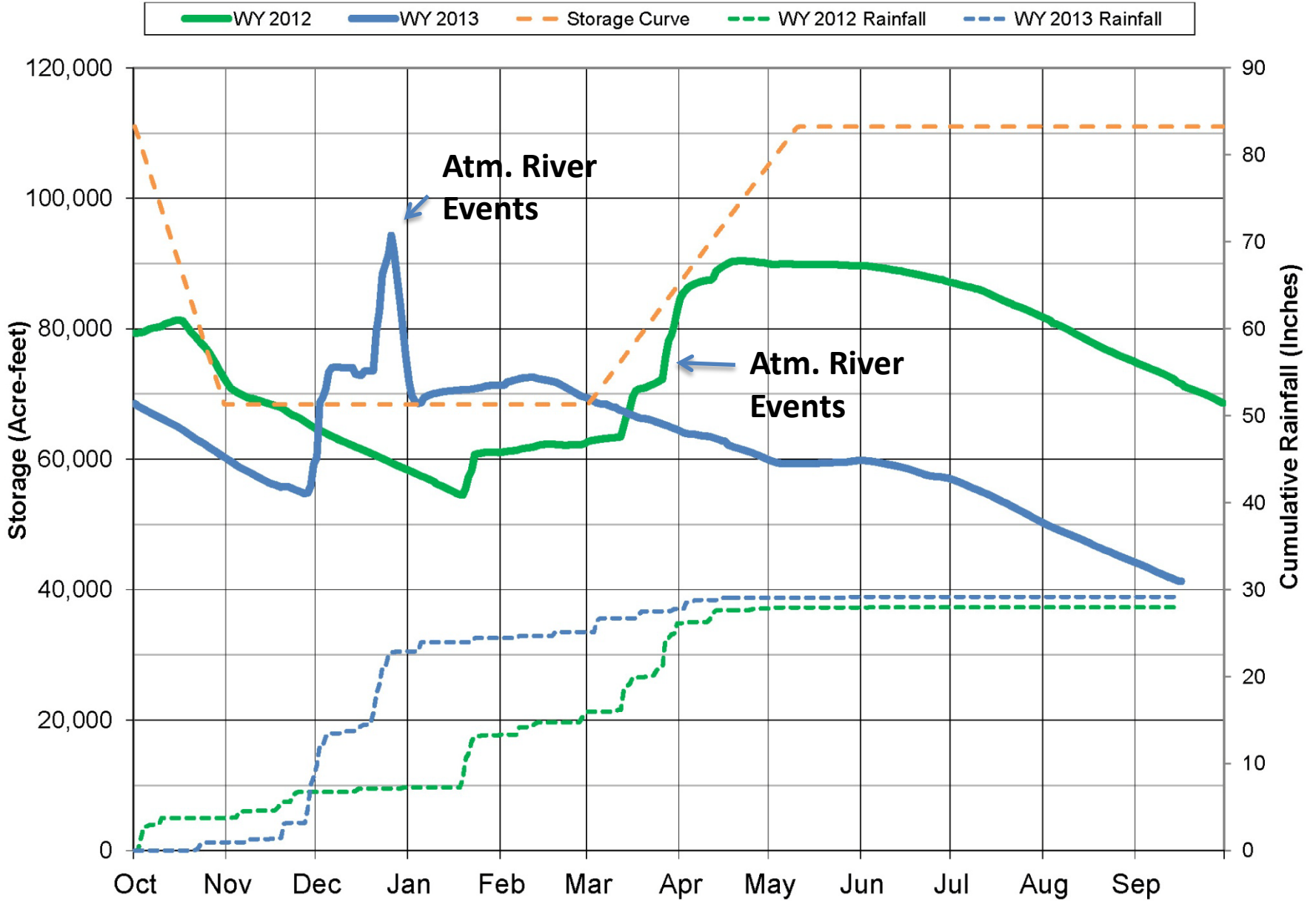
- ALL 7 major floods of Russian River since 1997 have been atmospheric rivers (Ralph et al, GRL, 2006)

On a longer time scale, among all 39 “declared” floods of the Russian River (39 cases with > 50,000 cfs) from 1948-2011...

87% were caused by ARs

~45% Rainfall in Sonoma Co. Due to Atm. Rivers

Lake Mendocino 2012 & 2013 Storage Comparison



SCWA/NOAA Partnership to Improve Understanding & Forecasting of Extreme Weather Events

Phase 1

January 2012 – June 2013

Water Agency: \$270,400

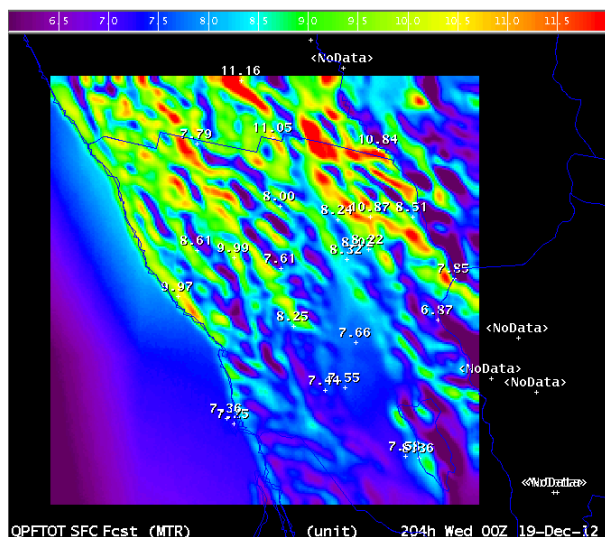
NOAA Match: \$240,900

Phase 2

June 2013 – January 2017

Water Agency: \$815,400

NOAA Match: \$470,900



- ❖ Lake Mendocino Reservoir Operations Analysis
 - Evaluate precipitation forecasts to help inform reservoir operations
- ❖ Quantitative Precipitation Information (QPI)
 - Deploy new monitoring equipment
 - KPIX Doppler Radar - improve Doppler Radar coverage of Sonoma County
- ❖ Enhanced Temperature Forecasting / Frost Prediction
 - Improve forecasting of extreme temperatures

USGS-SCWA Climate Change Study

➤ Downscale future climate change scenarios

- Spatially - 270 m
- Temporally - 1 day timestep

➤ 2 Global Climate Models

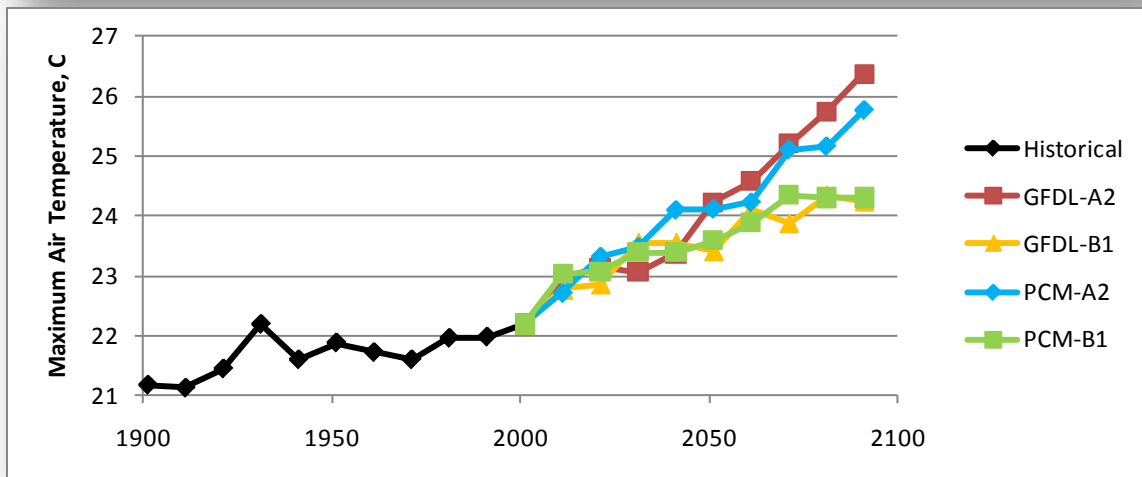
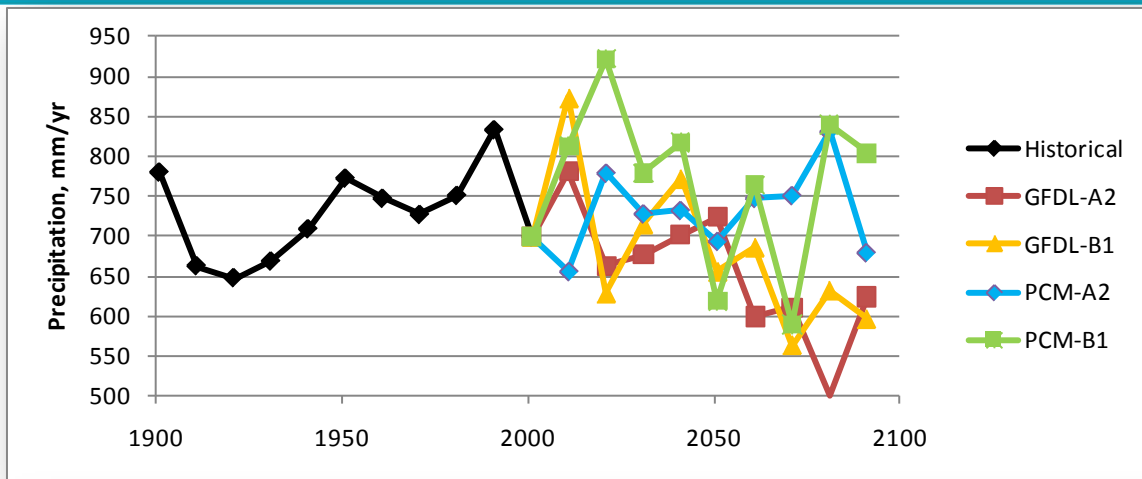
1. Parallel Climate Model
2. NOAA GFDL

➤ 2 Scenarios

1. A2 - medium high emissions
2. B1 - low emissions

➤ Evaluate Impacts to:

- ❖ Hydrology of the Russian River using the USGS Basin Characterization Model
- ❖ Water Supply of the Russian River System
- ❖ Santa Rosa Plain Groundwater Aquifer



Potential Climate Change Impacts

- Increased Temperature = Increased Water Demand (Human, Agricultural, Environmental) - Even in Wet Years
- Higher Soil Moisture Deficit Means Lower Groundwater Recharge
- Increased Variability - Extremes Will Be More Extreme
- Even “Wet” Years Likely to Exhibit Compressed Winters
- Increased Flooding Intensity & Collection System Overflows
- Sea- Level Rise Impact to Infrastructure & Saline Intrusion
- Increased Wildfire Threat: Water Quality & Flood Impacts

How Can We Improve Resiliency Natural Systems & Built Infrastructure?

Climate Change Adapt. Planning - Similar to Seismic Hazards

- Start With Strong Scientific Basis
- Evaluate Potential Threats to Water Agency Infrastructure, Operations & Management Programs
- Prioritize Vulnerabilities
- Identify Projects/Programs to Improve Resiliency
- Ongoing Effort - Evolve With New Information/Knowledge
- Use Planning Effort to Pursue Funding Opportunities
- Partnerships & Stakeholder Outreach are Essential

Examples of Partnerships

Federal:

NOAA - Office Atmospheric Research, Nat. Weather Service,
California-Nevada River Forecast Center

USGS - California Water Science Center

IWRSS - Integrated Water Resources Sciences & Services

- NOAA, USGS, Corps Engineers
- Integrate water resources information, products & services across geographic & organizational scales - MOU May 2011
- Russian River IWRSS Demonstration Watershed for Model Development, Coordination, & Integration

Examples of Partnerships

State:

Department of Water Resources - (State Climatologist)

Scripps - Center on Western Weather & Weather Extremes

Local:

North Bay Climate Adaptation Initiative (NGOs)

Regional Climate Protection Authority

County & Water Contractors

Open Space District & Land Conservation Managers

Bay Area Integrated Regional Water Management Plan Project



Chronicle / Eric Luzzi

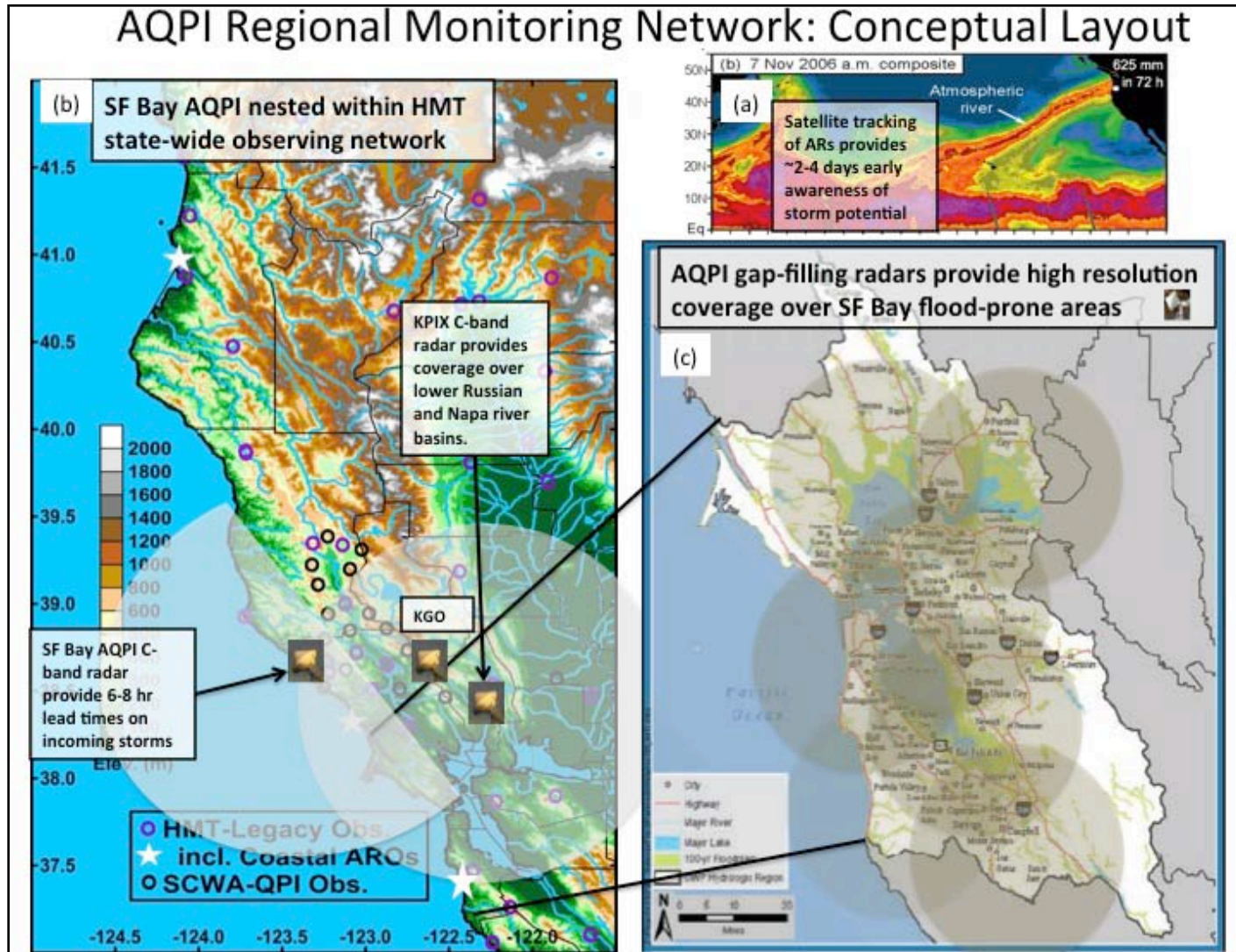


AP / Brad Zwerink



Bay Area Integrated Regional Water Management Plan Project

AQPI Regional Monitoring Network: Conceptual Layout



Requested Board Actions

Adopt a **resolution supporting:**

- Continued development of the San Francisco Bay Area Advanced Quantitative Precipitation Information System.
- Inclusion in the San Francisco Bay Area's Proposal under Round 3 of Proposition 84 Integrated Regional Water Management Implementation Grant Funding.

Requested Board Actions

Direct the General Manager to Return to the Board of Directors With a Work Plan to Conduct a Vulnerability Assessment & Prepare a Climate Change Adaptation Plan

Work Plan Will Contain Phased Scope, Schedule & Estimated Costs to:

- Identify Threats to Water Agency Operations & Infrastructure
- Develop Vulnerability Assessment
- Process for Developing Adaptation Strategies



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 45
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Traci Tesconi 565-1903

Supervisorial District(s):

Fourth

Title: Addition of 22.01 acres to an existing Agricultural Preserve 1-543, approval of a smaller Agricultural Preserve, and execution of a new Land Conservation (Williamson Act) Contract and attached Land Conservation Plan for property locate at 1998 Jones Road, Windsor. PRMD File No. AGP13-0008.

Recommended Actions:

Hold a public hearing and adopt a resolution:

- (1) Finding the project exempt from CEQA;
- (2) Finding that Agricultural Preserve 1-543 qualifies for an exception from the requirement that it be at least 100 acres;
- (3) Approving the addition of 22.01 acres to Agricultural Preserve 1-543, for a total size of 91.0 acres;
- (4) Approving the requested Land Conservation Contract (Williamson Act Contract), and the Land Conservation Plan attached and incorporated into it for 40.11 acres as a condition of a previously approved Lot Line Adjustment (LLA04-0058) and to ensure the legal description under the contract coincides with the adjusted boundary lines, for property located at 1998 Jones Road, Windsor, APN 066-210-090 and APN 066-210-103;
- (5) Authorize the Chair to execute the approved Williamson Act Contract and Land Conservation Plan; and
- (6) Delegate authority to the Director of PRMD to approve and execute future amendments to the Land Conservation Plan.

Executive Summary:

Action Requested of the Board of Supervisors: Pursuant to state law, all Land Conservation Contracts (Williamson Act Contracts) must be located within an "Agricultural Preserve." (Government Code Section 51230, *et seq*; Sonoma County Uniform Rule 3.0). For this application, seek approval of a replacement Land Conservation contract (aka Williamson Act contract) that includes a portion of land that is not currently within an Agricultural Preserve. Your Board is requested to conduct a public hearing

on the request to expand an existing Agricultural Preserve by 22.01 acres for a total of 91 acres, and approve a new Land Conservation Contract and attached Land Conservation Plan. At the conclusion of the hearing, adopt a resolution adding 22.01 acres to Agricultural Preserve 1-543, and authorizing the Chair to execute a new Williamson Act Contract and attached Land Conservation Plan on 40.11 total acres (APN 066-210-090 and APN 066-210-103).

Location, Zoning and Project Description: The project site is located in the Russian River Appellation at 1998 Jones Road, Windsor. The project site is 40.11 acres and contains a barn, two wells, two pump houses, and 31.47 acres of existing vineyard. The project site is zoned DA (Diverse Agriculture), 40 acre density with a small portion of the site zoned AR (Agriculture and Residential), B6 3 acre density, and with four combining districts of BR (Biotic Resource) F1 (Primary Floodplain), F2 (Secondary Floodplain), and VOH (Valley Oak Habitat).

Background:

As authorized under the Land Conservation Act of 1965 (the Williamson Act), the County of Sonoma has established Agricultural Preserves in various agricultural areas. The establishment of Agricultural Preserves allows the County to enter into Land Conservation Contracts on property within the preserves. The Board may consider a request to expand an established agricultural preserve at the same time it considers a request for a new or replacement Land Conservation Contract for land within the preserve. When parcel boundaries of contracted land are adjusted, the County requires a replacement contract to ensure that the boundaries of the Williamson Act Contract match the adjusted parcel boundaries.

In 2004, a Lot Line Adjustment (LLA04-0058) was approved for the Kunde property with a condition of approval that required that the existing Land Conservation contract (Williamson Act contract) be rescinded and replaced to include the 22.01 acres added to the original Lands of Kunde totaling 40.11 acres. The Kunde's filed an application (AGP04-0020) to rescind and replace the existing Williamson Act contract with a new contract and it was approved by the Board of Supervisors. However, the Agricultural Preserve was not enlarged and the new contract was never recorded because title reports were never submitted and the contract was not prepared or executed.

To accommodate the current request to place the Kunde's entire 40.11 acre parcel under a replacement Williamson Act Contract, the Board must first enlarge the underlying Agricultural Preserve by 22.01 acres, for a total preserve size of 91 acres. Additionally, because as enlarged the 91 acre agricultural preserve will be less than 100 acres, the Board must make findings that the smaller sized preserve is necessary due to the unique characteristics of the agricultural enterprises in the area, and that such preserve is consistent with the General Plan, and Zoning Code. (Government Code § 51230, Uniform Rule 3.3.)

At or before the time the Agricultural Preserve is expanded, the Board may approve and authorize execution of the requested Williamson Act Contract. Under the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* ("Uniform Rules"), adopted December 2011, all new and replacement contracts must contain a "Land Conservation Plan," which is a separately executed document that is attached to and incorporated by reference into the Williamson Act contract as Exhibit

“B”. The “Land Conservation Plan,” identifies the size, type, and general location of allowed uses for the contracted land, as applicable: prime agricultural use, non-prime agricultural use, open space use, compatible uses, and undesignated area. Future, substantial changes in the operation or the qualifying agricultural or open space use for which the Board of Supervisors approves the Williamson Act contract require amendment to the “Land Conservation Plan.” The Board may delegate to the Director of PRMD the authority to approve amendments to a “Land Conservation Plan,” consistent with the Williamson Act and County’s Uniform Rules. Amended Land Conservation Plans are deemed automatically incorporated into the Williamson Act Contract, alleviating the need for owners to obtain replacement contracts to accommodate future changed land uses. (Uniform Rule 6.4.) At all times, use of the land must conform to the contract, the land conservation plan, the County’s Uniform Rules, and the Williamson Act.

Enlargement of the Agricultural Preserve:

Before the requested rescission and replacement of a Land Conservation Contract and the attached Land Conservation Plan can be approved and executed, a portion of the parcel (22.01 acres) must be included within an Agricultural Preserve. State law and the County’s local Uniform Rules contain requirements for the expansion of an existing Agricultural Preserve. These requirements, detailed below, include noticing requirements, a public hearing and an analysis of the qualifications of the land for inclusion in the existing preserve.

1. Pursuant to Government Code Section 51231 and under the County’s Uniform Rules (Uniform Rule 3.5.A.) the Board of Supervisors may modify an existing Agriculture Preserve (1-543) by a resolution after a public hearing. Pursuant to Government Code Section 51237, the Resolution and enlarged Agricultural Preserve map depicting the 22.01 acres added to the preserve area will be recorded.
2. Pursuant to Government Code Section 51234, enlargement of an Agricultural Preserve must be consistent with the General Plan. Also, the use of any land within an agricultural preserve must be restricted by zoning that is compatible with the agricultural or open space uses of the land within the preserve subject to Land Conservation contracts. Enlarging the existing Agricultural Preserve 1-543 is consistent with the General Plan because the land is devoted to agricultural use, is contiguous to an existing Agricultural Preserve, is designated for Diverse Agricultural use under the General Plan and the DA zoning district, and over 78% of the 40.11 acre parcel is planted in vineyard (31.47 acres). The enlargement of the existing Agricultural Preserve Area does not result in any loss of land under the Williamson Act program since 22.01 acres is being added.
3. Generally an Agricultural Preserve must contain at least 100 contiguous acres of land unless the Board of Supervisors finds that a smaller preserve is necessary due to the unique characteristics of the agricultural enterprises in the area and that such preserve is consistent with the General Plan and Zoning Code (Rule 3.3 A of the Uniform Rules for Agricultural Preserves). This request adds 22.01 acres to Agricultural Preserve 1-543, enlarging it to 91 acres, to fully accommodate a 40.11 acre parcel under contract. In this particular case, in 1991 Agricultural Preserve 1-543 was formed (PRMD File AP90-732) with the original land of Kunde included in Agricultural Preserve 1-543 and placed under a Land Conservation contract (1-543; 91-017608). In addition, the project site is prime agricultural land, and the project site is devoted to a commercial agricultural

operation (vineyard land). There are no other Agricultural Preserves that are contiguous to the project site. Therefore, staff believes the findings can be made to except Agricultural Preserve 1-543 from the requirement that it be at least 100 acres. In 2007, the Board approved a new Agricultural Preserve of 87.96 acres (less than 100 acres) in west Sebastopol for prime agricultural land (PLP07-0083) because the land was not contiguous to any existing prime Agricultural Preserves.

4. The enlargement of the Agricultural Preserve Area and approval of an Agricultural Preserve 1-543 of 91 acres in size can be considered concurrently with the application for a new contract and approved by one action.
5. Pursuant to Section 15317 of the CEQA Guidelines, the project is Categorically Exempt from CEQA.

Replacement Land Conservation Contract (Williamson Act Contract) on land located in an enlarged Agricultural Preserve:

The requirements for a new or replacement contract for land within a preserve are separate from the requirements for establishment of a preserve. As explained below, upon enlargement of the Agricultural Preserve, all requirements for a new Williamson Act contract will be met.

a) Land is within an Agricultural Preserve: As described above, the two parcels will be within an enlarged Agricultural Preserve, 1-395.

b) Prime farmland: A parcel under 40 acres must be designated prime farmland to qualify for a Williamson Act contract. Prime agricultural land is defined as land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and meet the minimum income requirements. The two parcels are 10 acres and 24.61 acres in size and are planted in either vineyard or a combination of vineyard and apple orchard parcel that produce the required income for the last five years, and both parcels meet the definition of prime agricultural land.

c) Minimum Parcel Size: The parcels must be at least 10 acres in size for a Prime Land Conservation Contract (Williamson Act contract). The parcels are 10 acres and 24.61 acres in size and either meet or exceed the 10-acre minimum parcel size for a Prime Land Conservation contract.

d) Agricultural Use of the Land: The parcel must be devoted to agricultural use. In Sonoma County this means that at least 50% of the parcel is used for agriculture purposes. On both parcels, over 90 % of the parcel is planted in vineyard or a combination of vineyard and orchard.

e) Non-Agricultural Compatible Uses: The parcel contains a barn, two wells, a water tank, and two pump houses which are all considered agricultural uses. The parcel does not currently contain any compatible uses, as defined in the Uniform Rules. However, the Land Conservation Plan designates up to four allowable acres for future compatible uses, if any.

f) Minimum Income Requirement: For vineyard land, the minimum income requirement is

\$1,000.00 per acre gross annual income. The vineyard operation exceeds the minimum income requirement.

g) Single Parcel Requirement: The land proposed for the replacement contract is comprised of a single legal parcel.

Staff Recommendation: Staff recommends the Board of Supervisors approve the request because all of the state and local requirements for enlargement of the Agricultural Preserve and for a replacement contract for the 40.11 acres within the preserve have been met.

Prior Board Actions:

On February 1, 2005, the Board approved to amend an existing Type I Williamson Act Contract (I-543; 91-017608) by adding 22.01 acres and authorize the Chairman of the Board of Supervisors to sign a new Type I Williamson Act Contract for 40 acres of vineyard land under Resolution Number 05-0094, as a condition of a previously approved Lot Line Adjustment (LLA04-0058).

On December 13, 2011, the Board approved the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Resolution No. 11-0678). On June 12, 2012, the Board directed PRMD to accept applications for new Land Conservation Contracts and to evaluate on-going fiscal impacts with the annual budget (Ordinance No. 12-0001).

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Land Conservation Contracts support agriculture and agribusiness by assisting in the preservation of agricultural land through the incentive of reduced property taxes in exchange for retaining the land in agricultural production.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

Approval of a replacement Land Conservation contract that adds 22.01 more acres to the original Land Conservation contract means that the property owner will continue to pay a reduced property tax assessment based upon the value of the agricultural uses rather than the land value under Proposition 13. This results in a reduction in the County's share of property tax revenue for each parcel under a

Williamson Act contract. The amount of this reduction for an individual contract depends on parcel-specific variables including the Proposition 13 status of the land and the value of the agricultural crop, and is determined annually by the Assessor’s office. The Board has not requested, and staff does not recommend, evaluating property tax revenue implications on a contract-by-contract basis. Instead, the Board has directed that, as a policy matter, approving new contracts is important to the County’s agricultural economy and outweighs the cost in reduced property tax revenue.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

Not applicable

Attachments:

Resolution
 Attachment A: Agricultural Preserve Map, current and proposed enlargement
 Attachment B:- Location Map
 Attachment C: - Copy of Land Conservation Contract
 Exhibit A: Legal Description
 Exhibit B: Copy of Land Conservation Plan and Site Plan

Related Items “On File” with the Clerk of the Board:



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

Traci Tesconi

File No. AGP13-0008

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California (1) Finding The Project Exempt From CEQA; (2) Finding That Agricultural Preserve 1-543 Qualifies For An Exception From The Requirement That It Be At Least 100 Acres; (3) Approving The Addition Of 22.01 Acres To Agricultural Preserve 1-543, For A Total Size Of 91.0 Acres; (4) Approving The Request By Richard M. And Saralee McClelland Kunde 1994 Trust For A Replacement Land Conservation Contract (Williamson Act Contract), And Land Conservation Plan Attached And Incorporated Into It For 40.11 Acres As A Condition Of A Previously Approved Lot Line Adjustment (LLA04-0058) And To Ensure The Legal Description Under The Contract Coincides With The Adjusted Boundary Lines; (5) Authorize The Chair To Execute The Approved Williamson Act Contract And Land Conservation Plan; And (6) Delegate Authority To The Director Of PRMD To Approve And Execute Future Amendments To The Land Conservation Plan, For Property Located At 1998 Jones Road, Windsor, APNs 066-210-090 And 066-210-103, Fourth District.

Whereas, a request has been made by Richard M. Kunde and Saralee McClelland Kunde, trustees of the Richard M. and Saralee McClelland Kunde 1994 Trust, to (1) Approve the enlargement of Agricultural Preserve 1-534 by 22.01 acres, to accommodate the requested replacement contract; (2) Find that the preserve size meets the requirements of Government Code 51230 and Uniform Rule 3.3; (3) Approve Agricultural Preserve Map 1-543; (4) Approve and execute a Replacement Land Conservation Contract (Williamson Act Contract) and attached Land Conservation Plan, which will rescind and replace an existing Type I Land Conversation contract to fulfill a condition of approval for a previously approved Lot Line Adjustment (LLA04-0058), and to ensure the legal description under the contract coincides with the adjusted boundaries; and (5) Delegate authority to the Director of PRMD to execute future amendments to the Land Conservation Plan for property located at 1998 Jones Road, Windsor, APNs 066-210-090 and 066-210-103, Supervisorial District No. 4; and

Whereas, on December 13, 2011, the Board of Supervisors adopted the updated *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules)* (Resolution No. 11-0678); and

Whereas, on June 12, 2012, the Board of Supervisors authorized the acceptance of applications for new Land Conservation Contracts; and

Whereas, consistent with the *Uniform Rules*, County Counsel has revised the Land Conservation Contract form, which now incorporates a Land Conservation Plan identifying the various uses of the contracted land. Future changes to identified land uses require amendment of the Land Conservation Plan. The Board, pursuant to Resolution No. 11-0678, has authorized the Director of PRMD to approve amendments to executed Land Conservation Plans; and

Whereas, consistent with the *Uniform Rules* (Uniform Rules 3.1, 3.4.F), the Board of Supervisors may concurrently consider and approve both the enlargement of Agricultural Preserve 1-454 and the replacement Land Conservation Contract restricting land added to Agricultural Preserve 1-454.

Whereas, consistent with the *Uniform Rules* (Uniform Rule 3.3 A) and Government Code §51230, typically an agricultural preserve must contain at least 100 contiguous acres of land, unless the Board finds that a smaller agricultural preserve is necessary due to the unique characteristics of the agricultural enterprises in the area and that such preserve is consistent with the General Plan and Zoning Code. Only whole parcels shall be accepted into an agricultural preserve.

Whereas, in accordance with the provisions of law, the Board held a public hearing on November 5, 2013, at which time all interested persons were given an opportunity to be heard; and

Whereas, for Agricultural Preserve 1-543, the Board of Supervisors finds that preserve size of 91 acres is necessary due to the unique characteristics of the agricultural enterprises in the area being non-contiguous but viable prime agricultural vineyard operations, and finds that the 91 acre preserve size is consistent with the General Plan and Zoning Ordinance;

Whereas, the Board of Supervisors finds that the inclusion of the 22.01 acres, identified as APN 066-210-103, into Agricultural Preserve 1-543 is consistent with the Sonoma County General Plan and the applicable provisions of state law.

Whereas, the Board of Supervisors finds that the entire parcel of 40.11 acres, once included in designated Agricultural Preserve 1-543, will meet all requirements for a Prime Land Conservation Contract.

Now, Therefore, be it Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for enlargement of Agricultural Preserve 1-543 and the specific finding concerning the requirements to allow Agricultural Preserve 1-543 of 91 acres in size below the 100-acre minimum size requirement:

1. The Permit and Resource Management Department (PRMD) has provided the report required by Government Code §51234 to the Board of Supervisors on the request for enlargement of Agricultural Preserve 1-543; and

2. The Board of Supervisors has held a noticed public hearing on the proposed enlargement of Agricultural Preserve 1-543, at which all interested parties were heard; and
3. The land proposed to be added to Agricultural Preserve 1-543 is 22.01 acres, and presently identified by APN 066-210-103. Agricultural Preserve 1-543 is approximately 69 acres and will increase to 91 acres in size after adding the subject property. The Board finds that a smaller preserve is necessary due to the unique characteristics of the agricultural enterprises in the area and that such preserve is consistent with the General Plan and Zoning Code (Rule 3.3 A of the Uniform Rules for Agricultural Preserves). In 1991 Agricultural Preserve 1-543 was formed (PRMD File AP90-732) with the original land of Kunde included in Agricultural Preserve 1-543 and placed under a Land Conservation contract (1-543; 91-017608). The project site is Prime agricultural land, devoted to a viable commercial agricultural operation (vineyard land), and is not continuous to any other agricultural preserve. The smaller size preserve is consistent with the General Plan and is consistent with zoning. Similar to this request, in 2007, the Board approved a new Agricultural Preserve 1-539 being 87.96 acres for prime agricultural land (PLP07-0083). There are no other Agricultural Preserves that are contiguous to the project site. Approval of Agricultural Preserve 1-543 being 91 acres in size is conforms to Government Code §51230, et seq., and *Uniform Rule 3.3 A*; and
4. The land proposed to be added to Agricultural Preserve 1-543 is restricted by the DA (Diverse Agriculture) zoning, B6-40 acre density with a small portion of the site zoned AR (Agriculture and Residential), B6 3 acre density, and with four combining districts of BR (Biotic Resource) F1 (Primary Floodplain), F2 (Secondary Floodplain), and VOH (Valley Oak Habitat), whereas, both zoning districts allowing the growing of crops, which is the current agricultural use of the project site, as required by Government Code §51230 and *Uniform Rule 3.3*; and
5. No land will be removed from Agricultural Preserve 1-543 or from the County's Agricultural Preserve Program as a result of the requested action; and
6. As required by Government Code §51234 and *Uniform Rule 3.3.*, the addition of the 22.01 acres to Agricultural Preserve 1-543 is consistent with the General Plan because it is devoted to an agriculture use, is contiguous to land already within designated Agricultural Preserve (1-543), and a majority of the land is planted in vineyard; and
7. All state and local requirements for the enlargement of Agricultural Preserve 1-543 by 22.01 acres and approval of Agricultural Preserve 1-543 being 91 acres in size have been met.

Be It Further Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for a new Prime Land Conservation Contract ("Contract"):

1. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract is a single legal parcel, presently identified by APN 066-210-090 and APN 066-210-103; and
2. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract will be located within a designated Agricultural Preserve (1-543) at or before the time the Contract is executed; and
3. The land proposed to be restricted by the Contract is 44.11 acres in size and exceeds the 10 acre minimum parcel size requirement for a Prime Land Conservation Contract under *Uniform Rule 4.2*; and
4. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contract presently meets the minimum annual commercial agricultural income requirement of \$1,000.00 per acre gross for vineyard land under a Prime Land Conservation Contract; and
5. Consistent with *Uniform Rule 4.2*, the land is devoted to an agricultural use because more than 78 % of the land is planted with a commercial vineyard, which is a prime agricultural use; and
6. Non-agricultural uses of the land will be restricted to listed compatible uses pursuant to the Contract, *Uniform Rule 8.0*, and Government Code §51238.1; and
7. With the enlargement of Agricultural Preserve 1-543, all state and local requirements for restricting the 40.11 acre parcel, presently identified as APN 066-21-090 and APN 066-210-103, under a Prime Land Conservation contract, have been met.

Be It Further Resolved, that the Board of Supervisors finds the requested action categorically exempt from the California Environmental Quality Act pursuant to Section 15317, Class 17 of Title 14 of the California Code of Regulations (CEQA Guidelines), which provides that modifying an Agricultural Preserve with no net loss of land under an Agricultural Preserve, and executing a new Land Conservation Contract are exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby grants the request by Richard M. Kunde and Saralee McClelland Kunde, trustees of the Richard M. and Saralee McClelland Kunde 1994 Trust , by concurrently (1) approving enlargement of existing Agricultural Preserve 1-543 by 22.01 acres, for a total preserve size of 91 acres, and (2)

rescinding and replacing an existing Prime Land Conservation contract with a Prime Land Conservation contract and attached Land Conservation Plan to restrict the 44.11 acre parcel located at 1998 Jones Road, Windsor, APN 066-210-090 and APN 066-210-103.

Be It Further Resolved that the Board of Supervisors authorizes the Chairman of the Board of Supervisors to execute the Land Conservation Contract and attached Land Conservation Plan.

Be It Further Resolved that the Clerk of the Board of Supervisors is hereby instructed to record within 20 days, and by December 31, 2013, (1) this Resolution, (2) the approved Agricultural Preserve Map (1-543), as enlarged by 22.01 acres, and (3) the associated Land Conservation Contract and attached Land Conservation Plan with the Office of the Sonoma County Recorder; and

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based, including the original executed Contract and Land Conservation Plan. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

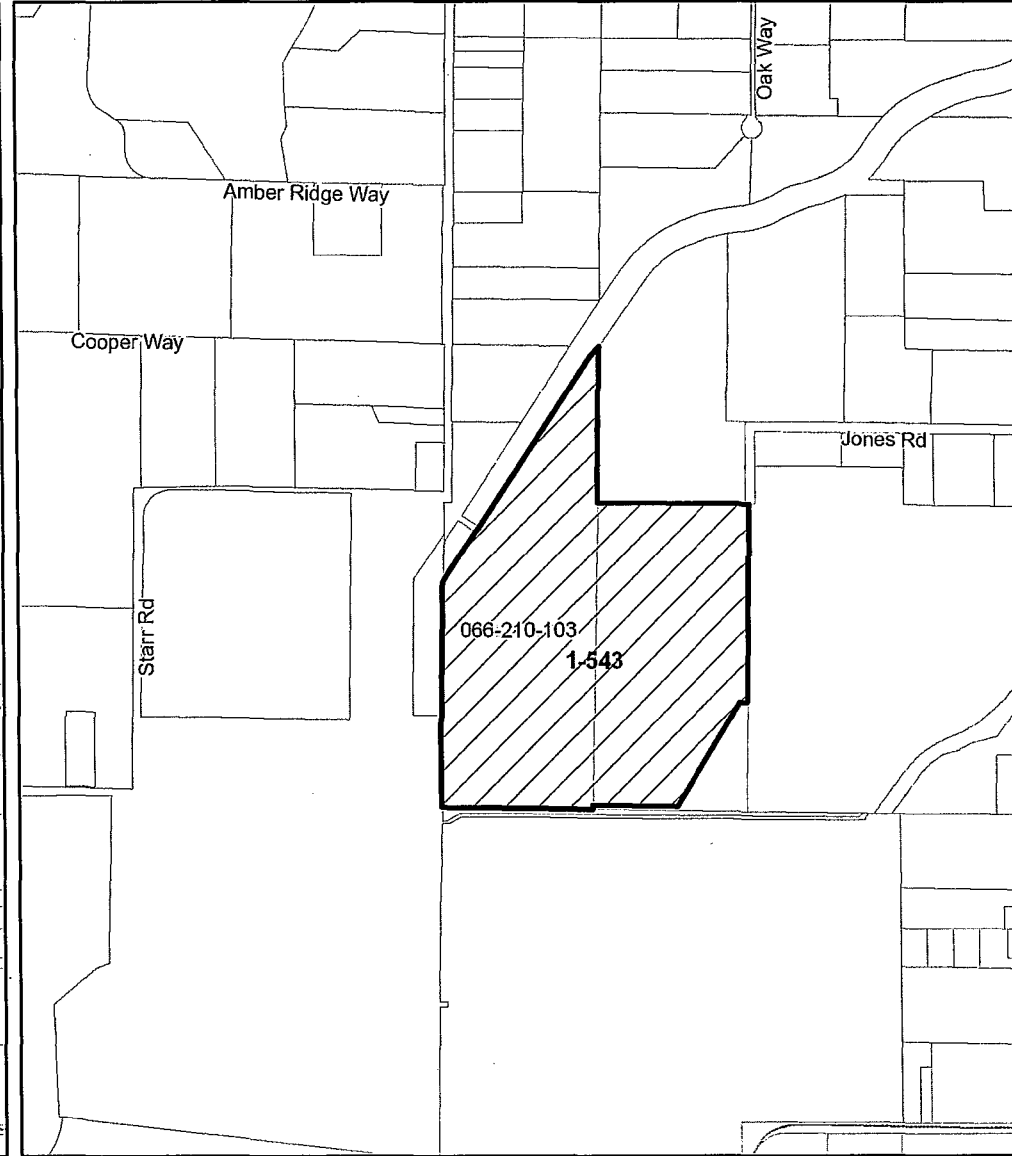
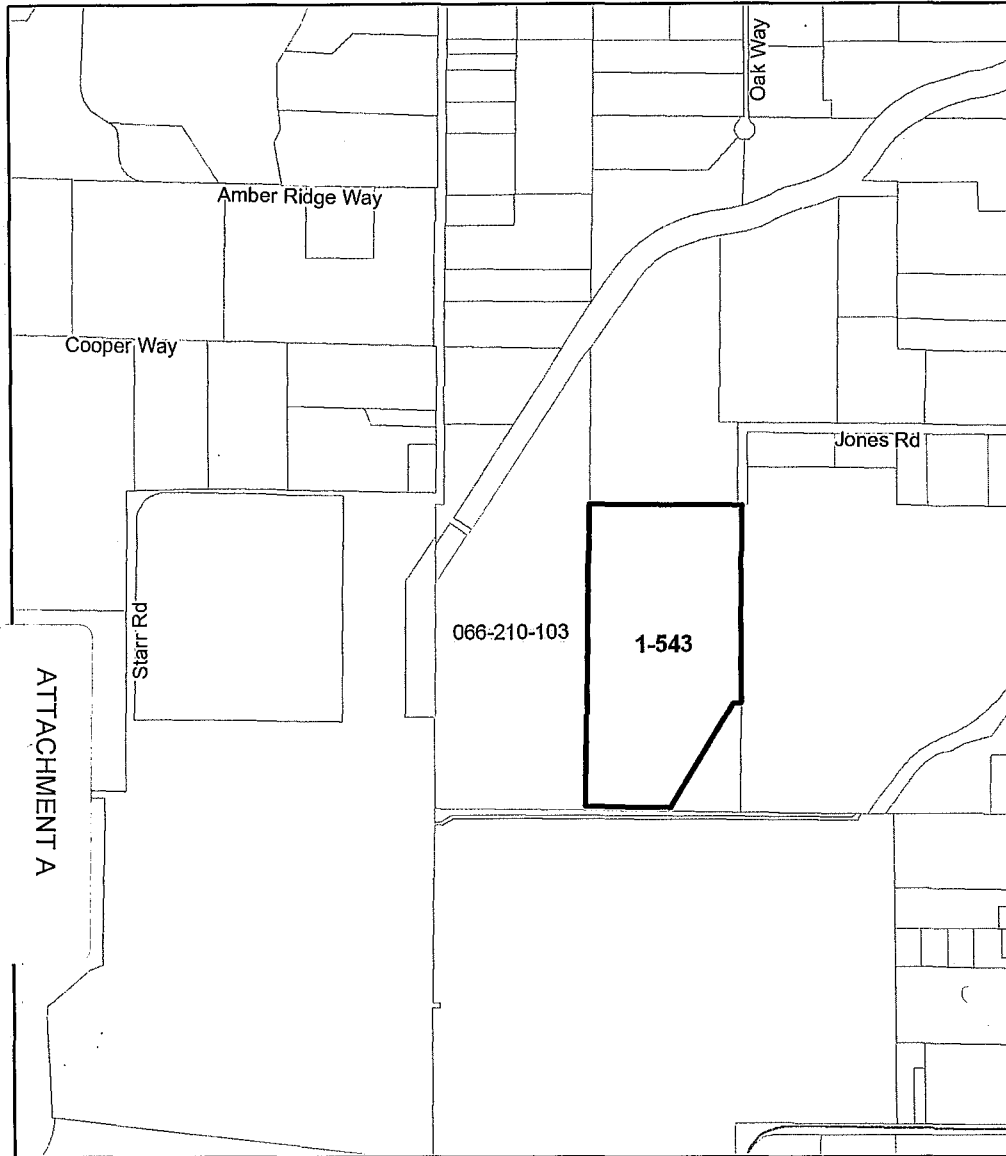
Supervisors:

Zane:	McGuire:	Carrillo:	Rabbitt:
Gorin:	Noes:	Absent:	Abstain:
Ayes:			

So Ordered.



Existing Agricultural Preserve Area

Proposed Agricultural Preserve Area





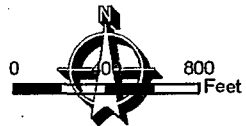
ATTACHMENT A

Base Data

-  Parcels
-  Main Arterials

Ag Preserve Amendment Data

- Subject Area**
-  Existing Agricultural Preserve Boundary
-  Proposed Agricultural Preserve Boundary



1 inch equals 800 feet

Map Scale and Reproduction methods limit precision in physical features displayed. This map is for illustrative purpose only, and is not suitable for parcel-specific decision making. The parcels contained here-in are not intended to represent surveyed data.

Site-specific studies are required to draw parcel-specific conclusions.

Assessor's parcel data are current as of July 1, 2012. For more current parcel data consult the County of Sonoma Assessor's Office.

No part of this map may be copied, reproduced, or transmitted in any form or by any means without written permission from the Permit and Resource Management Department (PRMD), County of Sonoma, California.

FILE: AGP13-0008
 [LLA04-0058]
 APN: 066-210-103
 Resolution No.: N/A
 Adopted Date: N/A

Permit and Resource Management Department
 Project Review Section



2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

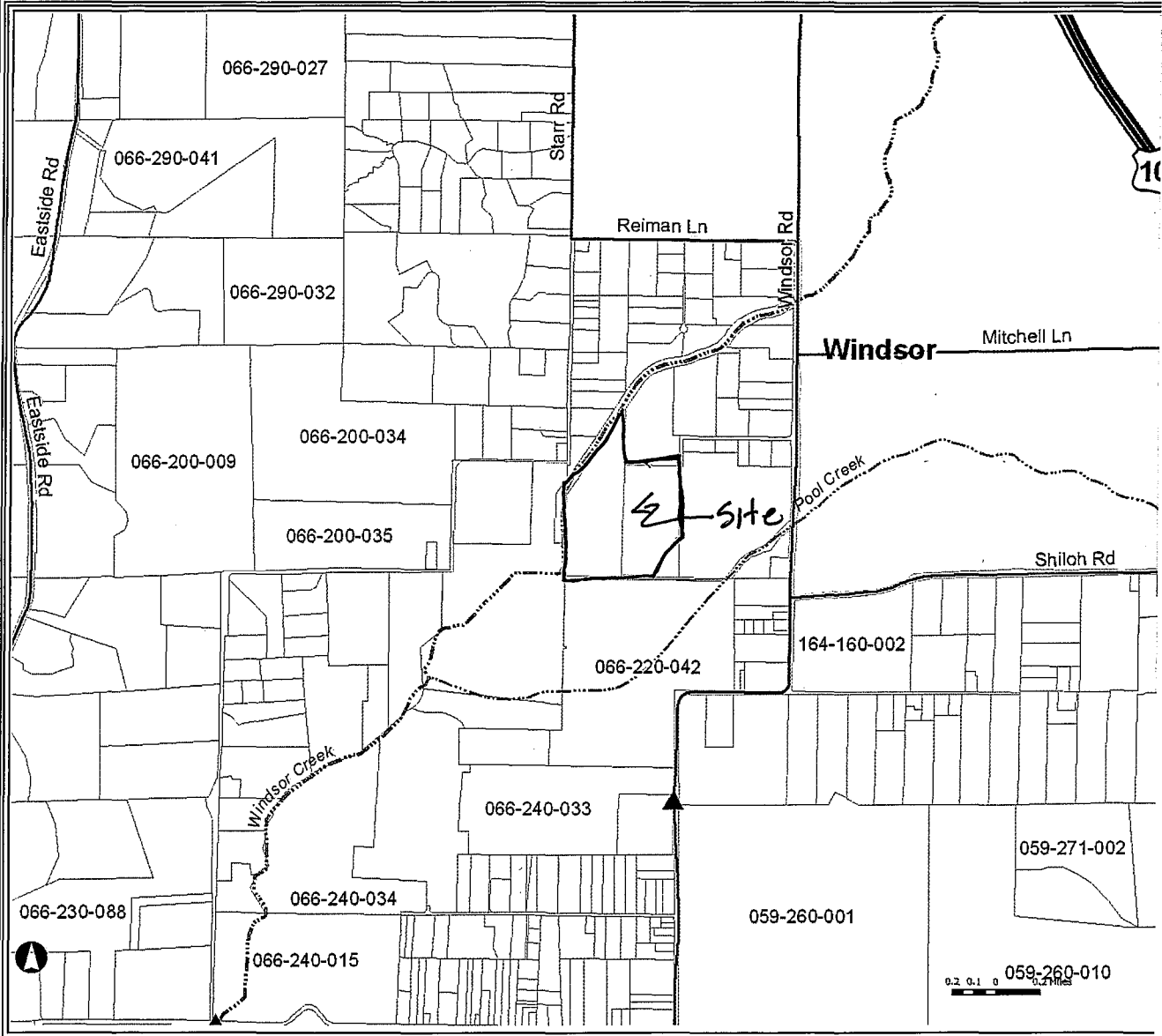




County of Sonoma
 Permit and Resource Management Department
 California

Permit and Resource Management Department
 DEPARTMENT OF PUBLIC WORKS SYSTEMS
 COUNTY OF SONOMA

Base Map Theme



<p>Planning</p> <ul style="list-style-type: none"> Area & Specific Plans Local Area Development Guidelines Redevelopment Plans Williamson Act Land Contracts Type I Type I (Phase-out) Type II Type II (Phase-out) Type II (Open Space) 	<p>Air Quality Measure</p> <ul style="list-style-type: none"> Air Quality Control Board Northern Sonoma County Bay Area <p>Well and Septic</p> <ul style="list-style-type: none"> Water Quality Control Board North Coast Region San Francisco Region Waiver Prohibition Areas Flood Prone Urban Areas 	<p>Wet Weather Zones</p> <ul style="list-style-type: none"> Zone A - Petaluma Zone B - Sonoma Zone C - Santa Rosa Zone D - Sebastopol Zone E - Guerneville Zone F - Healdsburg Zone G - Cloverdale <p>Base Layers</p> <ul style="list-style-type: none"> Geographic Places City Sphere of Influence City Urban Growth 	<ul style="list-style-type: none"> Planning Areas Urban Service Areas Lake Sonoma <p>Streets</p> <ul style="list-style-type: none"> US Federal Highway State Highway Major Road Residential Street <p>Streams</p> <ul style="list-style-type: none"> Perennial Intermittent 	<ul style="list-style-type: none"> Parcels City Limits Supervisor Districts District 1 District 2 District 3 District 4 District 5 Fire Protection Responsibility Area Federal State Local
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Exempt from Recording Fees Per Gov. Code § 27838

RECORDING REQUESTED BY
AND RETURN TO:

CLERK OF THE BOARD
COUNTY OF SONOMA
575 ADMINISTRATION DR. #100
SANTA ROSA, CA 95403-2815

LAND CONSERVATION CONTRACT

This Contract is made by and between Richard M. Kunde and Saralee McClelland Kunde, trustees of the Richard M. Kunde and Saralee McClelland Kunde 1994 Trust, dated January 31, 2013, ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is dated for convenience as September 17, 2013.

RECITALS

Whereas County previously entered into a Land Conservation Contract with Owner(s) or Owner(s)' predecessors in interest, which recorded on February 28, 1991, and is identified by Instrument Number 1991017608, in the Official Records of the Sonoma County Recorder, ("Original Contract"); and

Whereas Owner(s) own(s) certain real property ("Subject Property") located within Sonoma County and presently identified by Assessor's Parcel Number(s): 066-210-090 and 066-210-103, and more particularly described in the legal description attached to this Contract at Exhibit "A"; and

Whereas Both Owner(s) and County desire to limit/continue to limit the use of the Subject Property to agricultural, open space, and compatible uses in order to discourage premature and unnecessary conversion of the Subject Property to uses incompatible with agricultural and/or open space use, including urban uses, recognizing that the Subject Property has substantial public value as agricultural or open space land and that the preservation of the Subject Property in agricultural production or open space constitutes an important physical, social, aesthetic, and economic asset to County and the State of California; and

OPERATIVE PROVISIONS

Now, therefore, in consideration of the foregoing recitals and the mutual promises contained herein, the substantial public benefits to be derived therefrom, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner(s) and County agree as follows:

A. RESCISSION OF ORIGINAL CONTRACT

The Original Contract is hereby rescinded as of the date that this Contract takes effect as to the Subject Property. If this Contract does not become effective, then the Original Contract shall remain in full force and effect, as to the Subject Property.

B. REPLACEMENT CONTRACT

1. PURPOSE. This Contract is entered into pursuant to the provisions of the California Land Conservation Act of 1965, Government Code section 51200 et seq. ("Act"), and is subject to all of the provisions of the Act as they may be amended from time to time.

2. SUBJECT PROPERTY.

(a) Owner(s) own(s) the Subject Property, located at 1998 Jones Road, Windsor, California, and more particularly described in the legal description attached to this Contract as Exhibit "A", and incorporated herein by reference.

(b) The Subject Property is located within established Agricultural Preserve 1-543.

(c) The Subject Property is approximately 40.11 acres total and comprised of one legal parcel.

3. TERM. This Contract shall be effective commencing January 1, 2014, and shall remain in effect for a term of 10 years. This Contract shall be automatically renewed for a full term at the end of each year, unless a Notice of Non-renewal is recorded as provided in Government Code section 51245 and the County's Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), adopted by County Board of Supervisor's Resolution No. 11-0678 pursuant to Government Code section 51231, -- to the end that at all times during this Contract, there shall be a 10-year term of restriction unless Notice of Non-renewal has been recorded.

4. REGULATORY COMPLIANCE & RESTRICTIONS ON USE. During the term of this Contract, and all renewals and extensions thereof, the Subject Property shall not be used for any purpose other than (1) "agricultural use," or "open space use," as those phrases are defined by the Act, and (2) any use determined by County to be a "compatible use" defined and enumerated in the Uniform Rules and shall at all times be in compliance with the Uniform Rules as they may be amended from time to time.

5. LAND CONSERVATION PLAN. The use of the Subject Property shall at all times conform to the Land Conservation Plan, attached to this Contract as Exhibit "B", and made a part of this Contract. If an amendment to the Land Conservation Plan is approved by County and recorded, the amended Land Conservation Plan shall be deemed automatically incorporated into the Contract as though fully set forth herein without the need for a contract amendment, upon the renewal of the Contract.

6. UNIFORM RULES & FEES. Owner(s) and County agree that the Uniform Rules, as they now exist or as they may be amended from time to time, are incorporated by reference into this Contract as though set out in full and shall be a part of this Contract upon execution and each renewal of this Contract. Owner(s) agree(s) to comply with the Uniform Rules and agree(s) to pay all fees established by County's Board of Supervisors, if any, for the administration of County's agricultural preserve program, and for the processing of applications required by the Uniform Rules.

7. PLANNING AND ZONING. The provisions of this Contract are not intended to limit or supersede the planning and zoning powers of County.

8. CANCELLATION. This Contract may not be cancelled, except pursuant to Government Code sections 51280 through 51287, and the Uniform Rules.

9. RESCISSION. This Contract may not be rescinded, except pursuant to the provisions of the Act and the Uniform Rules, and upon the simultaneous replacement of this Contract with a replacement contract, open space easement, agricultural conservation easement, or other equivalent restriction as allowed by the Act and state law. County may require the rescission and simultaneous replacement of this Contract with a replacement contract as a condition of any proposed subdivision or lot line adjustment affecting the boundaries of the Subject Property.

10. EMINENT DOMAIN. If any action in eminent domain for the condemnation of any land described in this Contract is filed after the execution of this Contract, or if any portion of the Subject Property is acquired in lieu of condemnation, then the provisions of Government Code section 51295 apply.

11. SUCCESSORS IN INTEREST. This Contract, its terms and restrictions, shall run with the land described herein, and upon division, to all parcels created therefrom, and shall be binding upon and shall inure to the benefit of all heirs, successors, and assigns of Owner(s). This Contract shall be transferred from County to a succeeding city or a county acquiring jurisdiction over all or part of the Subject Property, except that a succeeding city may opt not to succeed to the rights, duties, and powers of the County under this Contract if the requirements of Government Code section 51243 .5 are met.

12. CERTIFICATE OF COMPLIANCE PARCELS. Owner(s) agree(s) not to apply for or obtain recognition of Certificate of Compliance parcels for all or any portion of the Subject Property for the duration of this Contract, without first obtaining the approval of County's Board of Supervisors, as provided in the Uniform Rules, unless a Notice of Non-Renewal has been recorded for the Contract and there are no more than three years remaining on the Contract's term. County may require replacement contracts for recognized Certificate of Compliance parcels.

13. ENFORCEABLE RESTRICTION. Owner(s) and County intend that the terms, conditions, and restrictions of this Contract conform to the Act, as amended, and that this

Contract qualify as an enforceable restriction under the provisions of Revenue and Taxation Code sections 421 through 429, inclusive, and within the meaning of California Constitution, article XIII, section 8.

14. REMEDIES FOR BREACH.

(a) This Contract may be enforced by County in an action filed in the Sonoma County Superior Court for the purpose of compelling compliance or restraining any breach or threatened breach thereof, after providing notice to Owner(s). The notice shall contain a general description of the condition claimed to be a violation and shall contain a reasonable and specific cure period during which the violation is to cease and the Subject Property is to be restored to the condition that existed prior to the violation. Owner(s) agree(s) that County's remedies at law for any violation of the terms of this Contract are inadequate and that County shall be entitled to the injunctive relief described herein, both prohibitive and mandatory, in addition to such other relief, including damages, to which County may be entitled, including specific performance of the terms of this Contract, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies.

(b) A breach of this Contract that constitutes a violation of the Sonoma County Zoning Code may be enforced by County pursuant to Chapter 1 of the Sonoma County Code.

(c) Without altering the provisions of paragraph 8 (Cancellation), a breach of this Contract that constitutes material breach under Government Code section 51250 may be enforced by County or the State of California pursuant to Government Code section 51250, if the requirements of that Section are met.

(d) If Owner(s) breach(as) this Contract, Owner(s) shall pay County one-half percent (1/2 %) of the restricted assessed value of the land subject to this Contract per day for each day the Contract is in breach as liquidated damages. It is understood and agreed that damages for breach of this Contract by Owner(s) are, and will continue to be, impracticable and extremely difficult to ascertain and determine. Execution of this Contract shall constitute agreement by County and Owner(s) that one-half percent (1/2 %) of the restricted assessed value of the land is the actual damage to County and the general public caused by breach of this Contract by Owner(s), and that such sum is liquidated damages and shall not be construed as a penalty. No damages shall be recoverable if the Owner(s) remedies or has commenced and thereafter diligently pursues such action required to remedy any breach or material breach within sixty (60) days after the date written notice of said breach or material breach is sent to Owner(s) by County. This provision does not impair County's ability to enforce this Contract by injunction or specific performance.

(e) The remedies set forth in this paragraph 14 are not exclusive and are not intended to displace any other remedies available to either party as provided by this Contract or any applicable local, state or federal law.

15. NO WAIVER. Enforcement of the terms of this Contract shall be at the sole discretion of County, or where applicable the State of California, and any forbearance by County

or State to exercise its rights under this Contract in the event of any violation or threatened violation by Owner(s) of any term of this Contract shall not be deemed or construed to be a waiver by County or State of such term or of any subsequent violation or threatened violation of the same or any other terms of this Contract. Any failure by County or State to act shall not be deemed a waiver or forfeiture of County's or State's right to enforce any and all of the terms of this Contract in the future.

16. CONSIDERATION. Owner(s) shall not receive any payment from County in consideration of the obligations imposed by this Contract. The parties recognize and agree that the consideration for the execution of this Contract is the substantial public benefit to be derived from this Contract and the advantage that will accrue to Owner(s) as a result of any reduction in the assessed value of the Subject Property due to the imposition of the limitations on the use of the Subject Property contained in this Contract.

17. NOTICE. Notices required to be given under this Contract, or as may otherwise be required by law in connection with the administration of this Contract, shall be made by personal service, or by first-class United States mail, to the parties as follows:

(a) To Owner(s) or successor(s) in interest of Owner(s), at the mailing address shown on the most recent assessment roll for the Subject Property; and

(b) To County, c/o the Clerk of the Board of Supervisors, 575 Administration Drive, Suite 100A, Santa Rosa, California 95403.

IN WITNESS WHEREOF, Owner(s) and County have executed this Contract as of the day and year set forth above.

ATTEST:

COUNTY OF SONOMA

By: _____
Michelle Arellano
Clerk of the Board of Supervisors

By: _____
David Rabbitt
Chair, Board of Supervisors

OWNER(S):
RICHARD M. KUNDE AND SARALEE McCLELLAND KUNDE, TRUSTEES OF THE
RICHARD M. KUNDE AND SARALEE McCLELLAND KUNDE 1994 TRUST, DATED
JANUARY 31, 2013.

By: Richard M. Kunde
Richard M. Kunde
Trustee

by: Saralee McClelland Kunde
Saralee McClelland Kunde
Trustee

ACKNOWLEDGMENT

State of California
County of Sonoma

On September 17, 2013 before me, Christine Margetts, Notary
(insert name and title of the officer)

personally appeared Richard M. Kunde
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature Christine Margetts (Seal)

ACKNOWLEDGMENT

State of California
County of Sonoma

On September 17, 2013 before me, Christine Margetts, Notary
(insert name and title of the officer)

personally appeared Saralee McCulland Kunde
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Christine Margetts (Seal)



EXHIBIT "A"

The real property which is the subject of this CONTRACT is situated within agricultural preserve 1-543 as shown by map thereof recorded in preserve map book number 1-543, page 64 (20B) , in the Office of the County Recorder of Sonoma County, California, and said real property is more particularly described as follows:

See attached

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF SONOMA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

TRACT ONE

PARCEL ONE

A PORTION OF LAND LYING WITHIN THE UNINCORPORATED AREA OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, BEING A PORTION OF THE LANDS OF MICHAEL A. SASS AND TRACY SASS, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP, IN TO AN UNDIVIDED 50.000% INTEREST AND CLEMENT C. CARINA AND ANN MARIE CARINALI, HUSBAND AND WIFE AS COMMUNITY PROPERTY, AS TO AN UNDIVIDED 50.000% INTEREST, AS DESCRIBED BY INDIVIDUAL GRANT DEED, RECORDED UNDER DOCUMENT NUMBER 2003-105387, SONOMA COUNTY RECORDS, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 1, AS SHOWN AND FURTHER DELINEATED ON "PARCEL MAP NO. 7107" FILED IN BOOK 316 OF MAPS, PAGE 23, SONOMA COUNTY RECORDS, MARKED BY A 2 INCH IRON PIPE AND BRONZE CAP STAMPED "TBN R9W C1/4 S 23 1980 LS 3227"; THENCE NORTHERLY AND ALONG THE WESTERLY LINE OF SAID PARCEL 1, N 00°46'22" E, 369.52 FEET, TO A 3/4 INCH IRON PIPE STAMPED "SCWA" AS SHOWN ON "RECORD OF SURVEY" FILED IN BOOK 402 OF MAPS, PAGES 32-37, SONOMA COUNTY RECORDS; THENCE CONTINUING ALONG SAID WESTERLY LINE, N 00 DEGREES46'22" E, 586.18 FEET, TO AN ANGLE POINT IN THE SOUTHEASTERLY LINE OF, THE LANDS OF THE SONOMA COUNTY WATER AGENCY, AS SHOWN AND FURTHER DELINEATED ON SAID "RECORD OF SURVEY", MARKED BY A 3/4 INCH IRON PIPE STAMPED "SCWA"; THENCE NORTHEASTERLY AND ALONG THE SOUTHEASTERLY LINE OF THE LANDS OF THE SONOMA COUNTY WATER AGENCY, N 33 DEGREES46'29" E, 814.17 FEET, TO THE NORTHERLY LINE OF PARCEL 1 OF SAID "PARCEL MAP NO. 7107"; THENCE EASTERLY AND ALONG THE NORTHERLY LINE OF SAID PARCEL 1, S 88 DEGREES48'01" E, 214.45 FEET, TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1; THENCE SOUTHERLY AND ALONG THE EASTERLY LINE OF SAID PARCEL 1, S 00 DEGREES12'48" W, 330.00 FEET, TO AN ANGLE POINT IN THE EASTERLY LINE OF SAID PARCEL 1; THENCE S 00 DEGREES20'18" W, 1314.32 FEET, TO THE SOUTHEASTERLY CORNER OF SAID PARCEL 1; THENCE WESTERLY AND ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, N 88 DEGREES 35'25" W, 650.93 FEET, TO THE POINT OF BEGINNING.

PARCEL TWO

BEING A PORTION OF THE LANDS OF EARL SKINNER AS DESCRIBED IN AN INSTRUMENT RECORDED AS DOCUMENT NUMBER 85-023508 (PREVIOUS DEEDS REFER TO 83-023508) OF OFFICIAL RECORDS, SONOMA COUNTY RECORDS, CALIFORNIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE LANDS OF EARL SKINNER, BEING A FOUND 3/4 INCH IRON PIPE AT THE BASE OF A FENCE CORNER POST, SAID LANDS CONVEYED TO THE AFORESAID DOCUMENT NUMBER 85-023508, THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHERLY BOUNDARY OF THE LANDS OF EARL SKINNER, NORTH 89 DEGREES13'38" WEST, 220.25 FEET, TO A 3/4 INCH IRON PIPE MARKED "SCWA"; THENCE LEAVING SAID BOUNDARY NORTH 33 DEGREES46'29" EAST, 393.49 FEET, TO A 3/4 INCH IRON PIPE MARKED "SCWA"; THENCE SOUTH 89 DEGREES13'38" EAST, 5.93 FEET, TO A 3/4 INCH IRON PIPE MARKED "SCWA" AND THE EASTERLY BOUNDARY OF SAID LANDS OF EARL SKINNER; THENCE ALONG SAID BOUNDARY SOUTH 00 DEGREES46'22" WEST, 330.00 FEET, TO THE POINT OF BEGINNING.

PURSUANT TO A LOT LINE ADJUSTMENT RECORDED OCTOBER 13, 2004 BY INSTRUMENT #2004156128.

APN: 066-210-103-000

TRACT TWO

PARCEL 2, AS SHOWN UPON PARCEL MAP NO. 7107, FILED DECEMBER 30, 1980 IN BOOK 316 OF PARCEL MAPS, PAGE 23-24, SONOMA COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THAT DEED RECORDED MARCH 22, 1990, DOCUMENT NO. 90028956, OFFICIAL RECORDS OF SONOMA COUNTY.

APN: 066-210-090-000

EXHIBIT "B"

LAND CONSERVATION PLAN

This Land Conservation Plan is made by and between Richard M. Kunde and Saralee McClelland Kunde, trustees of the Richard M. Kunde and Saralee McClelland Kunde 1994 Trust, Dated January 31, 2013 ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is hereby incorporated by reference into the Land Conservation Contract to which it is attached as though fully set forth therein ("Contract").

1. PURPOSE. The purpose of this Land Conservation Plan is to identify the approximate location and acreage of designated uses to which the Subject Property is or may be used during the term of the Land Conservation Contract consistent with the terms of the Land Conservation Contract, the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), and the California Land Conservation Act (Government Code section 51200 et seq.), as they now exist, or as they may be amended from time to time.

2. DEFINITIONS.

- a. "Subject Property," shall have the same meaning as the term "Subject Property," as used in the Contract.
- b. "Prime Agricultural Use," means the use of "Prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- c. "Non-Prime Agricultural Use," means the use of "Non-prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- d. "Open Space Use," means the use of "Open Space Land for an "Open Space Use," as those phrases are defined in the Uniform Rules.
- e. "Compatible Use," shall have the same meaning as the term "Compatible Use," as used in the Uniform Rules.
- f. "Undesignated Area," means portion of land under the Contract that is vacant and potentially available for any qualifying agricultural and/or compatible use, consistent with the terms of the Contract, the Uniform Rules, and the Land Conservation Act, as they now exist or as they may be amended from time to time. Use of the "Undesignated Area," for agricultural or compatible use requires amendment of this Land Conservation Plan.

3. DESIGNATED LAND USES. Owner(s) agree to manage and maintain the Subject Property in a manner that ensures that the following designated uses will conform to the identified acreage and location at all times during the term of the Contract and any extensions thereof. Any proposed change to a designated use, acreage, and/or location, requires amendment of this Land Conservation Plan.

<u>Designated Use</u>	<u>Acreage</u>	<u>Location</u>
PRIME AGRICULTURAL USE(S):	± 36.11 acres	See Site Plan
NON-PRIME AGRICULTURAL USE(S):		n/a
OPEN SPACE USE(S):		n/a
COMPATIBLE USE(S):	± 4.00 acres	See Site Plan
UNDESIGNATED AREA:		n/a
TOTAL:		± 40.11 acres

4. SITE PLAN. A site plan showing the location of the designated uses described in paragraph 3, above, is attached and incorporated by reference into this Land Conservation Plan. Any proposed change to the Site Plan requires amendment of this Land Conservation Plan.

5. AMENDMENT TO LAND CONSERVATION PLAN.

a. Any change to the acreage or location of the designated uses described in paragraph 3, above, requires written amendment to this Land Conservation Plan, consistent with the Land Conservation Contract, Uniform Rules, and Land Conservation Act, as they now exist or as they may be amended from time to time.

b. Owner(s), or Owner(s) predecessor(s) in interest, may apply to the Permit and Resource Management Department (PRMD) for an amendment of this Land Conservation Plan. With the approval of the Director of PRMD, Owner(s) or Owner(s)' predecessor in interest may designate an agent to file an application for amendment of this Land Conservation Plan on their behalf.

c. The Board of Supervisors, or its designee, shall consider and decide all requests to amend this Land Conservation Plan.

d. All amendments to this Land Conservation Plan are deemed automatically incorporated into the Land Conservation Contract to which it applies, upon approval by the Board of Supervisors or its designee, and upon recordation of the executed amendment with the Sonoma County Recorder's Office.

e. For purposes of property tax assessment, any amendment to the Land Conservation Plan or Land Conservation Contract will be recognized by the Sonoma County Assessor's Office on the January 1st lien date of the year following the year in which the amendment is recorded, consistent with Revenue and Taxation Code sec. 430.5.

6. BREACH. Failure to conform to this Land Conservation Plan is a breach of the Land Conservation Contract to which it is attached and incorporated by reference.

AGREEMENT AND STATEMENT BY OWNER(S):

I/we agree to comply with the provisions of this Land Conservation Plan, as it now exists or as it may be amended from time to time, for the duration of the Land Conservation Contract to which it is attached and incorporated by reference, including any all renewals or extension of the Land Conservation Contract.

Richard M. Kunde and Saraless McClelland Kunde, trustees of the Richard M. Kunde and Saralee McClelland Kunde 1994 Trust Dated January 31, 2013

X Richard M Kunde
Print Name: Richard M. Kunde
Print Title: Trustee

09.17.13
Date

X Saralee McClelland Kunde
Print Name: Saralee McClelland Kunde
Print Title: Trustee

09.17.13
Date

NOTE: Acknowledgments must be attached.

-----County Use Only-----

COUNTY OF SONOMA:
BOARD OF SUPERVISORS

Approved by: _____
Supervisor David Rabbitt
Chair, Board of Supervisors

Date

ACKNOWLEDGMENT

State of California
County of Sonoma

On September 17, 2013 before me, Christine Margetts, Notary
(insert name and title of the officer)

personally appeared Richard M. Kunde
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Christine Margetts (Seal)



ACKNOWLEDGMENT

State of California
County of Sonoma

On September 17, 2013 before me, Christine Margetts, Notary
(insert name and title of the officer)

personally appeared Saralee McClelland Kunde
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Christine Margetts (Seal)



SITE PLAN

AGP13-0008

SITE PLAN

APNs 066-210-090 & 066-210-103

Key:

Compatible Use(s)

1.

Agricultural Use(s)

2. Barn

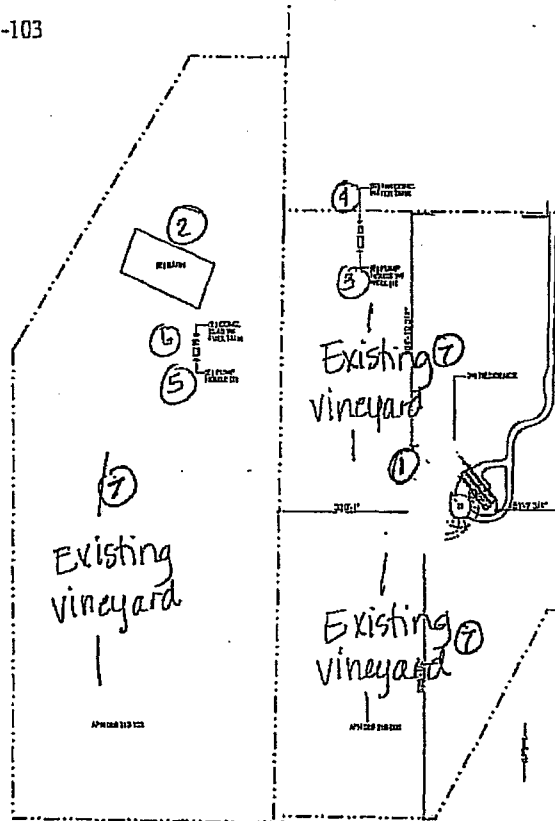
3. Concrete Slab

4. Water Tank

5. Pump house

6. Pump house

7. Vineyards



1 SITE PLAN

HALL & BARTLEY ARCHITECTS AND PLANNERS

KUNDE RESIDENCE 1840 W. HARRIS DRIVE VERNON, CALIFORNIA

SITE PLAN SCALE: 1/8" = 1'-0"

T1.3



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 46
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2012

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Dean Parsons 565-1948

Supervisorial District(s):

All

Title: Third General Plan Amendment Package for 2013

Recommended Actions:

Request the Board to hold a separate public hearing on each of the two proposed General Plan Amendments, 1) approve each Resolution approving the respective General Plan Amendments, and 2) adopt related Ordinances rezoning affected properties.

Executive Summary:

The Board is requested to conduct a public hearing on the proposed third General Plan Amendment package for 2013 containing two individual Memos, and Draft Board of Supervisors Resolutions and Draft Ordinances if applicable.

The Planning Commission recommends approval for the following two items. Each item must be acted upon individually by opening the public hearing, closing the public hearing and conducting a vote.

ITEM #A:

File No.: ZCE13-0004

Staff: Lisa Posternak

Applicant: County of Sonoma

Env. Doc.: Catagorical Exemption

Location: Various

APNs: Various

Supervisorial District: Various

Description: Request for various amendments to the General Plan and Zone Changes to correct technical errors in the General Plan and Official Zoning Database.

ITEM #B:

File No.: PLP13-0024

Staff: Jane Riley

Applicant: Jean Kapolchok and Associates for Graton Fire Protection District c/o Bill Bullard

Env. Doc.: Catagorical Exemption

Location: 4060 Green Valley School Road, Graton
 APNs: 104-110-004 Supervisorial District: 5
 Description: Request for: 1) a General Plan Amendment from the PQP (Public Quasi-Public) to the RR (Rural Residential) 5 acre density land use designation; and 2) a corresponding Zone Change from the PF (Public Facilities), Z (Second Dwelling Unit Exclusion), HD (Historic District) to the AR (Agriculture and Residential), B6-5 acre density, Z, HD zoning districts on a 2.0 acre parcel.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The Board of Supervisors has endorsed the continuation of the General Plan policies to support agriculture production and processing, while protecting the environment. The GPA's will align public services with community needs.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

These projects are primarily at-cost, except for Item A the Technical Corrections, which is part of the Comprehensive Planning Work Plan.

Staffing Impacts

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):
None.
Attachments:
General Plan Amendment Memo with attachments for Item A and Item B
Related Items "On File" with the Clerk of the Board:
None.



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

DATE: November 5, 2013 at 2:10 p.m.

TO: Board of Supervisors

FROM: Lisa D. Posternak, Project Planner

SUBJECT: Hearing to consider Technical Corrections to the General Plan and Official Zoning Database; ZCE13-0004, County of Sonoma; Supervisorial Districts: All.

Action Requested of the Board of Supervisors:

The Board is requested to conduct a public hearing on the proposed Technical Corrections to the General Plan and Official Zoning Database and consider the Planning Commission recommendation. At the conclusion of the hearing your Board is requested to: 1) approve the attached Resolution (Exhibit A) approving the proposed General Plan Amendments; and 2) adopt the Ordinance (Exhibit B) rezoning the properties, as recommended by staff and the Planning Commission.

Prior Actions:

On June 6, 2013, the Planning Commission with a 5-0 vote, recommended that the Board of Supervisors approve the request by the County of Sonoma for Technical Corrections to the General Plan and Official Zoning Database. Exhibits C to E contain the Resolution, Minutes, and Staff Report for the Planning Commission hearing, respectively.

Location, Zoning and Project Description:

The purpose of the proposed project is to correct technical errors and discrepancies in zoning and General Plan land use designations. The proposed project consists of various amendments to the General Plan Land Use Maps and Zone Changes to correct technical errors in the Official Zoning Database. The proposed Zone Changes do not reflect any substantive change in County land use policy. PRMD staff processes Technical Corrections on a semi-annual basis, and this is the fourth round of corrections since the conversion to a digital database.

The proposed Technical Corrections are in the categories listed below. Exhibit A contains the Draft Board of Supervisors Resolution and Draft Land Use Map Amendments (maps showing existing and proposed land use designations) for the proposed General Plan Amendments under Categories 3.b, 4.a, and 4.b. Exhibit B contains the Draft Ordinance, Ordinance Exhibit A – a table listing the proposed Zone Changes, and Draft Sectional District Maps (maps showing existing and proposed zoning) for the proposed Zone Changes under Categories 1.b, 1.c, 1.d, 4.a, and 4.b.

Zone Changes Only

Category 1.a: Floodway & Floodplain Zone Change
Error Category: Zoning Correction Based on Availability of New Data

The Federal Emergency Management Agency (FEMA) adopted revised flood elevations for the County of Sonoma that become effective on October 16, 2012. The revised flood elevations resulted in changes in the location and extent of FEMA flood hazard zones. The County's F1 (Floodway) and F2

(Floodplain) Combining Zoning Districts correspond to the FEMA flood hazard zones. Therefore, the location and extent of the F1 and F2 Combining Zoning Districts must be revised to reflect the revised FEMA flood hazard zones. This set of technical corrections adds F1 and/or F2 zoning to 210 parcels throughout the County.

Category 1.b: Mineral Resource Zone Change
Error Category: Zoning Error Based on Error on Sectional District Map

Ordinance 3398 adopted on January 15, 1985 adds the MR (Mineral Resource) Combining Zoning District to two parcels (APNs 068-020-022,-023). However, the Sectional District Map attached to the Ordinance incorrectly shows four additional parcels to be zoned MR (APNs 068-030-003,-005,-006,-007). This set of technical corrections removes the MR zoning from these four parcels.

Category 1.c: Affordable Housing Zone Change
Error Category: Zoning Error Based on Error in Technical Correction

As part of adoption of General Plan 2020, Ordinance 5800 (adopted September 23, 2008) adds the AH (Affordable Housing) Combining Zoning District to numerous parcels, including APN 140-180-035. Under Ordinance No. 5850 (adopted September 1, 2009) implementing Technical Corrections - Round 1, the extent of the SR zoning for the Scenic Highway Corridor on APN 140-180-035 was adjusted, but in error the AH zoning was also removed. This technical correction adds AH zoning back to this parcel.

Category 1.d: Remove General Plan Land Use Policy From Zoning
Error Category: Error in Application of General Plan Land Use Policy to Zoning

Certain Planning Area Policies in General Plan 2020 apply to specific parcels and were added as a Land Use Policy to the zoning and land use designation of those parcels. In error, Planning Area Policy LU-20ff was added to the zoning for APNs 128-471-019 and -028. This technical correction removes Policy LU-20ff from the zoning of these two parcels.

***Policy LU-20ff:** Consider future public uses of the Sonoma Developmental Center and Skaggs Island properties as a priority if they are declared surplus and offered for sale to local agencies, particularly park, recreation, and open space uses and affordable housing.*

General Plan Amendments Only

Category 3.b: Amend General Plan Land Use Designation
Error Category: Error in Manual Entry of Land Use Data

An error was made in manually transcribing the land use designation for APNs 062-114-050 and -051 from the working draft to the final Land Use Map of the 1989 General Plan. The land use designation for both parcels is RR 3 (Rural Residential, 3 acre-density), but in error the RR 4 (Rural Residential, 4 acre-density) land use designation was assigned to these parcels. This technical correction changes the land use designation of these two parcels from RR 4 to RR 3.

Zone Changes and General Plan Amendments

Category 4.a: Remove Zoning and General Plan Land Use Policy
Error Category: Error in Application of General Plan Land Use Policy to Zoning and Land Use

Certain Planning Area Policies in General Plan 2020 apply to specific parcels and were added as a Land Use Policy to both the zoning and General Plan land use designation of those parcels. General Plan Policy LU-19h applies to parcels within the Sonoma Mountain Area Plan boundary. However, in error Policy LU-19h was added to the zoning and land use designation of seven parcels adjacent to but outside the boundary. This technical correction removes Land Use Policy LU-19h from the zoning and land use designation of seven parcels: APNs 136-190-003, 010, 016. General Plan Policy LU-19h reads as follows:

Policy LU-19h: *Development within the watershed above the City of Petaluma water delivery system designated in the Sonoma Mountain Area Plan is subject to the following policies:*

- (1) Review all development proposals in the vicinity with regard to their beneficial and adverse impacts,*
- (2) Encourage greater public awareness relative to wildlife and wildlife management programs,*
- (3) Encourage the use of natural areas for educational purposes, and*
- (4) Enforce County Ordinance 1108, which provides criteria for stream maintenance and construction encroachments.*

Category 4.b: Zone Change and Amend General Plan Land Use Designation
Error Category: Correction to Zoning and Land Use to Reflect Conforming Use

A single-family dwelling has occupied APN 140-140-051 for over 100 years and continues to be used as a residence. The commercial land use designation and zoning of the parcel is inconsistent with the residential use of the site. Most surrounding parcels are designated and zoned for urban residential uses. This technical correction changes the land use designation of APN 140-140-051 from GC (General Commercial) to UR (Urban Residential), 6 dwellings/ acre and changes the zoning from C2 (Retail Business & Service), HD (Historic District) to R2 (Medium Density Residential), B6-6 dwellings/acre, HD (Historic District) to conform with the existing residential use of the property.

Category 4.b: Zone Change and Amend General Plan Land Use Designation
Error Category: Error in Lot Line Adjustment Condition of Approval

A General Plan Amendment and Zone Change application (PLP04-0065) to change the land use designation and zoning density of APNs 088-050-015, 088-070-002, and 088-070-003 was processed as a condition of a previously approved Lot Line Adjustment (LLA03-0086). The General Plan Amendment and Zone Change was to prohibit further development on the two subject parcels. However, an error occurs in Ordinance No. 5561, and the associated Sectional District Map does not include APN 088-050-015 or the entire acreage of APN 088-070-002. This technical correction changes the land use designation and zoning of APNs 088-050-015 and 088-070-002 from RRD (Resources and Rural Development) 100 acre-density and RRD (Resources and Rural Development), B6-100 acre-density, BR (Biotic Resources), F1 (Primary Floodway) to RRD (Resources and Rural Development), 120 acre-density and RRD (Resources and Rural Development), B6-120 acre-density, BR (Biotic Resources), F1 (Primary Floodway).

Property Owner Notification:

In accordance with legal requirements, a notice of the proposed zone changes and land use designation amendments was sent by mail to all affected property owners. The notice described the various categories of proposed changes and amendments, directed the property owner to the PRMD website for a parcel specific table of proposed changes and amendments, and provided staff contact

information for questions and comments. The notice was also published in the *Press Democrat*. Staff has been available throughout the Planning Commission and Board of Supervisors public hearing processes to respond to questions and comments from property owners.

ISSUES DISCUSSED AT THE PLANNING COMMISSION PUBLIC HEARING

Issue #1: Further Research on Two Technical Corrections

The Planning Commission reviewed the various categories of proposed technical corrections and requested staff further research two of them.

Resolution

After additional staff analysis, one technical correction was determined to be unnecessary and dropped from further consideration. The other technical correction was changed from "Category 3.a - Add General Plan Land Use Policy" to "Category 1.d - Remove General Plan Land Use Policy From Zoning".

The Planning Commission recommended the attached Resolution to amend the General Plan Land Use Map and the attached Ordinance to correct the Official Zoning Database to reflect flood hazard, mineral resource, and affordable housing zoning districts and other corrections to reflect existing land uses.

List of Attachments:

- EXHIBIT A: Draft Board of Supervisors Resolution and General Plan Amendment Maps (4)
 - EXHIBIT B: Draft Ordinance with Exhibit A Table and Sectional District Maps (6)
 - EXHIBIT C: Planning Commission Resolution No. 13-010
 - EXHIBIT D: Planning Commission Minutes dated June 6, 2013
 - EXHIBIT E: Planning Commission Staff Report dated June 6, 2013
-



County of Sonoma
State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

ZCE13-0004 Lisa Posternak

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Finding The Project Exempt From CEQA And Approving The Requested General Plan
Amendments and Zone Changes To Correct Various Technical Errors In The General Plan Land
Use Maps and Official Zoning Database of The County of Sonoma.**

Resolved, that the Board of Supervisors of the County of Sonoma (“the Board”) hereby finds and determines as follows:

Whereas, on July 12, 2007 the Board of Supervisors adopted the Official Zoning Database, an electronic database containing zoning information for the unincorporated county, which superceded old paper Zoning Maps; and

Whereas, various unintended zone changes occurred during the transition from the old paper Zoning Maps to the Official Zoning Database; and

Whereas, the Permit and Resource Management Department has identified historical inconsistencies between zoning and General Plan land use designation on certain parcels; and

Whereas, the Permit and Resource Management Department proposes to correct the technical errors and reconcile zoning and General Plan land use designation discrepancies (the “Proposed Project”); and

Whereas, it was determined that the Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California Code of Regulations which provides that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

Whereas, the Planning Commission in accordance with the provisions of law, conducted a public hearing on the Proposed Project on June 6, 2013, and with a 5-0 vote, recommended that the Board approve the Proposed Project with the exception of the Land Use Map Amendments proposed for APNs 128-471-019 and 128-471-028; and

Whereas, the Planning Commission’s recommendation on the Proposed Project has been reviewed and considered by the Board; and

Whereas, in accordance with the provisions of law, the Board held a public hearing on November 5, 2013, at which time all interested persons were given an opportunity to be heard on the Proposed Project; and

Whereas, the Proposed Project is part of the third amendment of the General Plan Land Use Element for 2013; and

Whereas, the third land use amendment of the General Plan Land Use Element for 2013 does not significantly alter the goals, objectives and policies of the General Plan and the change is in harmony with the rest of the General Plan; and

Whereas, the Board concurs with PRMD's determination that the Proposed Project is exempt from CEQA under Section 15061(b)(3) of the State CEQA Guidelines. The facts and conditions that support this finding are as follows:

1. Section 15061(b)(3) of the State CEQA Guidelines exempts an activity from CEQA where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment;
2. The project details that establish the proposed project's eligibility for exemption under Section 15061(b)(3) of the State CEQA Guidelines are as follows:
 - a. The General Plan Amendments to affected parcels reconcile zoning and General Plan land use or open space designation discrepancies.

Now, Therefore, based on the foregoing findings and determinations and the record of these proceedings, the Board declares and orders as follows:

1. The foregoing findings and determinations are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.
2. The Proposed Project is exempt from CEQA pursuant to Section 15061(b)(3) of the California Code of Regulations.
3. The Proposed Project is approved as follows:
 - a. The General Plan Amendments are approved as part of the third amendment of the General Plan Land Use Element for 2013.
 - b. The General Plan Land Use Map Amendments are approved to amend the land use designation of certain real property from the existing land use designation to the proposed land use designation as follows:
 1. APNs 062-114-050 and 062-114-051 from Rural Residential, 4 acre-density (RR 4) to Rural Residential 3 acre-density (RR 3).

2. APNs 136-190-003, 136-190-010, 136-190-016, 136-201-039, 136-201-043, and 136-201-050 to remove General Plan Policy LU-19h:

Policy LU-19h: *Development within the watershed above the City of Petaluma water delivery system designated in the Sonoma Mountain Area Plan is subject to the following policies:*

- (1) *Review all development proposals in the vicinity with regard to their beneficial and adverse impacts;*
 - (2) *Encourage greater public awareness relative to wildlife and wildlife management programs;*
 - (3) *Encourage the use of natural areas for educational purpose; and*
 - (4) *Enforce County Ordinance 1108, which provides criteria for stream maintenance and construction encroachments.*
3. APN 140-140-051 from General Commercial (GC) to Urban Residential, 6 dwellings/ acre (UR 6).
 4. APNs 088-050-015, 088-070-002, and 088-070-003 from Resources and Rural Development, 100 acre-density (RRD 100) to Resources and Rural Development, 120 acre-density (RRD 120).

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

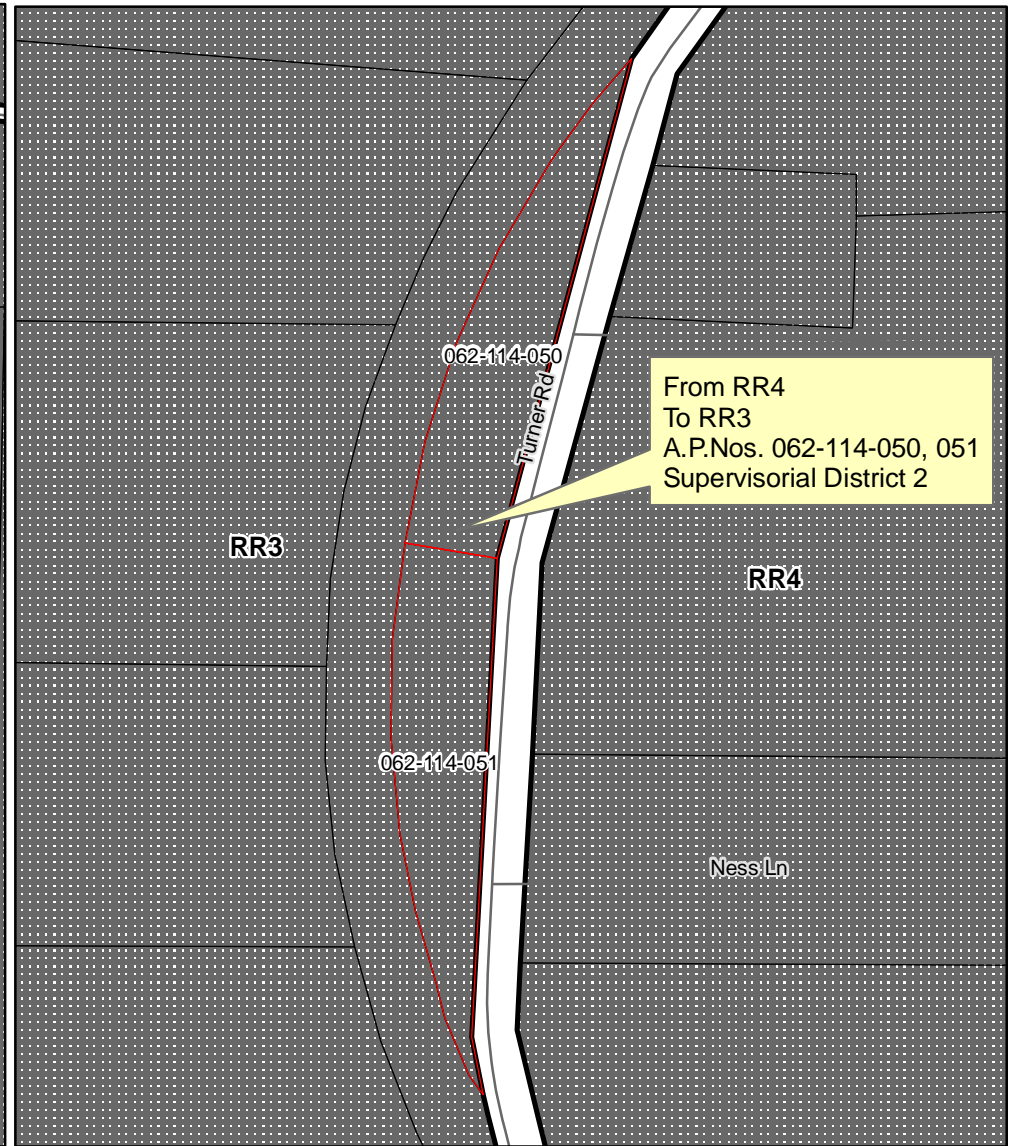
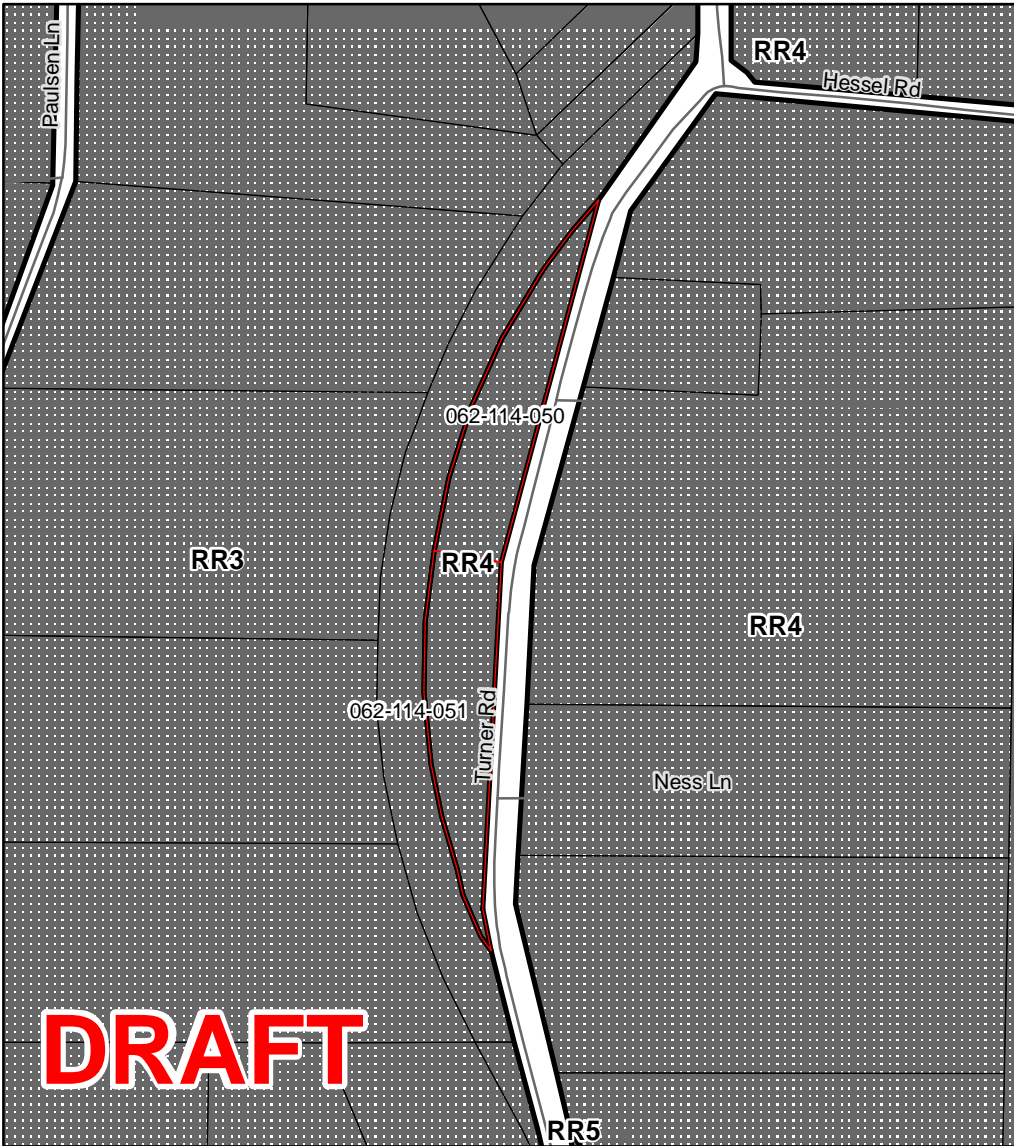
Supervisors:

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.

Existing General Plan Land Use

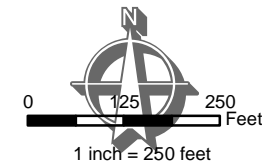
Proposed General Plan Land Use



DRAFT

Land Use

	Diverse Agriculture		Urban Residential		General Industrial
	Land Extensive Agriculture		Recreation / Visitor-Serving Commercial		Limited Industrial
	Land Intensive Agriculture		General Commercial		Public / Quasi Public
	Resource and Rural Development		Limited Commercial		Planning Area Policy
	Rural Residential		Limited Commercial Traffic Sensitive		City



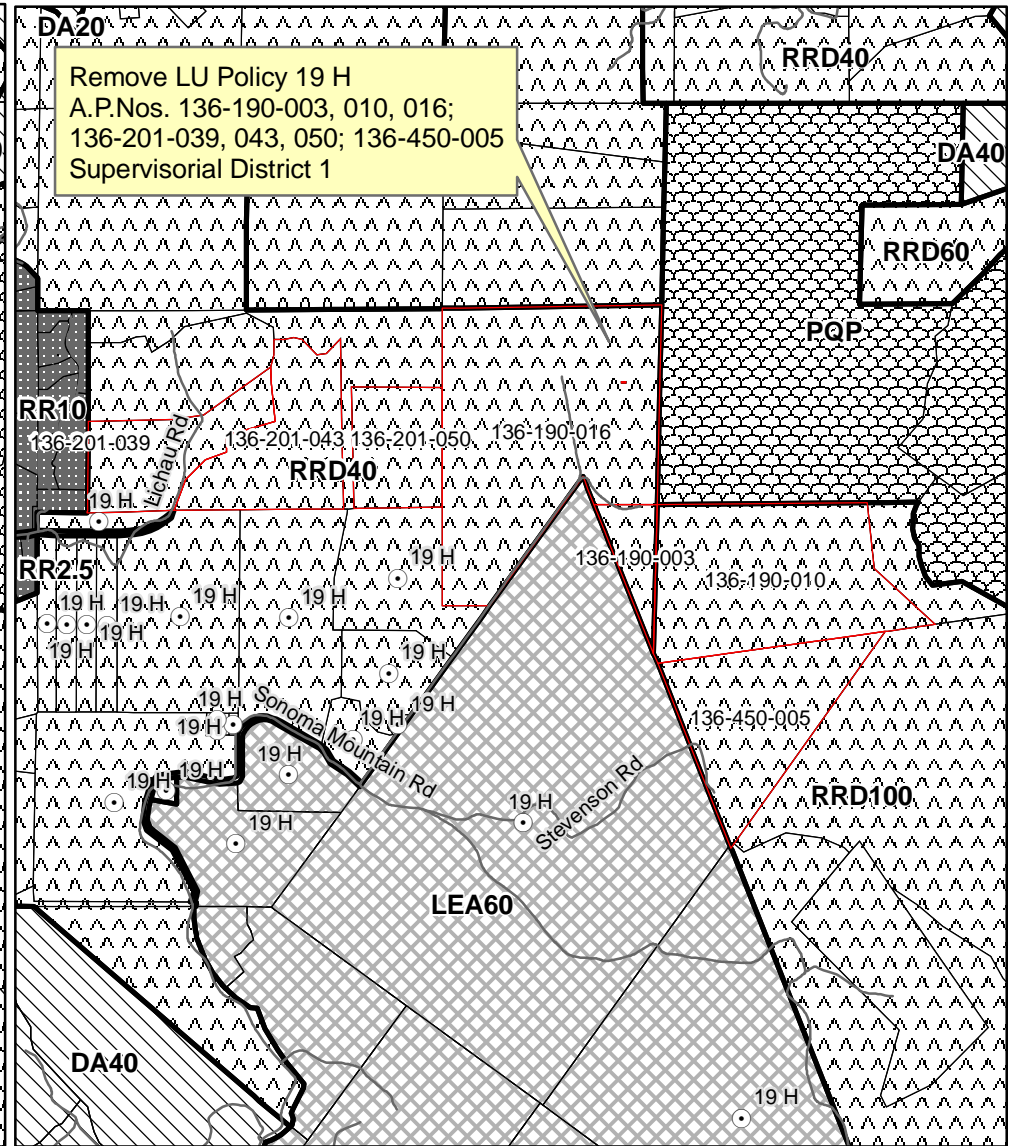
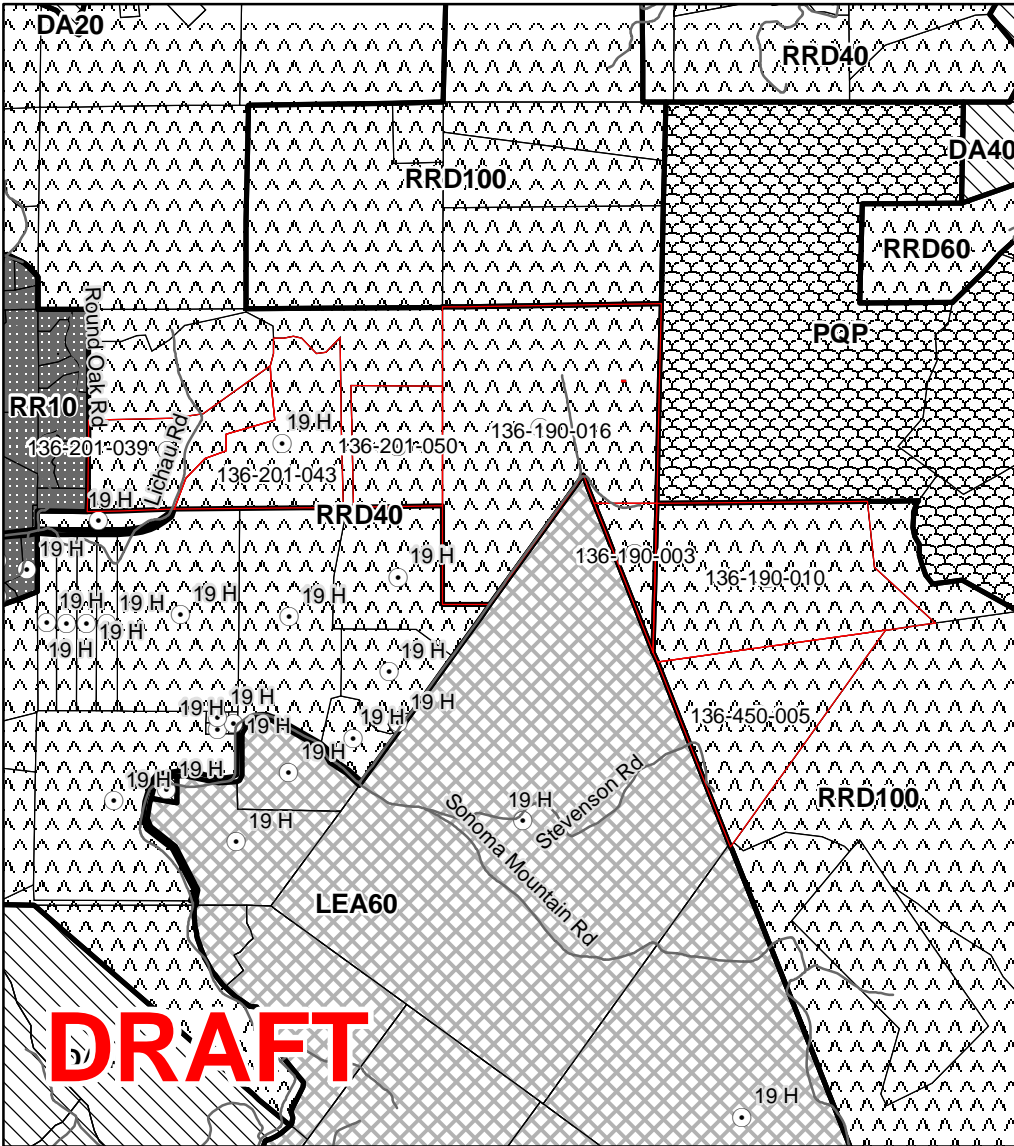
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AP #: 062-114-050, 051
Resolution No.

Permit and Resource Management Department
Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1965 Fax (707) 565-1103

Existing General Plan Land Use

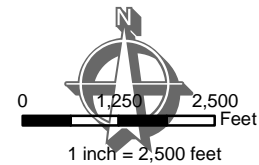
Proposed General Plan Land Use



DRAFT

Land Use

	Diverse Agriculture		Urban Residential		General Industrial
	Land Extensive Agriculture		Recreation / Visitor-Serving Commercial		Limited Industrial
	Land Intensive Agriculture		General Commercial		Public / Quasi Public
	Resource and Rural Development		Limited Commercial		Planning Area Policy
	Rural Residential		Limited Commercial Traffic Sensitive		City



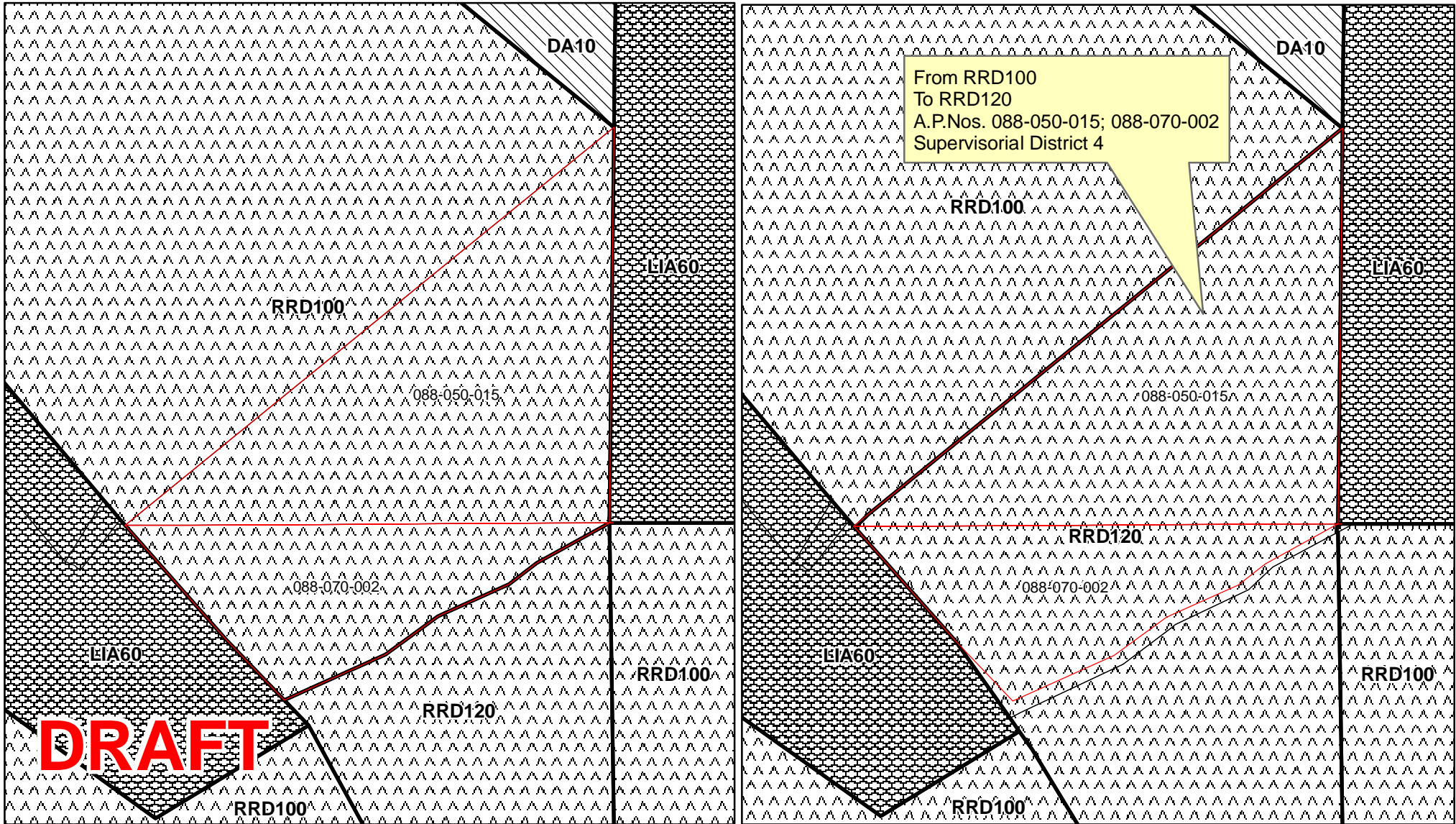
FILE: ZCE 13-0004 (2 of 4)
AP #: 136-190-003, 010, 016;
136-201-039, 043, 050; 136-450-005
Resolution No.

Permit and Resource Management Department
Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1965 Fax (707) 565-1103

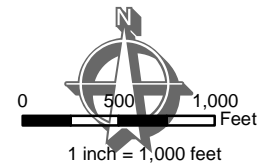
Existing General Plan Land Use

Proposed General Plan Land Use



Land Use

	Diverse Agriculture		Urban Residential		General Industrial
	Land Extensive Agriculture		Recreation / Visitor-Serving Commercial		Limited Industrial
	Land Intensive Agriculture		General Commercial		Public / Quasi Public
	Resource and Rural Development		Limited Commercial		Planning Area Policy
	Rural Residential		Limited Commercial Traffic Sensitive		City



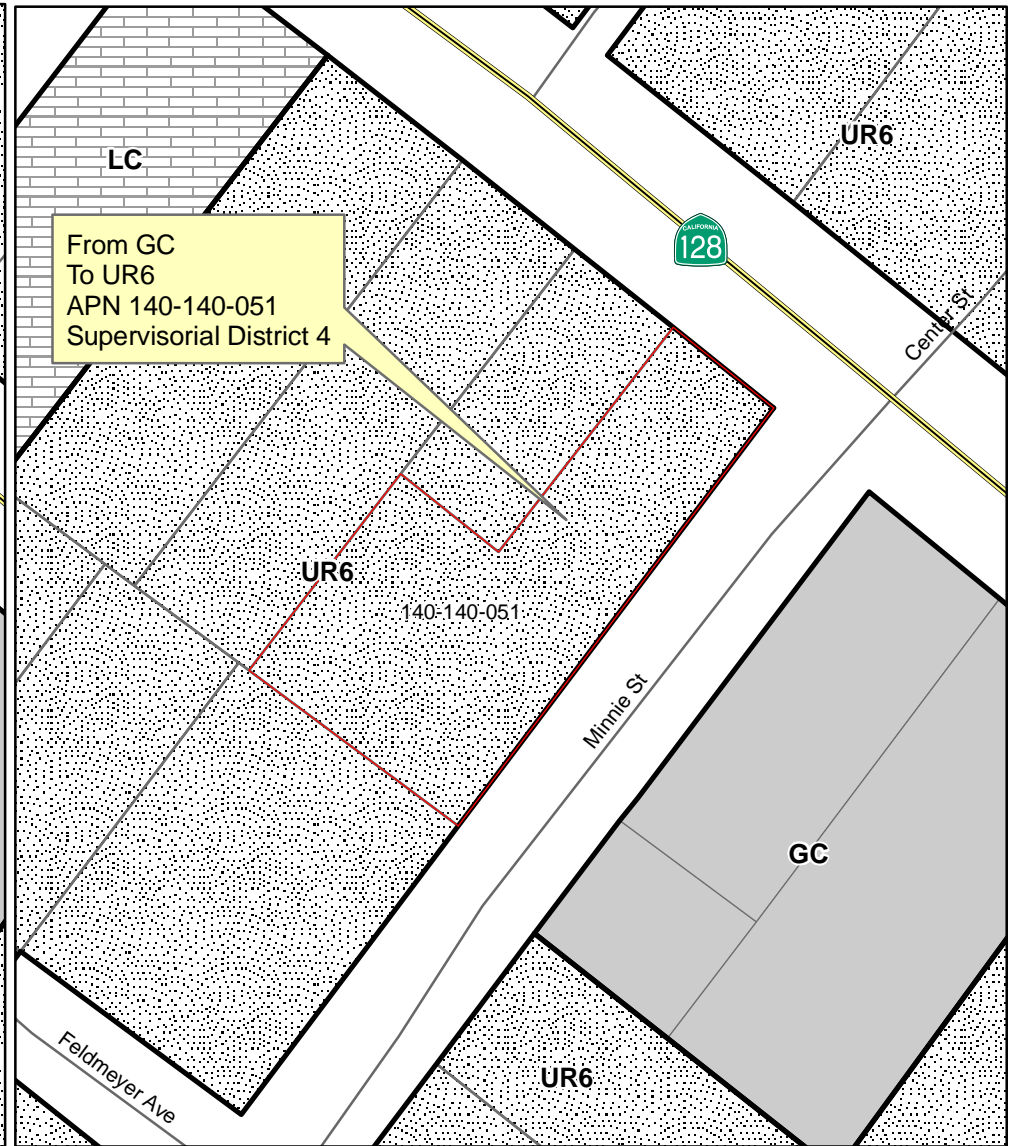
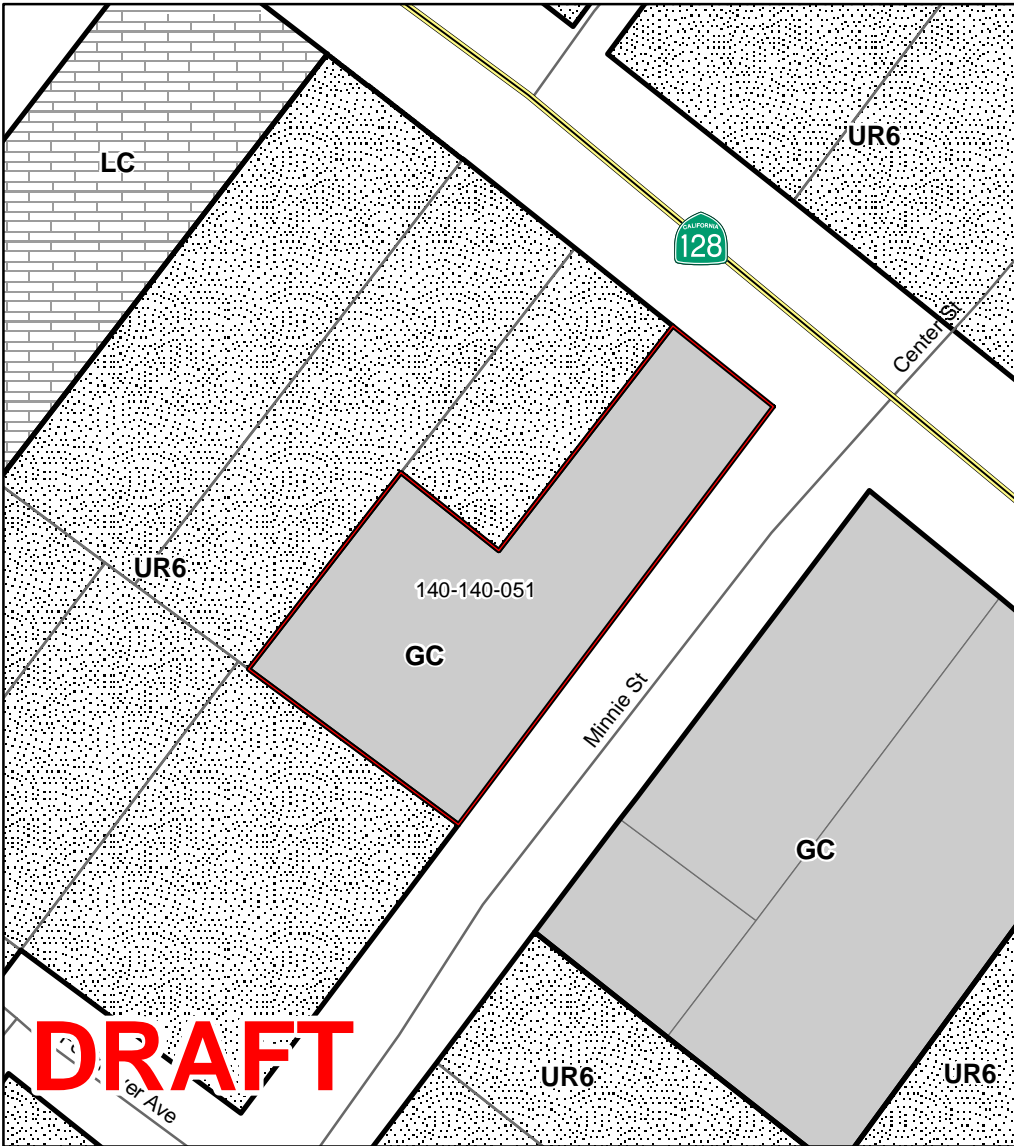
FILE: ZCE 13-0004 (3 of 4)
 AP #: 088-050-015; 088-070-002
 Resolution No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

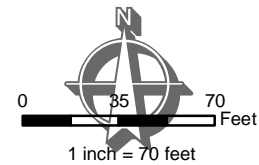
Existing General Plan Land Use

Proposed General Plan Land Use



Land Use

	Diverse Agriculture		Urban Residential		General Industrial
	Land Extensive Agriculture		Recreation / Visitor-Serving Commercial		Limited Industrial
	Land Intensive Agriculture		General Commercial		Public / Quasi Public
	Resource and Rural Development		Limited Commercial		Planning Area Policy
	Rural Residential		Limited Commercial Traffic Sensitive		City



FILE: ZCE 13-0004 (4 of 4)
 AP #: 140-140-051
 Resolution No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, TO CORRECT TECHNICAL ERRORS CONTAINED IN THE OFFICIAL ZONING DATABASE.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database (OZD) of the County, adopted by reference by Sections 26-02-110 and 26C-9 of the Sonoma County Code, is amended by reclassifying certain real property from the existing zoning designations to the zoning designations set forth in Exhibit "A," attached hereto and incorporated herein by this reference. The Board hereby finds these changes to be consistent with the Sonoma County General Plan. The Director of the Permit and Resource Management Department is directed to reflect these amendments to the OZD as shown in Exhibit "A" (ZCE13-0004).

SECTION II: The Official Zoning Database contains known errors that occurred during the transition from the previously adopted Zoning Maps to the current digital Zoning Database. This project will correct those errors and restore the subject parcels to the correct zoning. The project is exempt from the California Environmental Quality Act under Section 15061(b)(3), as it can be seen with certainty that the project will not have a significant effect on the environment.

SECTION III: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IV: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this 5th day of November, 2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin:	McGuire:	Carrillo:	Zane:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica A. Ferguson
Clerk of the Board of Supervisors

Exhibit A

Zone Changes

Technical Corrections Round 4 (ZCE 13-0004)

APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
035-212-008	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-212-013	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-212-015	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-223-013	RR B6 1.5, VOH	RR B6 1.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-241-006	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
038-131-018	RR B6 5, VOH	RR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-036	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-049	RAIL, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-058	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-002	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-003	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-004	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-005	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-006	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-007	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-008	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-003	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-004	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-005	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-016	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-003	RR B6 2 DU, VOH	RR B6 2 DU, F1 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-005	RR B6 2 DU, VOH	RR B6 2 DU, F1 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-018	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-023	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-036	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-037	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
043-164-016	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-017	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-018	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-019	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-020	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-021	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-023	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-024	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-025	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-026	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-034	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-043	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-045	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-047	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-048	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-049	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-050	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-051	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-200-001	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-300-040	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
044-061-033	RRD B6 40/10 (Ac/DU)/Ac MIN, G SR	RRD B6 40/10 (Ac/DU)/Ac MIN, F1 G SR	1a: Zoning Correction Based on Availability of New Data
044-180-026	RRD B6 40, SR	RRD B6 40, F1 SR	1a: Zoning Correction Based on Availability of New Data
044-180-028	RRD B6 40, SR VOH	RRD B6 40, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
044-180-029	RRD B6 40, SR	RRD B6 40, F1 SR	1a: Zoning Correction Based on Availability of New Data
059-350-016	MP 2 AC AVG, VOH	MP 2 AC AVG, AH VOH	1a: Zoning Correction Based on Availability of New Data
060-040-006	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-017	LEA B6 100 Z, F2 SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-030	M3, F2 VOH	M3, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
060-040-034	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-036	LEA B6 100 Z, F2 SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-039	M3, F2 SR VOH	M3, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-020	M3, SR VOH	M3, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-022	M3, SR VOH	M3, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
060-060-030	DA B6 40, BR SR VOH	DA B6 40, BR F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-031	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-032	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-038	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-041	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-054	LEA B6 100, BR F2 VOH	LEA B6 100, BR F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
060-060-056	LEA B6 100, BR F2 SR VOH	LEA B6 100, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-058	LEA B6 100 Z, BR F2 SR VOH	LEA B6 100 Z, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-063	LEA B6 100, BR F2 SR VOH	LEA B6 100, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-070-019	DA B6 40, BR SR VOH	DA B6 40, BR F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
063-180-015	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
063-180-046	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
068-030-003	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-005	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-006	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-007	DA B6 30, MR SR	DA B6 30, SR	1b: Zoning Error Based on Error in Sectional District Map
088-050-015	RRD B6 100, BR F1	RRD B6 120, BR F1	4b: Error in Lot Line Adjustment Condition of Approval
088-070-002	RRD B6 100, BR F1	RRD B6 120, BR F1	4b: Error in Lot Line Adjustment Condition of Approval
088-200-010	LIA B6 20 Z, F2 SR VOH	LIA B6 20 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
110-130-007	LIA B6 20 Z, BR F1 SR VOH	LIA B6 20 Z, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
116-310-038	RR B8, SR	RR B8, F2 SR	1a: Zoning Correction Based on Availability of New Data
125-213-012	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-002	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-003	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-004	RR B6 10, VOH	RR B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-321-002	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-331-001	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-331-004	RR B6 4, VOH	RR B6 4, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-411-011	RR B6 4, VOH	RR B6 4, F1 VOH	1a: Zoning Correction Based on Availability of New Data
125-421-018	RR B6 4, VOH	RR B6 4, AH VOH	1a: Zoning Correction Based on Availability of New Data
125-421-019	RR B6 4, VOH	RR B6 4, AH VOH	1a: Zoning Correction Based on Availability of New Data
125-531-001	RR B6 4, VOH	RR B6 4, F2 VOH	1a: Zoning Correction Based on Availability of New Data
127-242-038	RR B6 2, F1	RR B6 2, F1 F2	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
127-251-004	RR B6 2, F1 VOH	RR B6 2, F1VOH	1a: Zoning Correction Based on Availability of New Data
127-302-026	M3, F1 VOH	M3, F1 VOH	1a: Zoning Correction Based on Availability of New Data
127-312-059	AR B6 1.5, F1 F2 VOH	AR B6 1.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
128-471-019	LIA B6 100 Z, BR F2 SR VOH, 20 FF [Applies to Entire Parcel]	LIA B6 100 Z, BR F2 SR VOH	1d: Remove General Plan Land Use Policy From Zoning
128-471-028	LEA B6 100 Z, BR F2, 20 FF [Applies to Entire Parcel]	LEA B6 100 Z, BR F2	1d: Remove General Plan Land Use Policy From Zoning
134-051-012	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-051-013	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-051-014	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-061-041	DA B6 20, SR VOH	DA B6 20, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-076-007	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-076-024	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-076-030	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-027	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-030	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-037	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-049	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-050	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-051	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-053	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-057	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-002	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-004	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-005	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-017	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-018	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-037	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-038	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-055	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-068	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-069	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-071	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-072	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-074	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
134-091-076	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-077	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-078	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-079	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-080	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-081	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-082	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-083	LC, VOH	LC, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-086	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-087	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-088	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-089	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-091	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-092	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-093	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-094	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-007	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-009	LC, VOH	LC, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-013	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-020	DA B6 40 Z, SR VOH	DA B6 40 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-021	DA B6 40 Z, SR VOH	DA B6 40 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-029	DA B6 40 Z, SR VOH	DA B6 40 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-033	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-034	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-035	LC, VOH	LC, F2 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-036	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-037	DA B6 40 Z, SR VOH	DA B6 40 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-040	DA B6 40 Z, SR VOH	DA B6 40 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-041	DA B6 40 Z, SR VOH	DA B6 40 Z, V SR VOH	1a: Zoning Correction Based on Availability of New Data
134-201-026	DA B6 10, SR VOH	DA B6 10, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-202-010	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-019	DA B6 40, SR VOH	DA B6 40, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-202-021	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
134-202-026	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-028	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-029	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-030	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-004	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-005	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-010	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-011	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-012	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-013	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-014	DA B6 10 Z, VOH	DA B6 10 Z, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-007	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-011	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-012	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-231-018	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-024	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-027	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-028	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-029	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-032	DA B6 10, SR VOH	DA B6 10, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-033	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-035	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-232-045	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-232-050	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-232-051	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
136-190-003	RRD B6 40 Z, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40 Z, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-190-010	RRD B6 100, BR SR, 19 H [Applies to Portion of Parcel]	RRD B6 100, BR SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-190-016	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-201-039	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-201-043	RRD B6 40, BR SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, BR SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-201-050	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-450-005	RRD B6 100, SR, 19 H [Applies to Portion of Parcel]	RRD B6 100, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
140-140-051	C2, HD	R2 B6 6 DU, HD	4b: Correction to Zoning and Land Use to Reflect Conforming Us

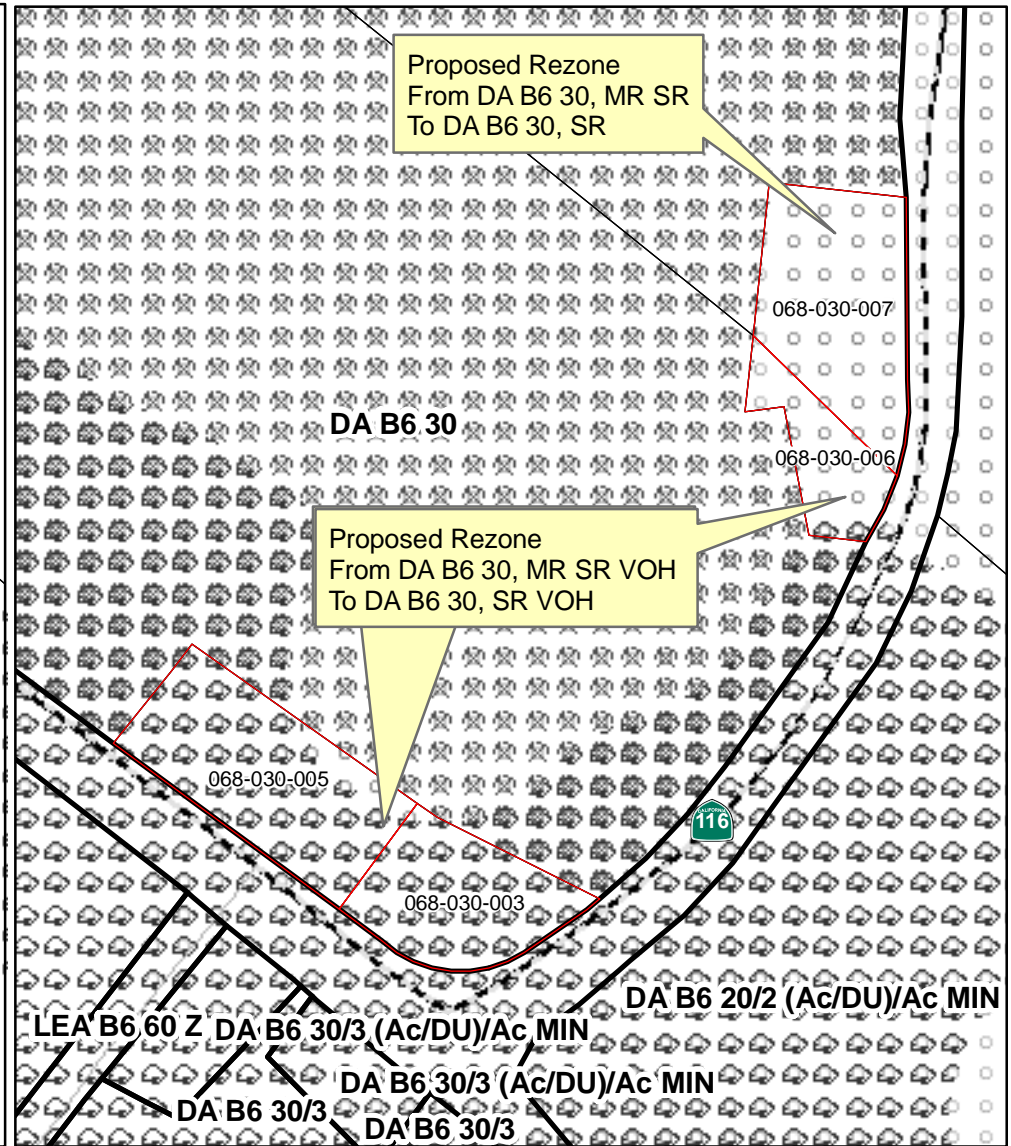
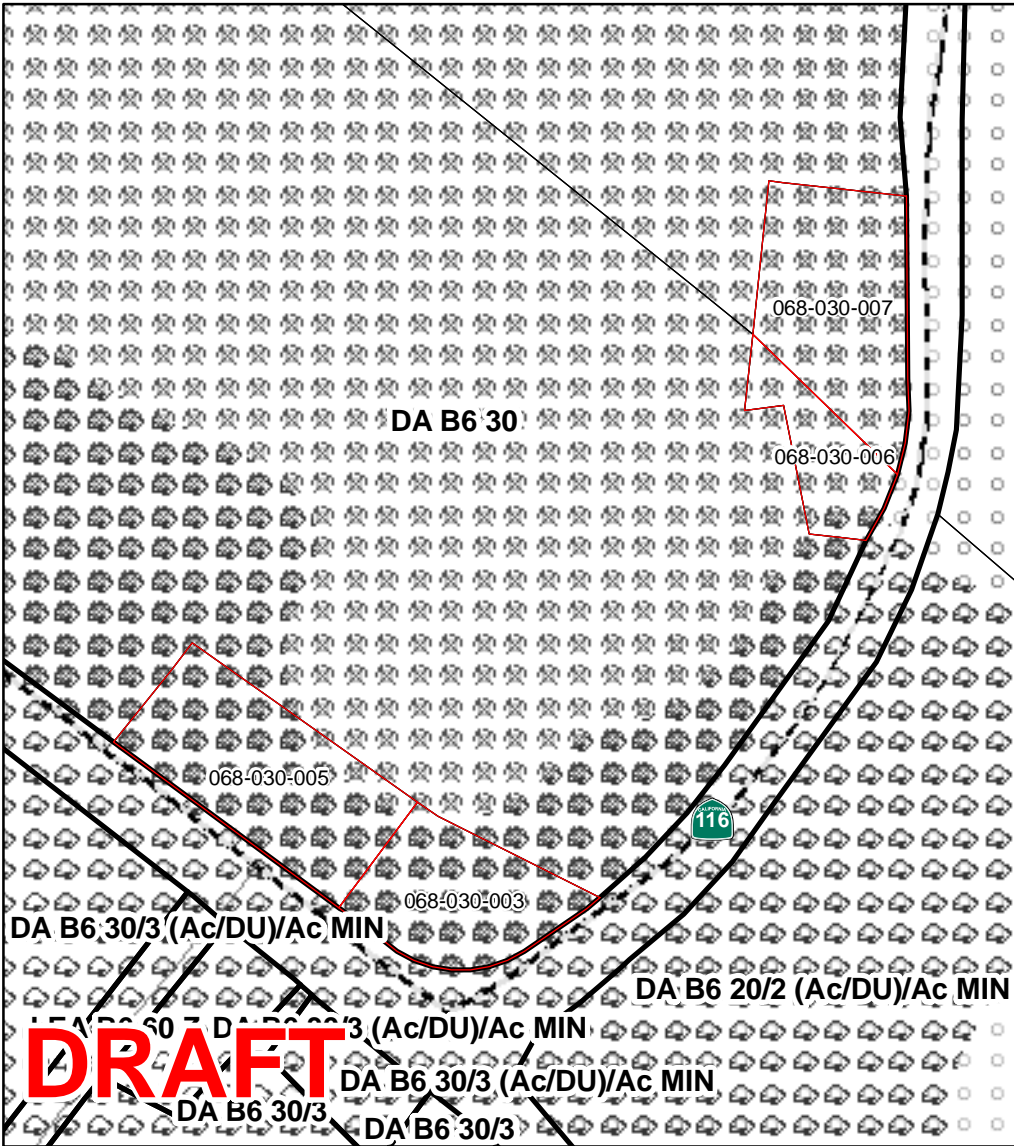


APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
140-180-035	LC, SR	LC, AH SR	1c: Zoning Error Based on Error in Technical Correction



Existing Zoning

Proposed Zoning



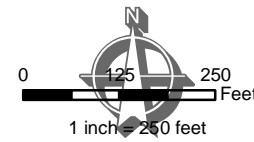
Base Map Data

- Proposed Rezone
- Basezoning by Area
- Highways
- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



FILE: ZCE 13-0004 (1 of 6)
 AP #: 068-030-003, 005, 006, 007
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

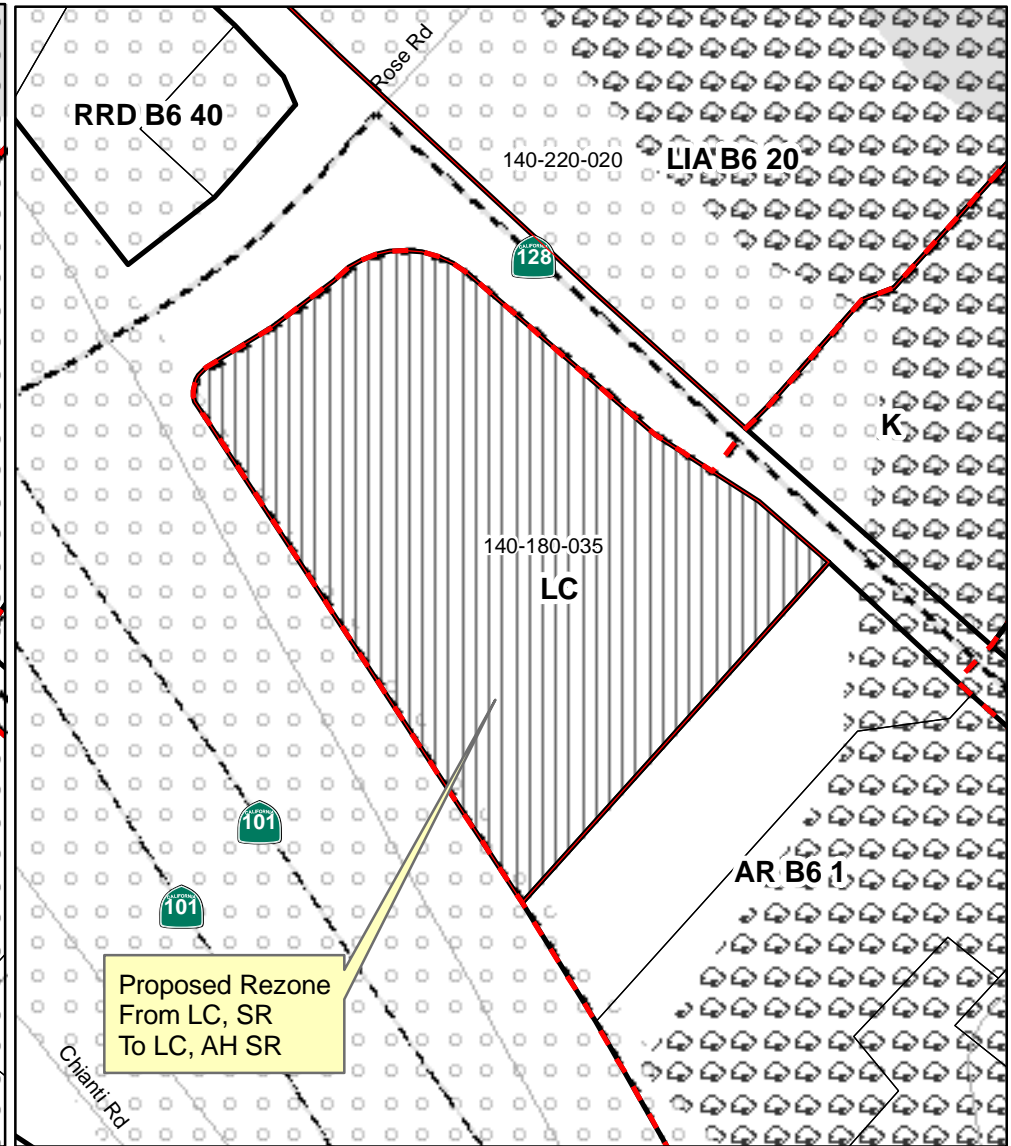
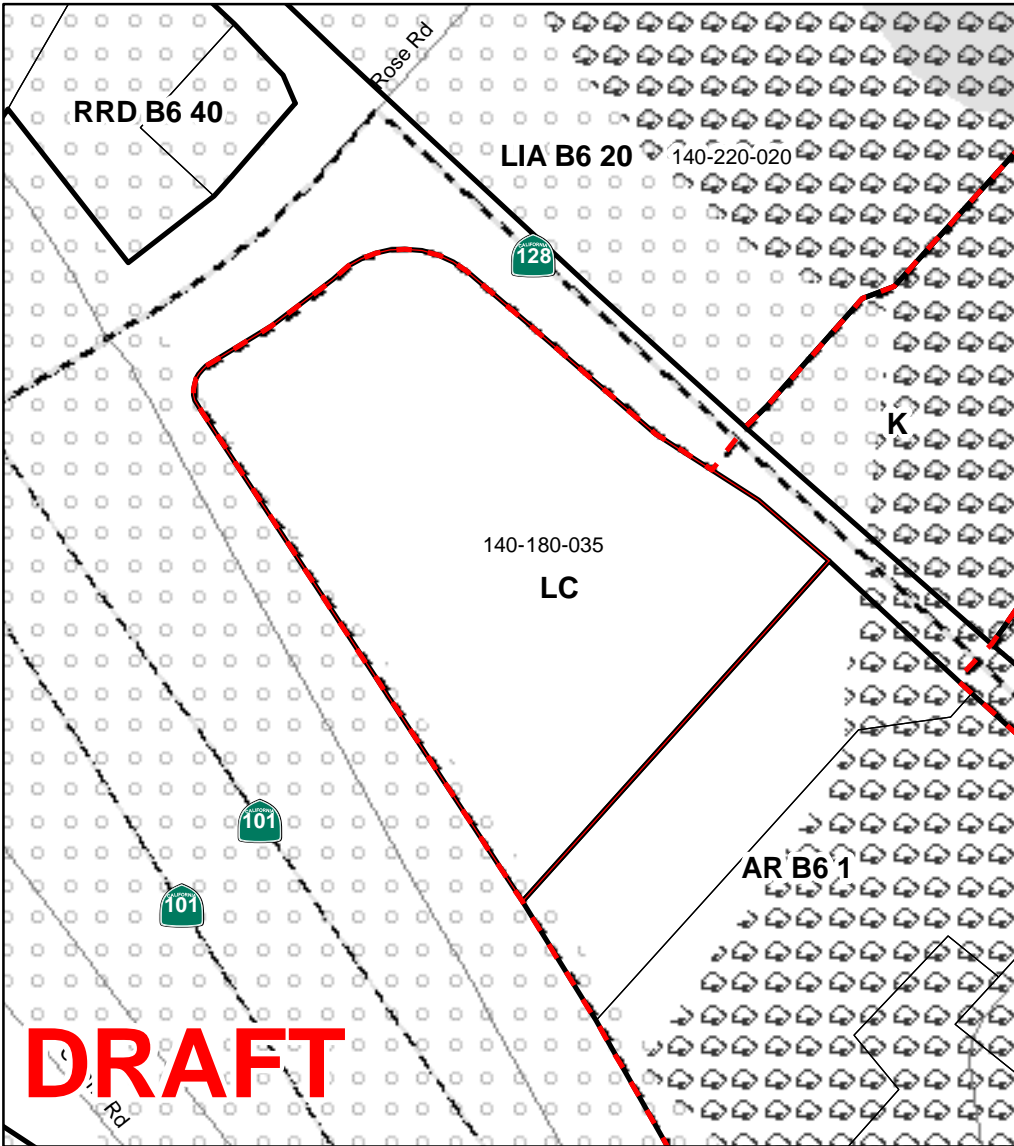


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Existing Zoning

Proposed Zoning



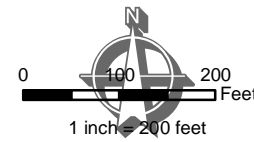
Base Map Data

- Proposed Rezone
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- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

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- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



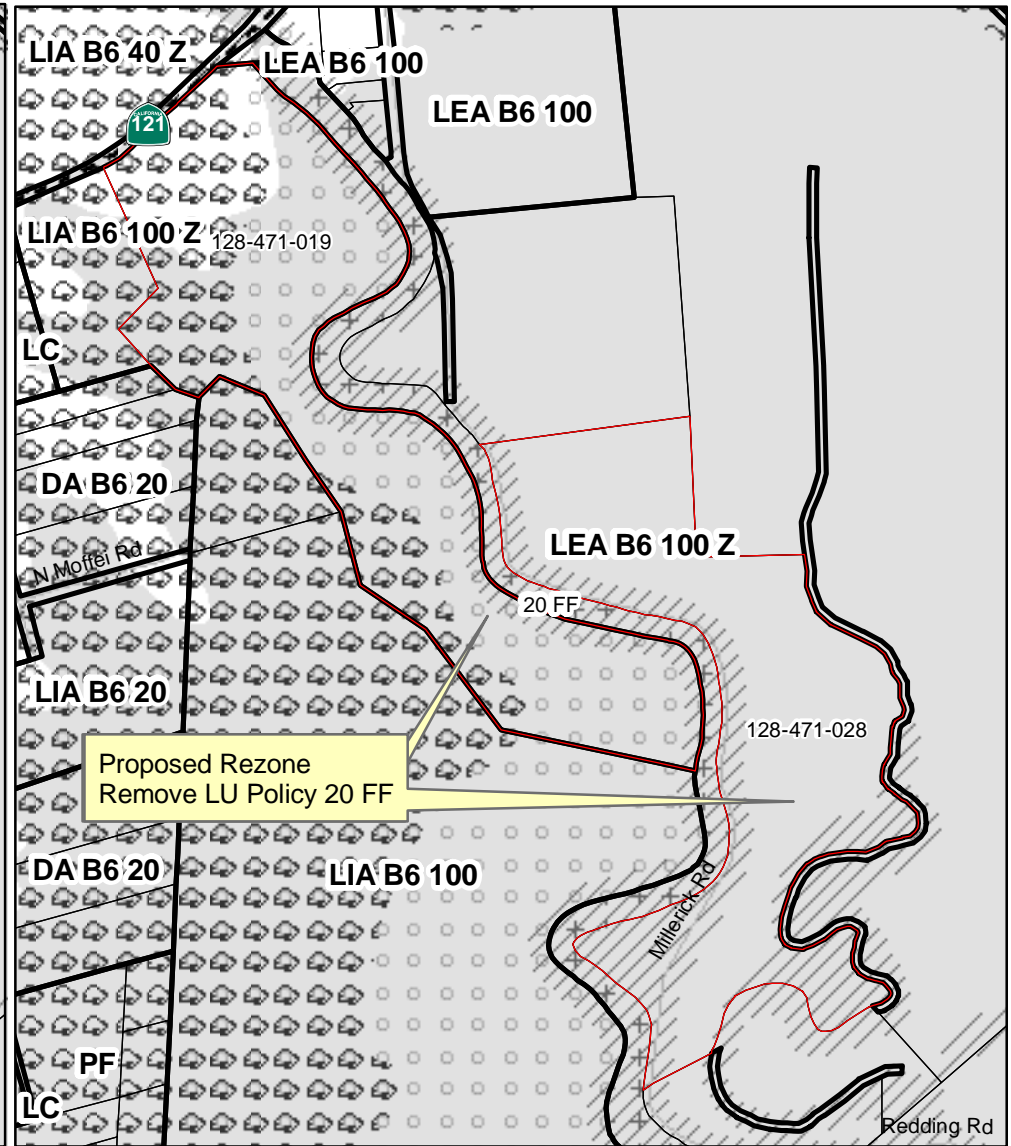
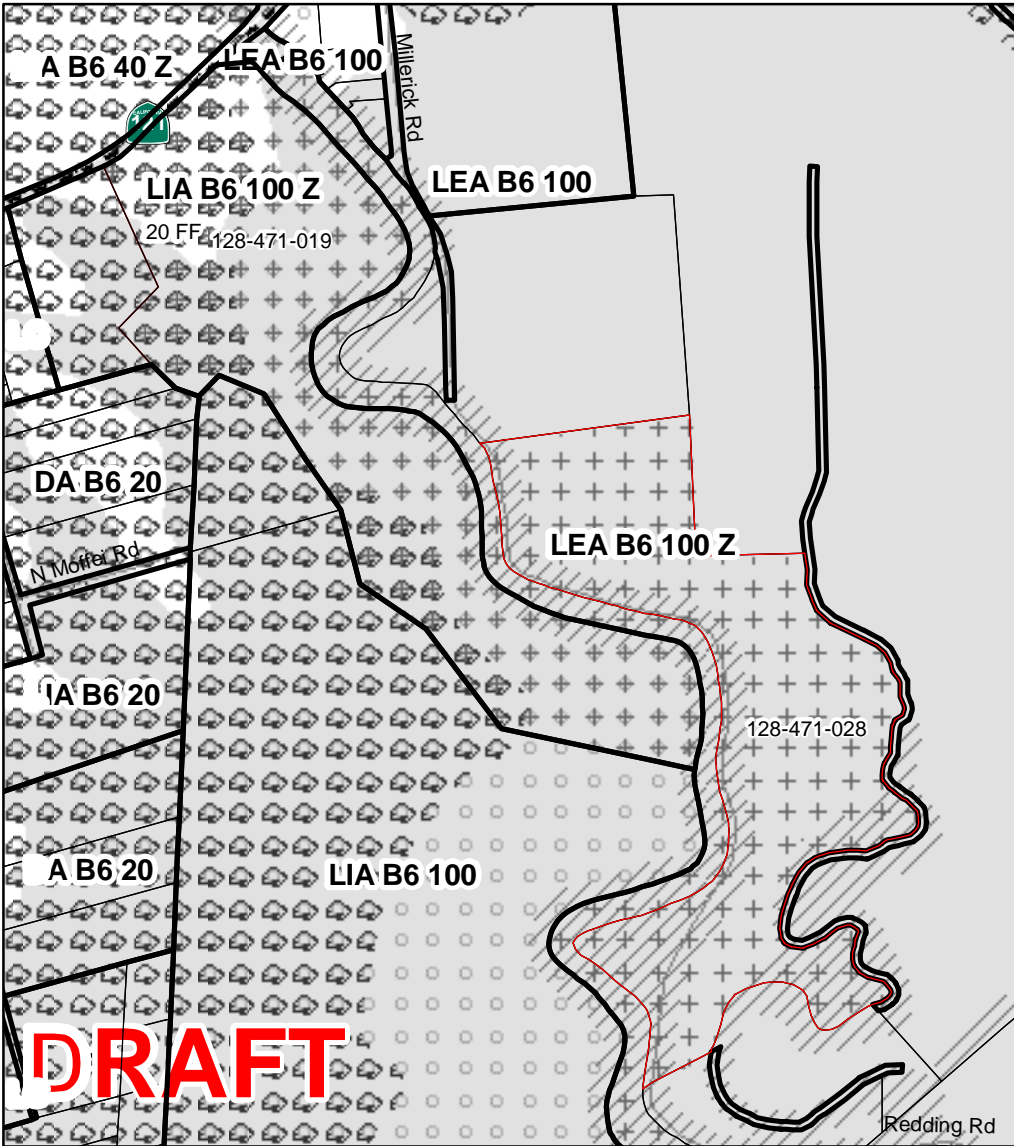
FILE: ZCE 13-0004 (2 of 6)
 AP #: 140-180-035
 Ordinance No.
 Sectional District Map No.

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Existing Zoning

Proposed Zoning



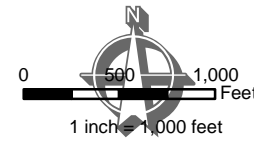
Base Map Data

- Proposed Rezone
- Basezoning by Area
- Highways
- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

- LU Policy
- AH Affordable Housing
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- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



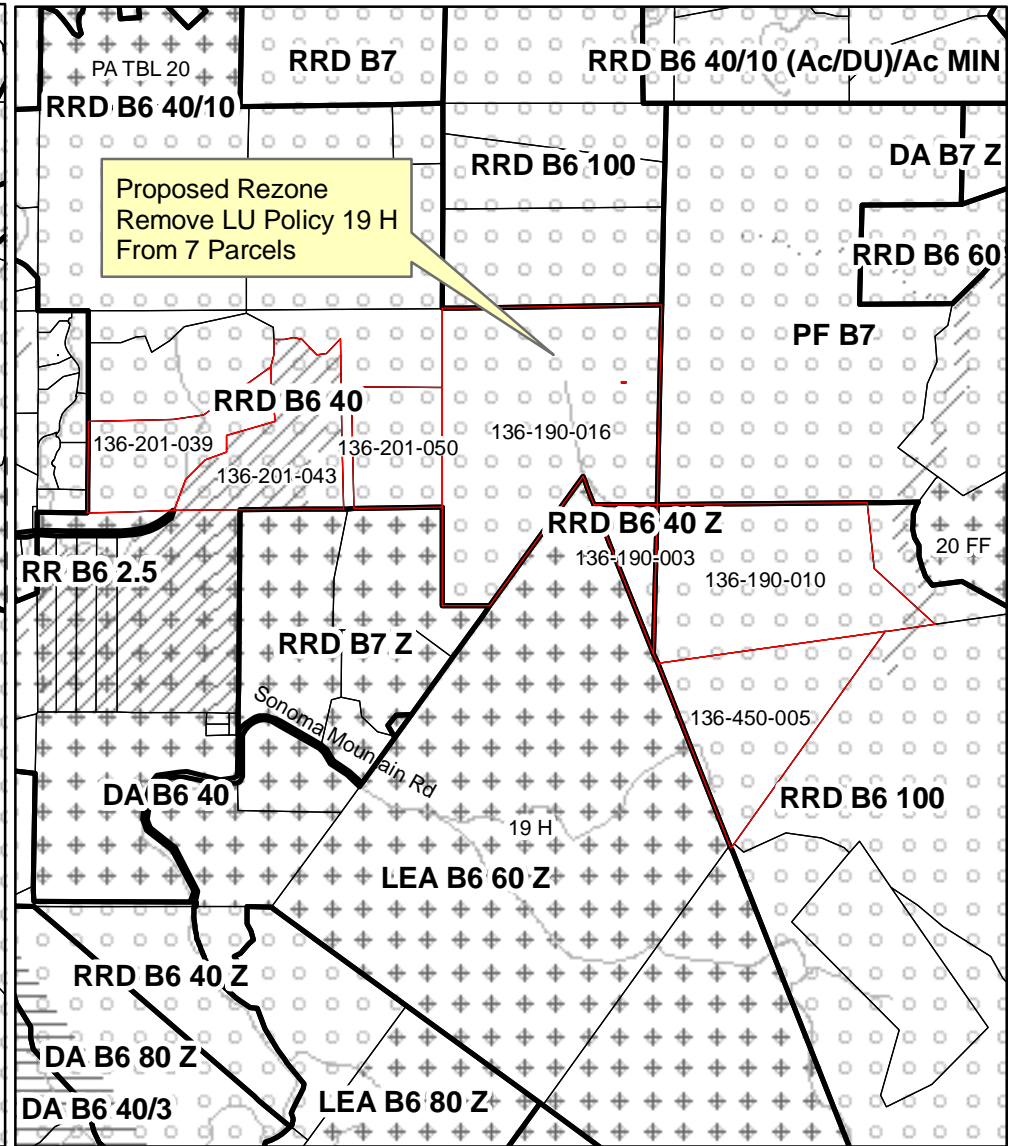
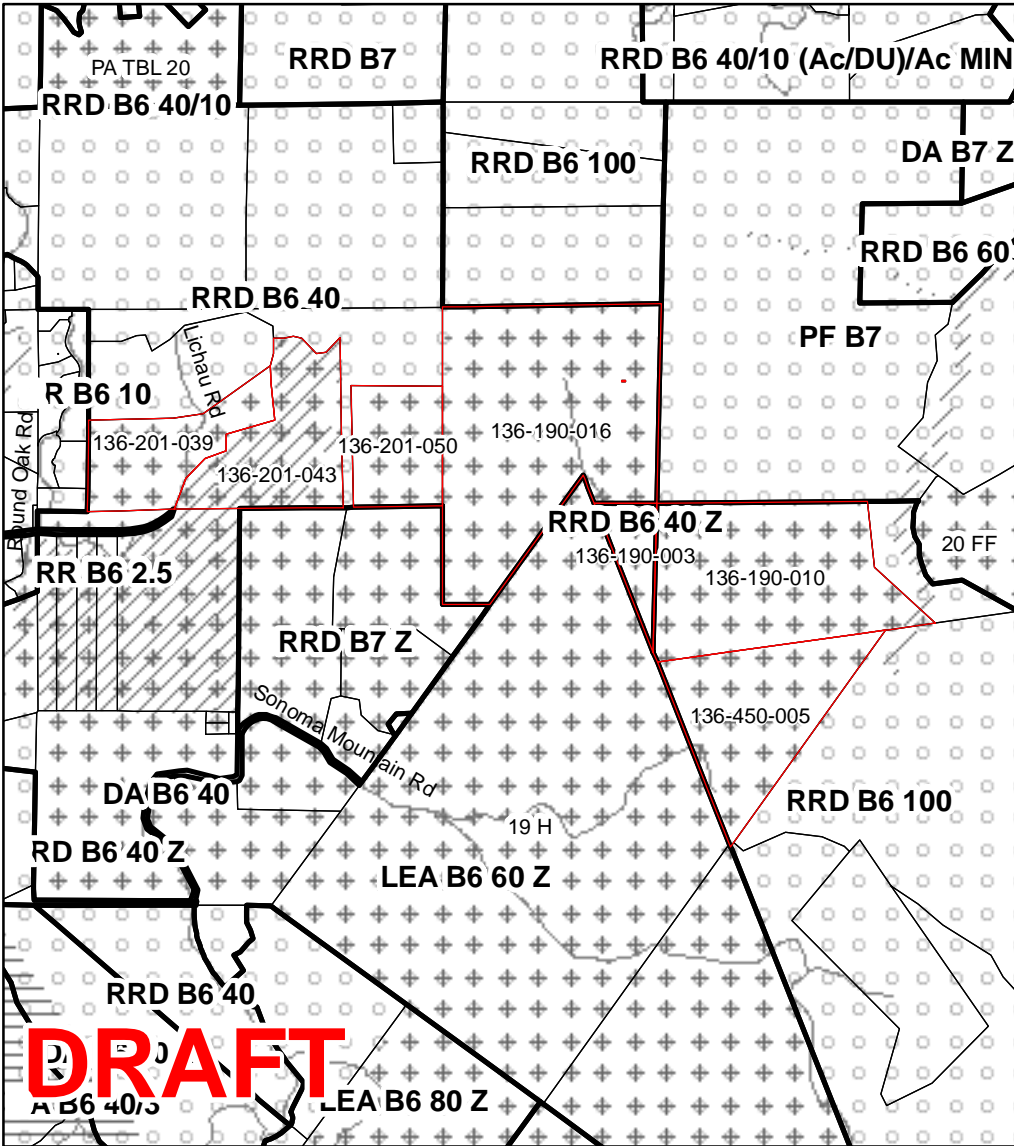
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 AP #: 128-471-019, 028
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Existing Zoning

Proposed Zoning



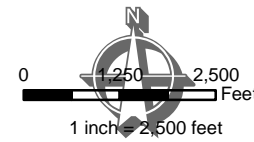
Base Map Data

- Proposed Rezone
- Basezoning by Area
- Highways
- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



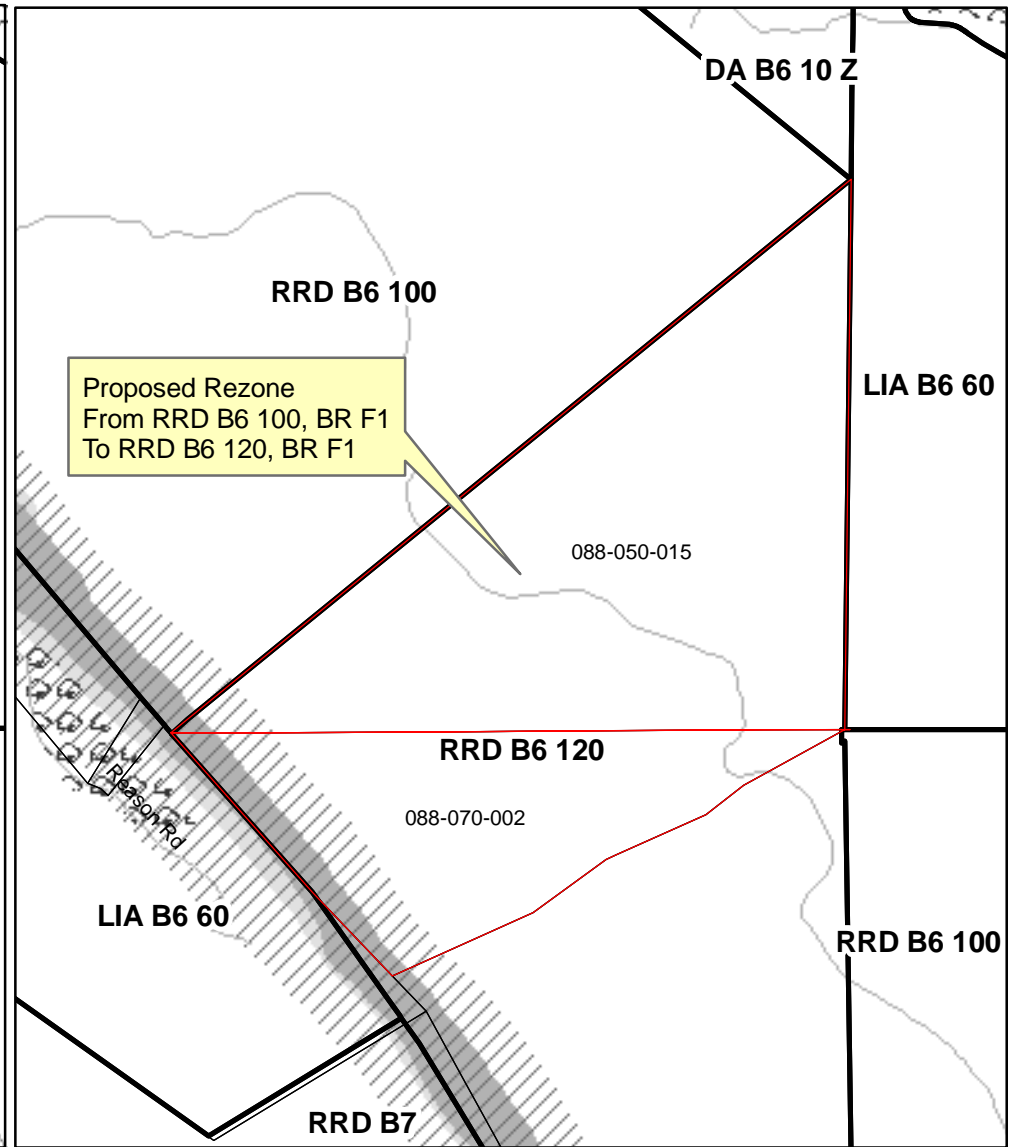
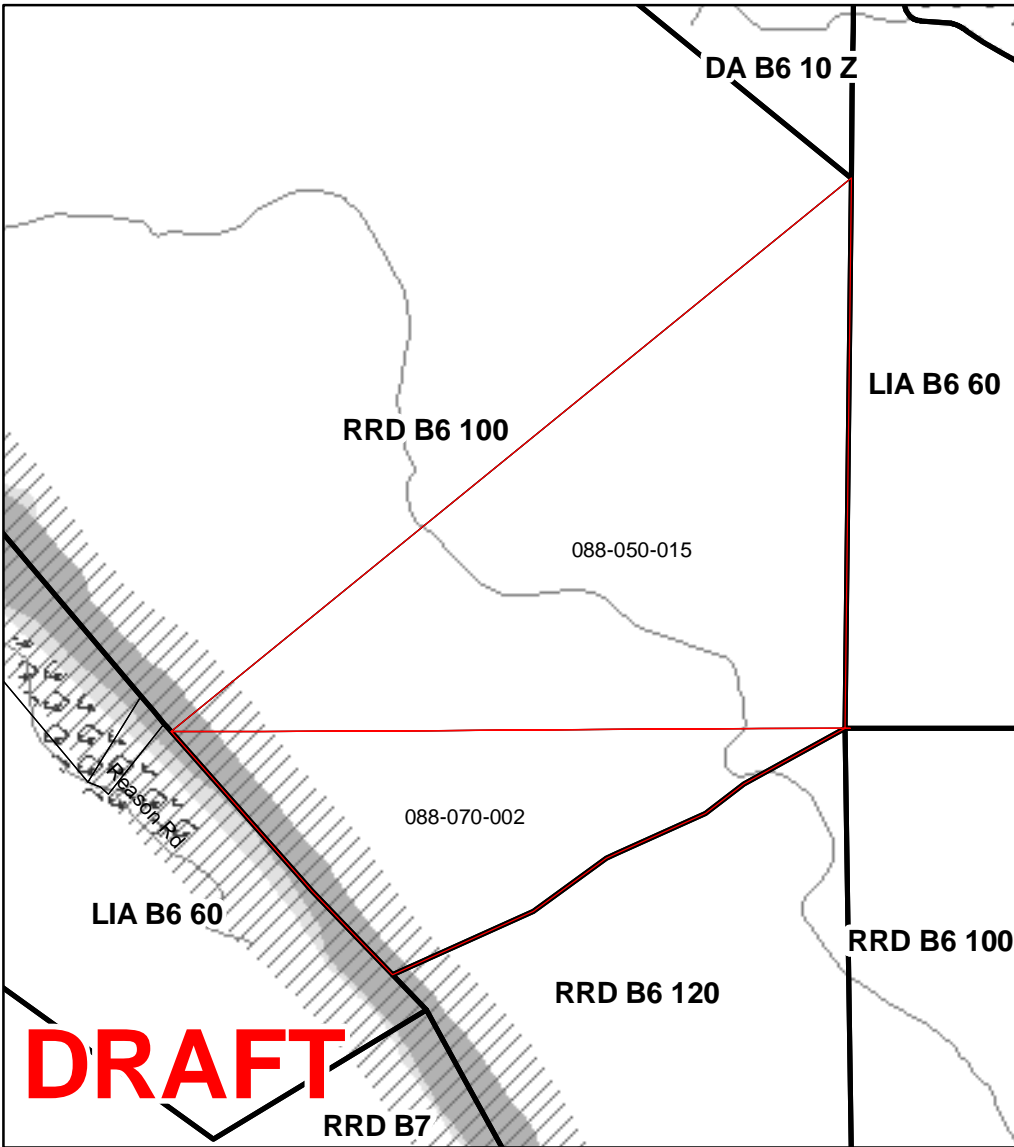
FILE: ZCE 13-0004 (4 of 6)
 AP #: 136-190-003, 010, 016;
 136-201-039, 043, 050; 136-450-005
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Existing Zoning

Proposed Zoning



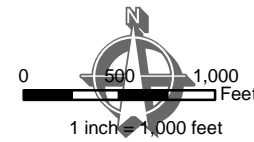
Base Map Data

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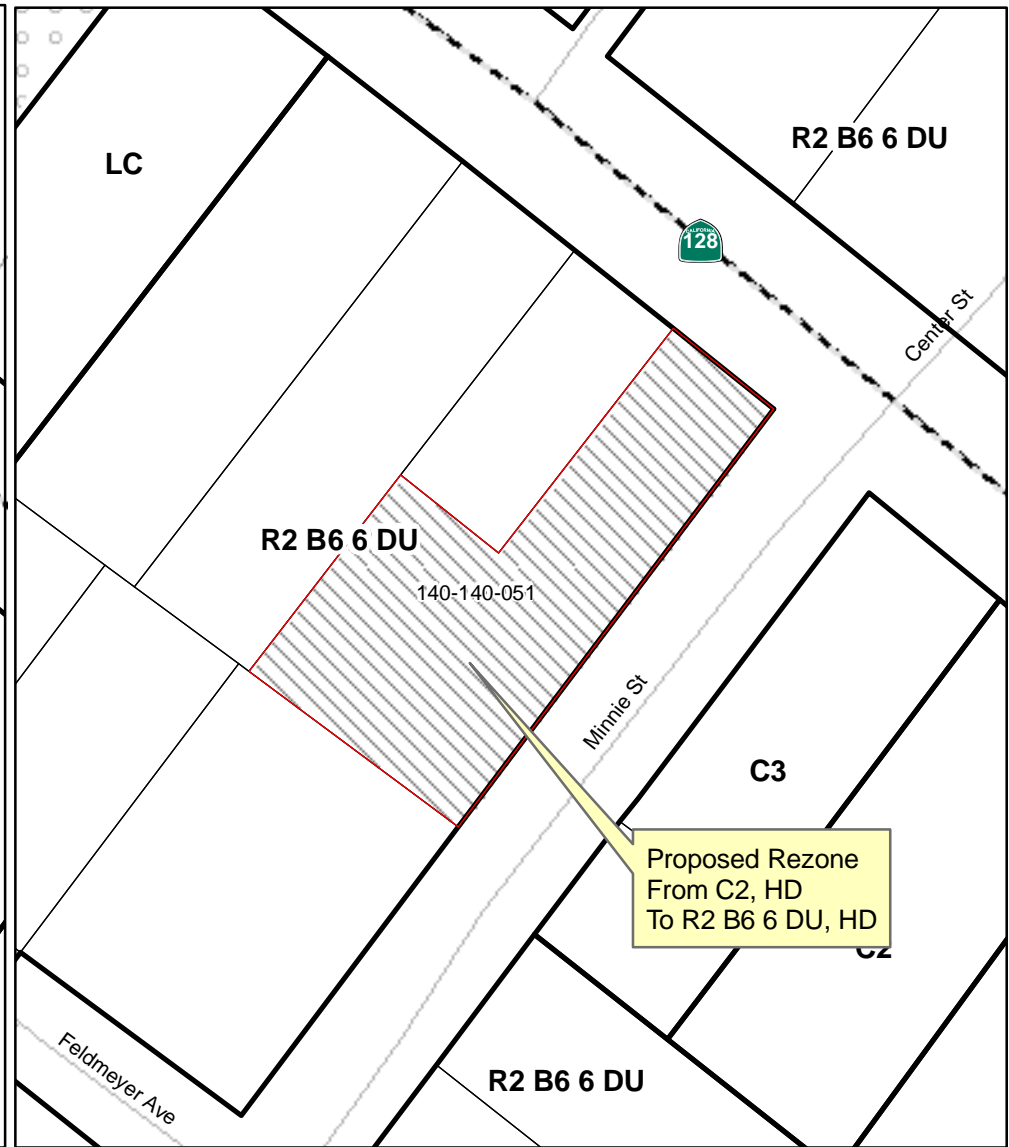
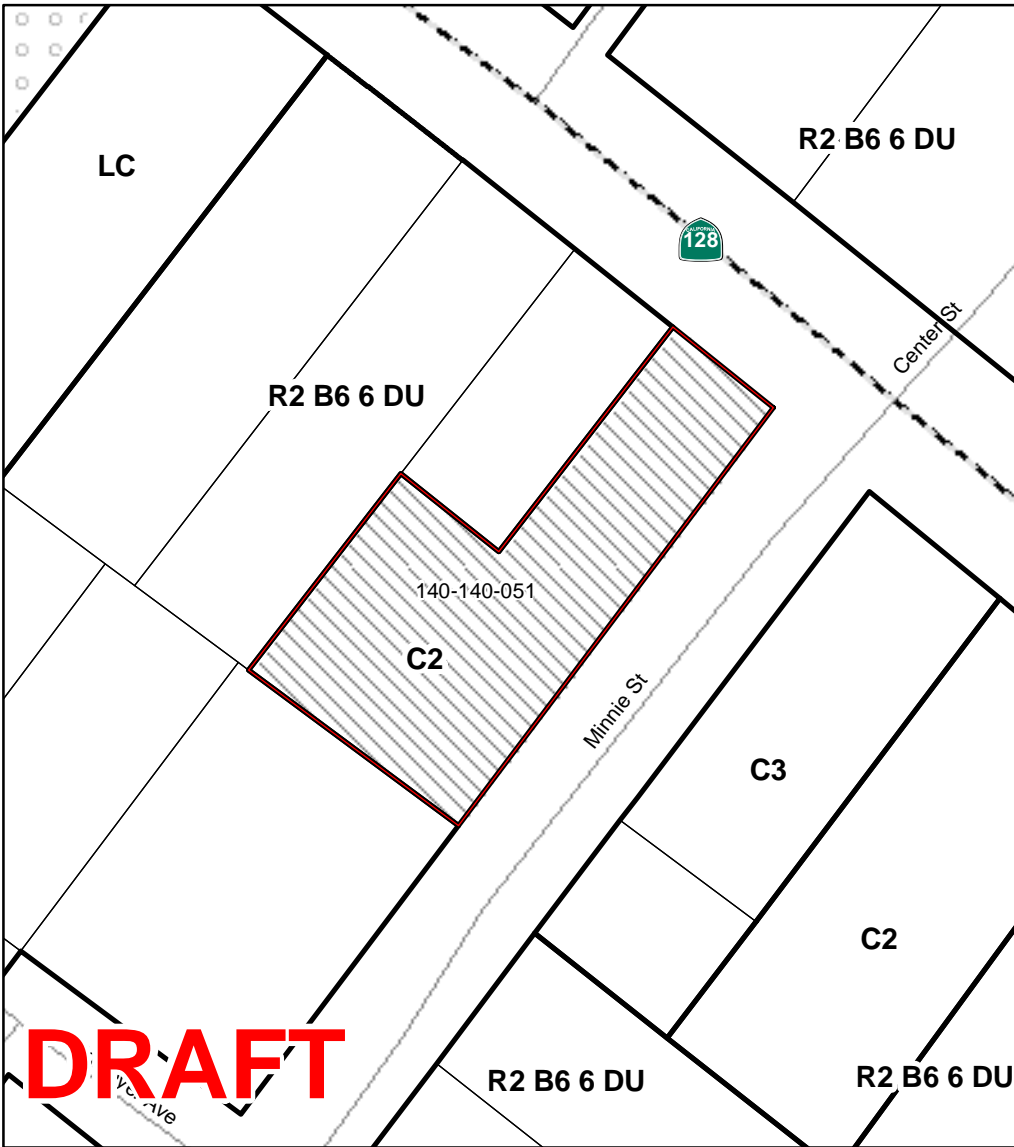
FILE: ZCE 13-0004 (5 of 6)
 AP #: 088-050-015; 088-070-002
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Existing Zoning

Proposed Zoning



DRAFT

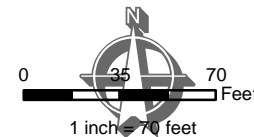
Base Map Data

- Proposed Rezone
- Basezoning by Area
- Highways
- Intermittent Stream
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Zoning Combining Districts

- LU Policy
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- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



FILE: ZCE 13-0004 (6 of 6)
 AP #: 140-140-051
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Resolution Number 13-010

County of Sonoma
Santa Rosa, California

June 6, 2013
ZCE13-0004 Lisa Posternak

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS FIND THE PROJECT TO BE EXEMPT FROM CEQA AND APPROVE THE PROPOSED GENERAL PLAN AMENDMENTS AND ZONE CHANGES TO CORRECT VARIOUS TECHNICAL ERRORS IN THE GENERAL PLAN LAND USE MAPS AND OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA.

WHEREAS, on July 12, 2007 the Board of Supervisors adopted the Official Zoning Database, an electronic database containing zoning information for the unincorporated county, which superceded old paper Zoning Maps; and

WHEREAS, various unintended zone changes occurred during the transition from the old paper Zoning Maps to the Official Zoning Database; and

WHEREAS, the Permit and Resource Management Department has identified historical inconsistencies between zoning and General Plan land use designation on certain parcels; and

WHEREAS, the Permit and Resource Management Department proposes to correct the technical errors and reconcile zoning and General Plan land use designation discrepancies; and

WHEREAS, on June 8, 2010 the Board of Supervisors adopted the first set of technical corrections to the Official Zoning Database, some of which required concurrent General Plan Amendments (Technical Corrections Round 1); and

WHEREAS, on May 10, 2011 the Board of Supervisors adopted the second set of technical corrections to the Official Zoning Database, some of which required concurrent General Plan Amendments (Technical Corrections Round 2); and

WHEREAS, on October 23, 2012 the Board of Supervisors adopted the third set of technical corrections to the Official Zoning Database, some of which required concurrent General Plan Amendments (Technical Corrections Round 3), with the exception of the technical corrections for 8760 Graton Road (APN 130-130-022), 3137 Mueller Road (APN 130-130-024), and 3145 Mueller Road (130-130-023); and whereas on March 26, 2013 the Board of Supervisors adopted the technical corrections to these three parcels; and

WHEREAS, this project is the fourth set of technical corrections to the Official Zoning Database, some of which require concurrent General Plan Amendments (Technical Corrections Round 4); and

WHEREAS, the project includes requested Zone Changes as shown in attached Exhibit C; Ordinance Corrections as shown in attached Exhibit D; General Plan Amendments as shown in

attached Exhibit E, and Zone Changes and General Plan Amendments as shown in attached Exhibit F; and

WHEREAS, the Permit Resource and Management Department determined that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the state CEQA Guidelines; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on June 6, 2013 at which time all interested persons were given an opportunity to be heard.

WHEREAS, after discussion the Planning Commission recommended removal of the Technical Correction Category 2 (Ordinance Correction to revise the title of Ordinance No. 5987) from the proposed project because it does not qualify as a technical correction; and recommended removal of Technical Correction Category 3a (add Policy LU-20ff regarding the Sonoma Developmental Center and Skaggs Island properties to the land use designation) from the proposed project because the two subject parcels are not part of either the Sonoma Developmental Center or Skaggs Island:

1. APN 128-471-019; 801 Fremont Drive, Sonoma
2. APN 128-471-028; No Address, Sonoma

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings:

1. The Official Zoning Database contains known errors that occurred during the transition from the previously adopted Zoning Maps to the current digital Zoning Database. This project will correct those errors and restore the subject parcels to the correct zoning.
2. The project will ensure the Official Zoning Database provides accurate and accessible information.
3. The project is consistent and/or will ensure consistency with the General Plan.
4. The project is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3), as it can be seen with certainty that the project will have no significant effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors find the project to be exempt from CEQA and approve the requested Zone Changes as shown in attached Exhibit C; General Plan Amendments as shown in attached Exhibit E, with the exception of those for APNs 128-471-019, 801 Fremont Drive, Sonoma and APN 128-471-028, No Address, Sonoma; and Zone Changes and General Plan Amendments as shown in attached Exhibit F.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be

Resolution No.: 13-010

June 6, 2013

Page 3

found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Carr, who moved its adoption, seconded by Commissioner Davis, and adopted on roll call by the following vote:

Commissioner Carr	Aye
Commissioner Montoya	Aye
Commissioner Cook	Aye
Commissioner Davis	Aye
Commissioner Liles	Aye

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.



Sonoma County Planning Commission **MINUTES**

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: June 6, 2013
Meeting No.: 13-006

ROLL CALL

Commissioners

Greg Carr
Shawn Montoya
Paula Cook
Pam Davis
Jason Liles - Chair

Staff Members

Jennifer Barrett
Jane Riley
Lisa Posternak
Sue Dahl
David Hurst, Chief Deputy County Counsel

1:00 PM Call to order and Pledge of Allegiance

Approval of Minutes -

Correspondence

Board of Supervisors Actions

Commissioner Announcements/Disclosures

Public Appearances

Items scheduled on the agenda

REGULAR CALENDAR

Item No. 2 Time:	1:10 p.m.	File:	ZCE13-0004
Applicant:	Sonoma County PRMD	Staff:	Lisa Posternak
Env. Doc:	Categorical Exemption		
Proposal:	Various Amendments to the General Plan and Zone Changes to correct technical errors in the General Plan and Official Zoning Database.		
Location:	Countywide		
APN:	multiple	Supervisorial District:	All
Zoning:	Various		

Lisa Posternak summarized the staff report, which is incorporated herein by reference.

Public Hearing Opened: 3:00 p.m.

Daniel Dragos owns property on Minnie Street in Geyserville. When he purchased the property it was zoned commercial, and he was unaware of the HD designation on the parcel. Mr. Dragos asked for removal of the HD zoning. He wants to build a granny unit, which is prohibited because of the commercial zoning.

Staff Posternak commented that the proposal does not include removing HD, and Mr. Dragos would need to apply to the Landmarks Commission to remove the HD designation, and they may not approve it. She suggested instead to work with a consultant to design the granny unit so it would be acceptable to the Landmarks Commission.

Commissioners Montoya and Cook offered to help Mr. Dragos out by offering their services as historic architect and architectural historian.

Public Hearing Closed: 3:30

The Sonoma Development Center issue was removed and will be put on the next round, as were the ordinance corrections.

Action: **Commissioner Carr** moved to recommend approval to the Board of Supervisors, with deletion of 2 and 3a. Seconded by **Commissioner Davis** and passed with a 5-0 vote.

Appeal Deadline: n/a

Resolution No.: 13-010

Carr: Aye

Ayes: 5

Montoya: Aye

Noes: 0

Cook: Aye

Absent: 0

Davis: Aye

Abstain: 0

Liles: Aye

Minutes adopted August 29, 2013



Sonoma County Planning Commission
STAFF REPORT
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FILE: ZCE13-0004
DATE: June 6, 2013
TIME: 1:10 p.m.
STAFF: Lisa Posternak, Project Planner

Board of Supervisors hearing will be held at a later date and will be noticed at that time.

SUMMARY

Applicant: County of Sonoma

Location: Various

Subject: Technical Corrections to the General Plan and Official Zoning Database.

PROPOSAL: Various Amendments to the General Plan and Zone Changes to correct technical errors in the General Plan and Official Zoning Database.

Environmental Determination: Catagorical Exemption, Section 15061(b)(3) and 15301

General Plan: Various

Ordinance Reference: Section 26-02-110, Section 26-02-130, Section 26C-9, and Section 26C-11

Zoning: Various

RECOMMENDATION: Adopt the Resolution recommending the Board of Supervisors approve the proposed General Plan Amendments and Zone Changes.

ANALYSIS

Background:

On June 12, 2007 the Board of Supervisors (BOS) approved Resolution No. 07-0526 and adopted Ordinance Numbers 5739 and 5740, thereby amending Chapters 26 and 26C of the County Code to create an Official Zoning Database (OZD) to replace the old paper Zoning Maps of the County. The OZD is a computer database that maintains zoning information for all unincorporated parcels in Sonoma County. A primary focus and intent of the conversion to a digital database was to provide a data-driven methodology for application of the various zoning districts to improve the accuracy of the database and accessibility of that information. As part of this process, Permit and Resource Management Department (PRMD) staff identified numerous zoning discrepancies related to the improved accuracy of digital data and noted that they will

continue to evaluate the accuracy of the database and bring forward technical corrections annually to maintain and improve it.

The BOS has adopted three sets of technical corrections to the OZD, some of which required concurrent General Plan Amendments. This current set of technical corrections is referred to as Technical Corrections - Round 4. A Notice of Public Hearing was mailed to the owners of all parcels for which technical corrections are proposed.

Project Description:

The purpose of this proposed project is to correct technical errors in zoning resulting from the availability of new data for combining zoning district boundaries, incorrect Ordinance and Sectional District Map language, and inaccurate manual transcription of data; and to provide consistency of zoning with General Plan land use designations. The proposed Zone Changes do not reflect any substantive change in County land use policy. The project also includes General Plan Amendments that would reconcile known inconsistencies between the zoning and land use designations of parcels.

DISCUSSION OF ISSUES

Issue #1: General Plan Consistency

A majority of the proposed Zone Changes are consistent with or will bring the parcels into conformance with General Plan 2020. However, a small percentage of the technical corrections also require amendment of the General Plan 2020 Land Use Map to resolve inconsistencies with zoning. These amendments are described below and provide consistency between the General Plan land use designation and zoning of affected parcels.

Issue #2: Technical Errors

The proposed technical corrections have been organized into categories. "Category" is the specific type of technical correction proposed – a Zone Change, General Plan land use designation amendment, combination, or Ordinance correction. "Error Category" is the type of error that resulted in the need for the technical correction. Exhibits C through F identify the "Category" for each of the proposed technical corrections.

Zone Changes Only (Exhibit C)

A combining zoning district is a zoning overlay on the base zoning district and includes the following zoning districts: AH (Affordable Housing), BR (Biotic Resources), F1 (Floodway Combining District), F2 (Floodplain Combining District), G (Geologic Hazard), HD (Historic District), MR (Mineral Resources), SD (Scenic Design), SR (Scenic Resources), and VOH (Valley Oak Habitat). The following technical corrections involve changing the combining zoning district parcels.

Category 1.a: Floodway & Floodplain Zone Change
Error Category: Zoning Correction Based on Availability of New Data

The Federal Emergency Management Agency (FEMA) adopted revised flood elevations for the County of Sonoma that become effective on October 16, 2012. The revised flood elevations resulted in changes in the location and extent of FEMA flood hazard zones. The County's F1 (Floodway) and F2 (Floodplain) Combining Zoning Districts correspond to the FEMA flood hazard zones. Therefore, the location and extent of the F1 and F2 Combining Zoning Districts must be revised to reflect the revised FEMA flood hazard zones. This set of technical corrections adds F1 and/or F2 zoning to 210 parcels throughout the County.

Category 1.b: Mineral Resource Zone Change
Error Category: Zoning Error Based on Error on Sectional District Map

Ordinance 3398 adopted on January 15, 1985 adds the MR (Mineral Resource) Combining Zoning District to two parcels (APNs 068-020-022,-023). However, the Sectional District Map attached to the Ordinance incorrectly shows four additional parcels to be zoned MR (APNs 068-030-003,-005,-006,-007). This set of technical corrections removes the MR zoning from these four parcels located at 5100 & 5000 Lakeville Highway and 200 & 300 Stage Gulch Road, Petaluma.

Category 1.c: Affordable Housing Zone Change
Error Category: Zoning Error Based on Error in Technical Correction

As part of adoption of General Plan 2020, Ordinance 5800 (adopted September 23, 2008) adds the AH (Affordable Housing) Combining Zoning District to numerous parcels, including APN 140-180-035. Under Ordinance No. 5850 (adopted September 1, 2009) implementing Technical Corrections - Round 1, the extent of the SR zoning for the Scenic Highway Corridor on APN 140-180-035 was adjusted, but in error the AH zoning was also removed. This technical correction adds AH zoning back to this parcel located at 21837 Geyserville Avenue, Geyserville.

Ordinance Corrections (Exhibit D)

Category 2: Ordinance Correction
Error Category: Error in Ordinance Text

Ordinance No. 5987 adopted May 8, 2012 rezoned APNs 039-012-008 and -040 from C2 (Retail Business and Service) to C3 (General Commercial). However, the title of the Ordinance lists the APNs as 139-012-008 and 040. This technical correction revises the title of Ordinance No. 5987 to reflect APNs 039-012-008 and 040.

General Plan Amendments Only (Exhibit E)

Category 3.a: Add General Plan Land Use Policy
Error Category: Error in Application of General Plan Land Use Policy to Land Use

Certain Planning Area Policies in General Plan 2020 apply to specific parcels and should be added as a Land Use Policy to the land use designation of those parcels. In error Planning Area Policy LU-20ff was not added to the land use designation for APNs 128-471-019 and -028. This technical correction adds Policy LU-20ff to the land use designation of these two parcels located at 801 Fremont Drive, Sonoma and no address assigned.

Policy LU-20ff: *Consider future public uses of the Sonoma Developmental Center and Skaggs Island properties as a priority if they are declared surplus and offered for sale to local agencies, particularly park, recreation, and open space uses and affordable housing.*

Category 3.b: Amend General Plan Land Use Designation

Error Category: Error in Manual Entry of Land Use Data

An error was made in manually transcribing the land use designation for APNs 062-114-050 and -051 from the working draft to the final Land Use Map of the 1989 General Plan. The land use designation for both parcels is RR 3 (Rural Residential, 3 acre-density), but in error the RR 4 (Rural Residential, 4 acre-density) land use designation was assigned to these parcels. This technical correction changes the land use designation of these two parcels located at 4750 and 4818 Turner Road, Petaluma from RR 4 to RR 3.

Zone Changes and General Plan Amendments (Exhibit F)

Category 4.a: Remove Zoning and General Plan Land Use Policy

Error Category: Error in Application of General Plan Land Use Policy to Zoning and Land Use

Certain Planning Area Policies in General Plan 2020 apply to specific parcels and were added as a Land Use Policy to both the zoning and General Plan land use designation of those parcels. General Plan Policy LU-19h applies to parcels within the Sonoma Mountain Area Plan boundary. However, in error Policy LU-19h was added to the zoning and land use designation of seven parcels adjacent to but outside the boundary. This technical correction removes Land Use Policy LU-19h from the zoning and land use designation of seven parcels: APNs 136-190-003, 010, 016 (no address and 3200 & 2482 Sonoma Mountain Road, Penngrove); 136-201-039, -043, -050 (6600 and 6543 Lichau Road, Penngrove and no address assigned), and 136-450-005 (no address assigned). General Plan Policy LU-19h reads as follows:

Policy LU-19h: *Development within the watershed above the City of Petaluma water delivery system designated in the Sonoma Mountain Area Plan is subject to the following policies:*

- (1) Review all development proposals in the vicinity with regard to their beneficial and adverse impacts,*
- (2) Encourage greater public awareness relative to wildlife and wildlife management programs,*
- (3) Encourage the use of natural areas for educational purposes, and*
- (4) Enforce County Ordinance 1108, which provides criteria for stream maintenance and construction encroachments.*

Category 4.b: Zone Change and Amend General Plan Land Use Designation

Error Category: Correction to Zoning and Land Use to Reflect Conforming Use

A single-family dwelling has occupied APN 140-140-051 for over 100 years and continues to be used as a residence. The commercial land use designation and zoning of the parcel is inconsistent with the residential use of the site. Most surrounding parcels are designated and zoned for urban residential uses. This technical correction changes the land use designation of APN 140-140-051 from GC (General Commercial) to UR (Urban Residential), B6-6 dwellings/acre and changes the zoning from C2 (Retail Business & Service), HD (Historic District) to R2 (Medium Density Residential), B6-6 dwellings/acre, HD (Historic District) to conform with the existing residential use of the property located at 21436 Minnie Street, Geyserville.

Category 4.b: Zone Change & Amend General Plan Land Use Designation
Error Category: Error in Lot Line Adjustment Condition of Approval

A General Plan Amendment and Zone Change application (PLP04-0065) to change the land use designation and zoning density of APNs 088-050-015 (no assigned address), 088-070-002, and -003 (3400 Passalacqua Road, Healdsburg) was processed as a condition of a previously approved Lot Line Adjustment (LLA03-0086). The General Plan Amendment and Zone Change was to prohibit further development on the two subject parcels. However, an error occurs in Ordinance No. 5561 and the associated Sectional District Map does not include APN 088-050-015 or the entire acreage of APN 088-070-002. This technical correction changes the land use designation and zoning of APNs 088-050-015 and 088-070-002 from RRD (Resources and Rural Development) 100 acre-density and RRD (Resources and Rural Development), 100 acre-density, BR (Biotic Resources), F1 (Primary Floodway) to RRD (Resources and Rural Development), 120 acre-density and RRD (Resources and Rural Development, 120 acre-density, BR (Biotic Resources), F1 (Primary Floodway).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached Resolution recommending the Board of Supervisors approve the proposed Zone Changes and General Plan Amendments to correct technical errors.

FINDINGS FOR RECOMMENDED ACTION

1. The Official Zoning Database contains known technical errors that occurred during the transition from the previously adopted paper Zoning Maps to the current digital Zoning Database. This project will correct those errors and restore the correct zoning to the subject parcels.
2. The project will ensure the Official Zoning Database provides accurate information.
3. The project is consistent or will ensure consistency between the General Plan land use designation and zoning.
4. The proposed Ordinance is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3), as it can be seen with certainty that the project will have no significant effect on the environment.

LIST OF ATTACHMENTS

EXHIBIT A: Draft Ordinance for Zone Changes (and Exhibit A to Ordinance)
EXHIBIT B: Draft General Plan Amendment and Sectional District Maps
EXHIBIT C: Zone Changes Only
EXHIBIT D: Ordinance Correction
EXHIBIT E: General Plan Amendments Only
EXHIBIT F: Zone Changes and General Plan Amendments
EXHIBIT G: Draft Resolution

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, TO CORRECT TECHNICAL ERRORS CONTAINED IN THE OFFICIAL ZONING DATABASE.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database (OZD) of the County, adopted by reference by Sections 26-02-110 and 26C-9 of the Sonoma County Code, is amended by reclassifying certain real property from the existing zoning designations to the zoning designations set forth in Exhibit "A," attached hereto and incorporated herein by this reference. The Board hereby finds these changes to be consistent with the Sonoma County General Plan. The Director of the Permit and Resource Management Department is directed to reflect these amendments to the OZD as shown in Exhibit "A" (ZCE13-0004).

SECTION II: The Official Zoning Database contains known errors that occurred during the transition from the previously adopted Zoning Maps to the current digital Zoning Database. This project will correct those errors and restore the subject parcels to the correct zoning. The project is exempt from the California Environmental Quality Act under Section 15061(b)(3), as it can be seen with certainty that the project will not have a significant effect on the environment.

SECTION III: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IV: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this _____ day of _____, 2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: McGuire: Carrillo: Zane: Rabbitt:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica A. Ferguson
Clerk of the Board of Supervisors

Exhibit A

Zone Changes

Technical Corrections Round 4 (ZCE 13-0004)

APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
035-212-008	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-212-013	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-212-015	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-223-013	RR B6 1.5, VOH	RR B6 1.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-241-006	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
038-131-018	RR B6 5, VOH	RR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-036	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-049	RAIL, VOH	RAIL, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-058	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-002	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-003	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-004	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-005	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-006	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-007	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-008	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-003	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-004	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-005	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-016	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-003	RR B6 2 DU, VOH	RR B6 2 DU, F1 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-005	RR B6 2 DU, VOH	RR B6 2 DU, F1 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-018	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-023	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-036	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-037	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
043-162-038	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-039	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-040	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-041	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-002	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-003	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-004	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-005	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-006	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-007	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-008	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-009	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-010	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-011	R1 B6 5 DU, VOH	R1 B6 5 DU, VOH	1a: Zoning Correction Based on Availability of New Data
043-163-012	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-013	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-014	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-015	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-163-016	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-002	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-003	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-004	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-005	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-006	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-007	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-008	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-009	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-012	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-013	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-014	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-015	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
043-164-016	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-017	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-018	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-019	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-020	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-021	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-023	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-024	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-025	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-026	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-034	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-043	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-045	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-047	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-048	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-049	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-050	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-051	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-200-001	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-300-040	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
044-061-033	RRD B6 40/10 (Ac/DU)/Ac MIN, G SR	RRD B6 40/10 (Ac/DU)/Ac MIN, F1 G SR	1a: Zoning Correction Based on Availability of New Data
044-180-026	RRD B6 40, SR	RRD B6 40, F1 SR	1a: Zoning Correction Based on Availability of New Data
044-180-028	RRD B6 40, SR VOH	RRD B6 40, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
044-180-029	RRD B6 40, SR	RRD B6 40, F1 SR	1a: Zoning Correction Based on Availability of New Data
059-350-016	MP 2 AC AVG, VOH	MP 2 AC AVG, AH VOH	1a: Zoning Correction Based on Availability of New Data
060-040-006	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-017	LEA B6 100 Z, F2 SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-030	M3, F2 VOH	M3, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
060-040-034	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-036	LEA B6 100 Z, F2 SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-039	M3, F2 SR VOH	M3, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-020	M3, SR VOH	M3, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-022	M3, SR VOH	M3, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
060-060-030	DA B6 40, BR SR VOH	DA B6 40, BR F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-031	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-032	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-038	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-041	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-054	LEA B6 100, BR F2 VOH	LEA B6 100, BR F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
060-060-056	LEA B6 100, BR F2 SR VOH	LEA B6 100, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-058	LEA B6 100 Z, BR F2 SR VOH	LEA B6 100 Z, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-063	LEA B6 100, BR F2 SR VOH	LEA B6 100, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-070-019	DA B6 40, BR SR VOH	DA B6 40, BR F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
063-180-015	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
063-180-046	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
068-030-003	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-005	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-006	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-007	DA B6 30, MR SR	DA B6 30, SR	1b: Zoning Error Based on Error in Sectional District Map
088-050-015	RRD B6 100, BR F1	RRD B6 120, BR F1	4b: Error in Lot Line Adjustment Condition of Approval
088-070-002	RRD B6 100, BR F1	RRD B6 120, BR F1	4b: Error in Lot Line Adjustment Condition of Approval
088-200-010	LIA B6 20 Z, F2 SR VOH	LIA B6 20 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
110-130-007	LIA B6 20 Z, BR F1 SR VOH	LIA B6 20 Z, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
116-310-038	RR B8, SR	RR B8, F2 SR	1a: Zoning Correction Based on Availability of New Data
125-213-012	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-002	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-003	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-004	RR B6 10, VOH	RR B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-321-002	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-331-001	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-331-004	RR B6 4, VOH	RR B6 4, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-411-011	RR B6 4, VOH	RR B6 4, F1 VOH	1a: Zoning Correction Based on Availability of New Data
125-421-018	RR B6 4, VOH	RR B6 4, AH VOH	1a: Zoning Correction Based on Availability of New Data
125-421-019	RR B6 4, VOH	RR B6 4, AH VOH	1a: Zoning Correction Based on Availability of New Data
125-531-001	RR B6 4, VOH	RR B6 4, F2 VOH	1a: Zoning Correction Based on Availability of New Data
127-242-038	RR B6 2, F1	RR B6 2, F1 F2	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
127-251-004	RR B6 2, F1 VOH	RR B6 2, F1VOH	1a: Zoning Correction Based on Availability of New Data
127-302-026	M3, F1 VOH	M3, F1 VOH	1a: Zoning Correction Based on Availability of New Data
127-312-059	AR B6 1.5, F1 F2 VOH	AR B6 1.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-051-012	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-051-013	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-051-014	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-061-041	DA B6 20, SR VOH	DA B6 20, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-076-007	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-076-024	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-076-030	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-027	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-030	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-037	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-049	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-050	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-051	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-053	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-057	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-002	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-004	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-005	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-017	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-018	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-037	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-038	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-055	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-068	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-069	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-071	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-072	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-074	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-076	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-077	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
134-091-078	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-079	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-080	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-081	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-082	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-083	LC, VOH	LC, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-086	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-087	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-088	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-089	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-091	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-092	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-093	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-091-094	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-007	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-009	LC, VOH	LC, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-013	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-020	DA B6 40 Z, SR VOH	DA B6 40 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-021	DA B6 40 Z, SR VOH	DA B6 40 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-029	DA B6 40 Z, SR VOH	DA B6 40 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-033	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-034	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-035	LC, VOH	LC, F2 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-036	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-037	DA B6 40 Z, SR VOH	DA B6 40 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-040	DA B6 40 Z, SR VOH	DA B6 40 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-041	DA B6 40 Z, SR VOH	DA B6 40 Z, V SR VOH	1a: Zoning Correction Based on Availability of New Data
134-201-026	DA B6 10, SR VOH	DA B6 10, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-202-010	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-019	DA B6 40, SR VOH	DA B6 40, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-202-021	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-026	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-028	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
134-202-029	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-030	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-004	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-005	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-010	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-011	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-012	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-013	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-014	DA B6 10 Z, VOH	DA B6 10 Z, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-007	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-011	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-012	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-231-018	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-024	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-027	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-028	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-029	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-032	DA B6 10, SR VOH	DA B6 10, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-033	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-035	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-232-045	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-232-050	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-232-051	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
136-190-003	RRD B6 40 Z, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40 Z, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-190-010	RRD B6 100, BR SR, 19 H [Applies to Portion of Parcel]	RRD B6 100, BR SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-190-016	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-201-039	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-201-043	RRD B6 40, BR SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, BR SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-201-050	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
136-450-005	RRD B6 100, SR, 19 H [Applies to Portion of Parcel]	RRD B6 100, SR	4a: Error in Application of General Plan Land Use Policy to Zonin
140-140-051	C2, HD	R2 B6 6 DU, HD	4b: Correction to Zoning and Land Use to Reflect Conforming Us
140-180-035	LC, SR	LC, AH SR	1c: Zoning Error Based on Error in Technical Correction



Existing General Plan Land Use

Proposed General Plan Land Use

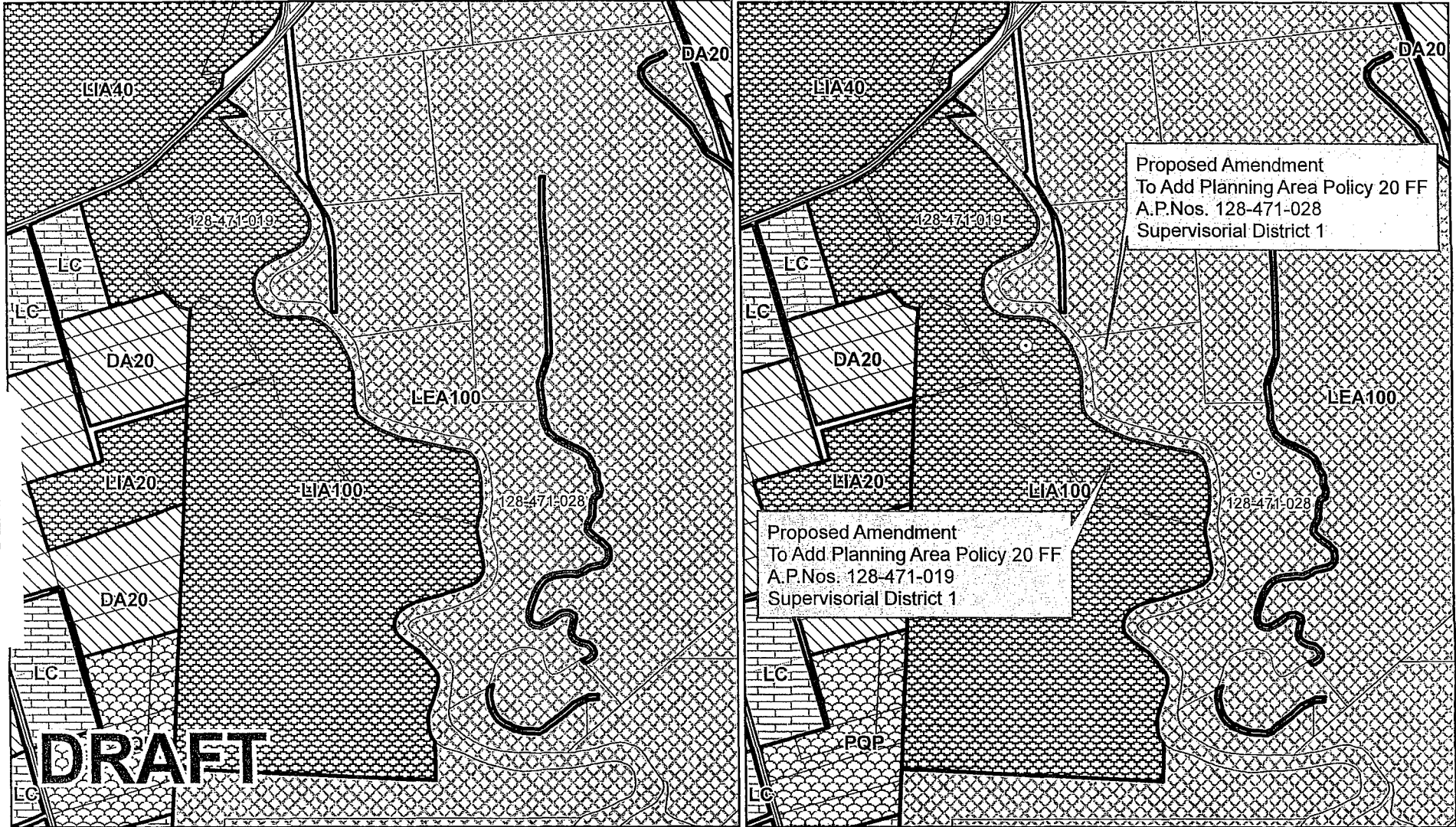
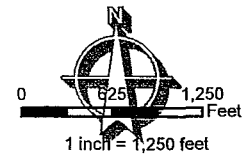


EXHIBIT B

Land Use

	Diverse Agriculture		Urban Residential		General Industrial
	Land Extensive Agriculture		Recreation / Visitor-Serving Commercial		Limited Industrial
	Land Intensive Agriculture		General Commercial		Public / Quasi Public
	Resource and Rural Development		Limited Commercial		Planning Area Policy
	Rural Residential		Limited Commercial Traffic Sensitive		City



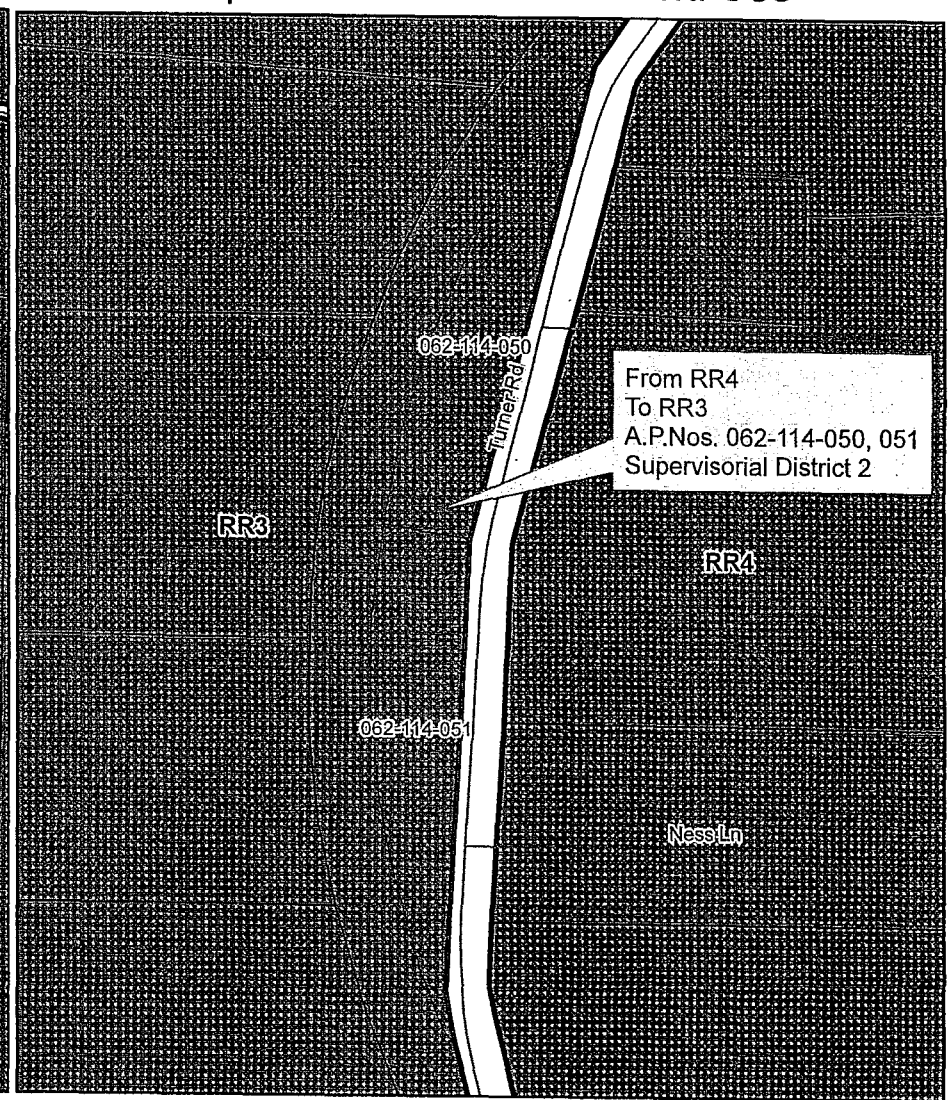
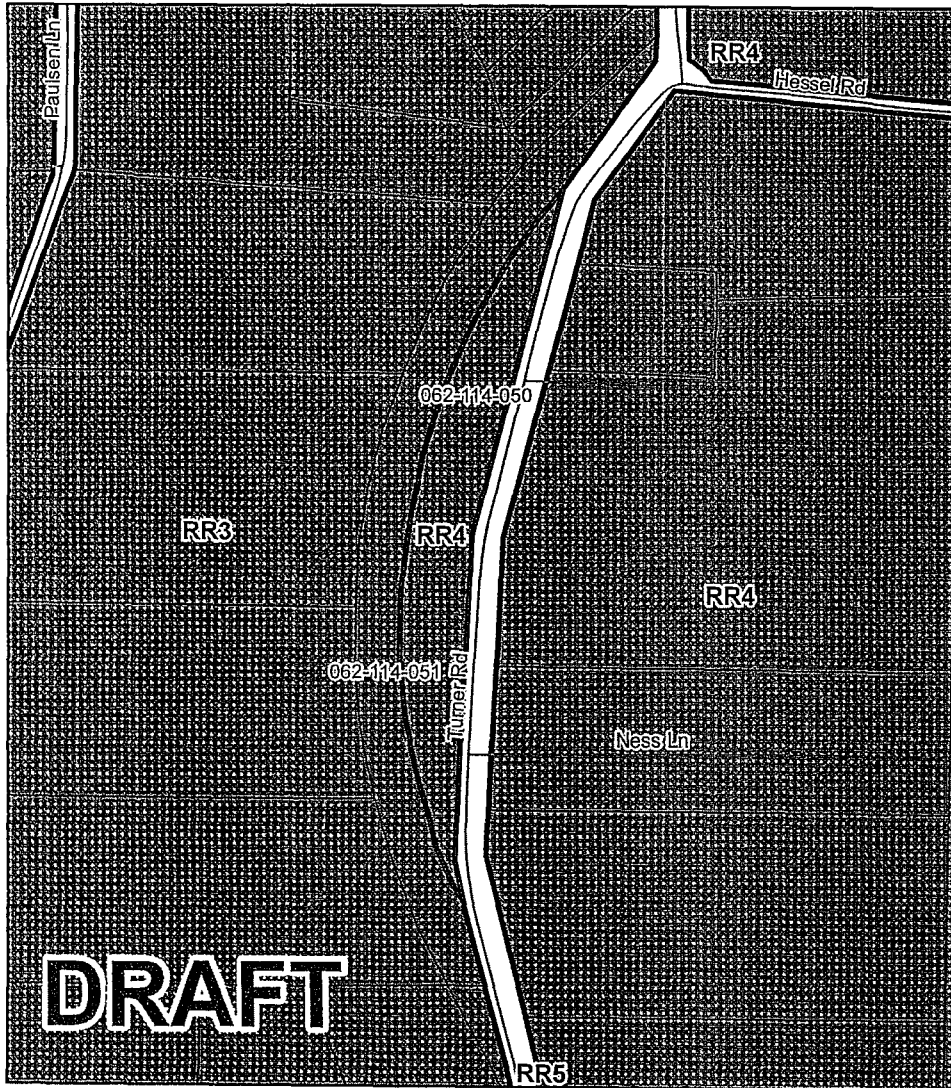
FILE: ZCE 13-0004 (1 of 5)
 AP #: 128-471-019, 028
 Resolution No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Existing General Plan Land Use

Proposed General Plan Land Use



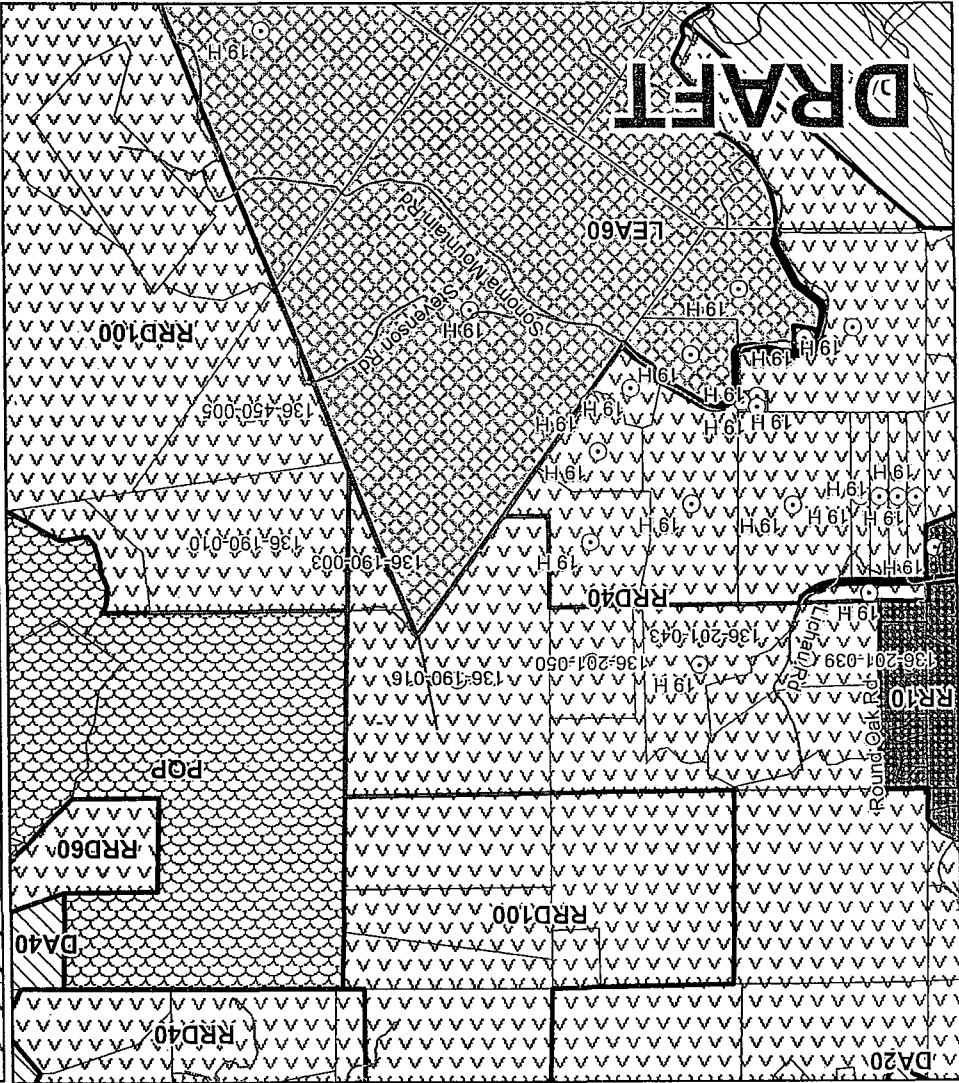
From RR4
To RR3
A.P.Nos. 062-114-050, 051
Supervisorial District 2

Land Use		
Diverse Agriculture	Urban Residential	General Industrial
Land Extensive Agriculture	Recreation / Visitor-Serving Commercial	Limited Industrial
Land Intensive Agriculture	General Commercial	Public / Quasi Public
Resource and Rural Development	Limited Commercial	Planning Area Policy
Rural Residential	Limited Commercial Traffic Sensitive	City

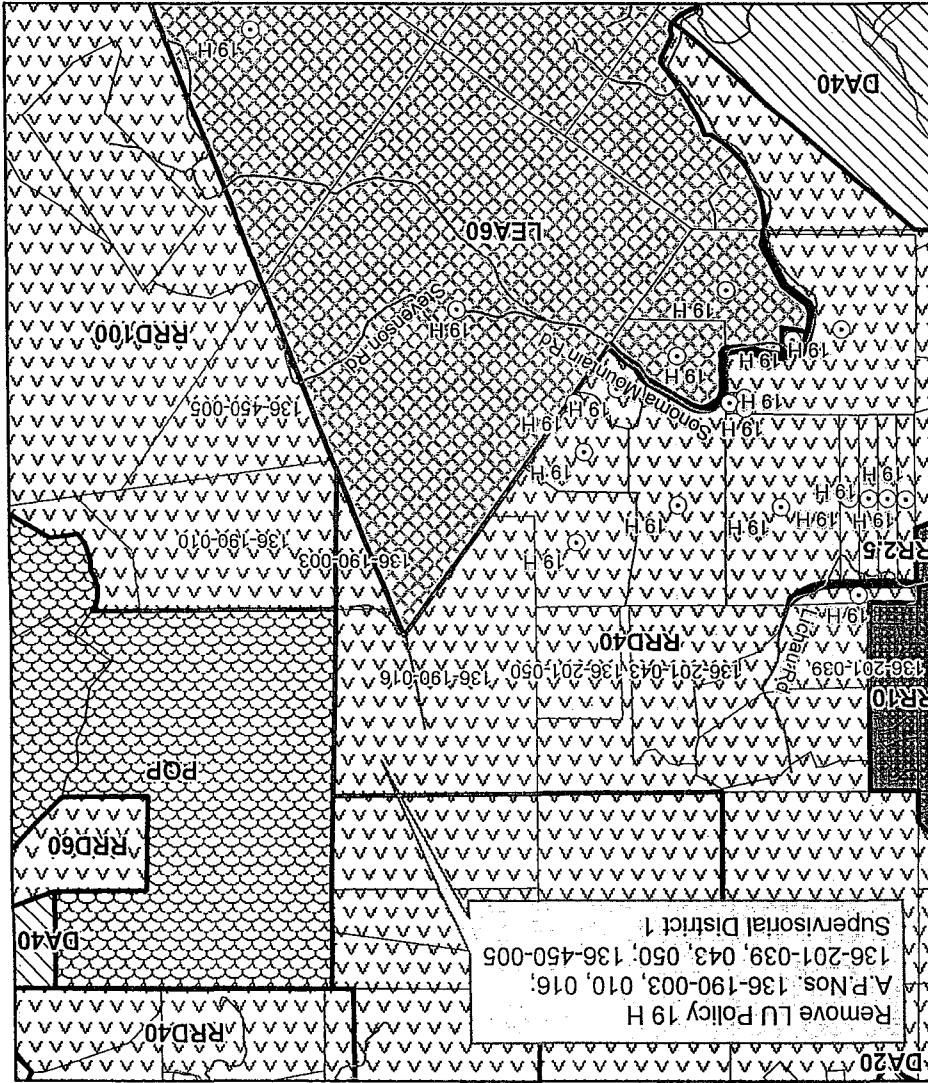
FILE: ZCE 13-0004 (2 of 5)
AP #: 062-114-050, 051
Resolution No.

Permit and Resource Management Department
Project Review Section
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1965 Fax (707) 565-1103

Existing General Plan Land Use



Proposed General Plan Land Use



Remove LU Policy 19 H
 A.P. Nos. 136-190-003, 010, 016;
 136-201-039, 043, 050; 136-450-005
 Supervisorial District 1

Land Use

Diverse Agriculture	Urban Residential	Recreation / Visitor-Serving Commercial	General Industrial
Land Extensive Agriculture	General Commercial	Limited Industrial	Public / Quasi Public
Land Intensive Agriculture	Limited Commercial	Planning Area Policy	City
Resource and Rural Development	Limited Commercial Traffic Sensitive		
Rural Residential			

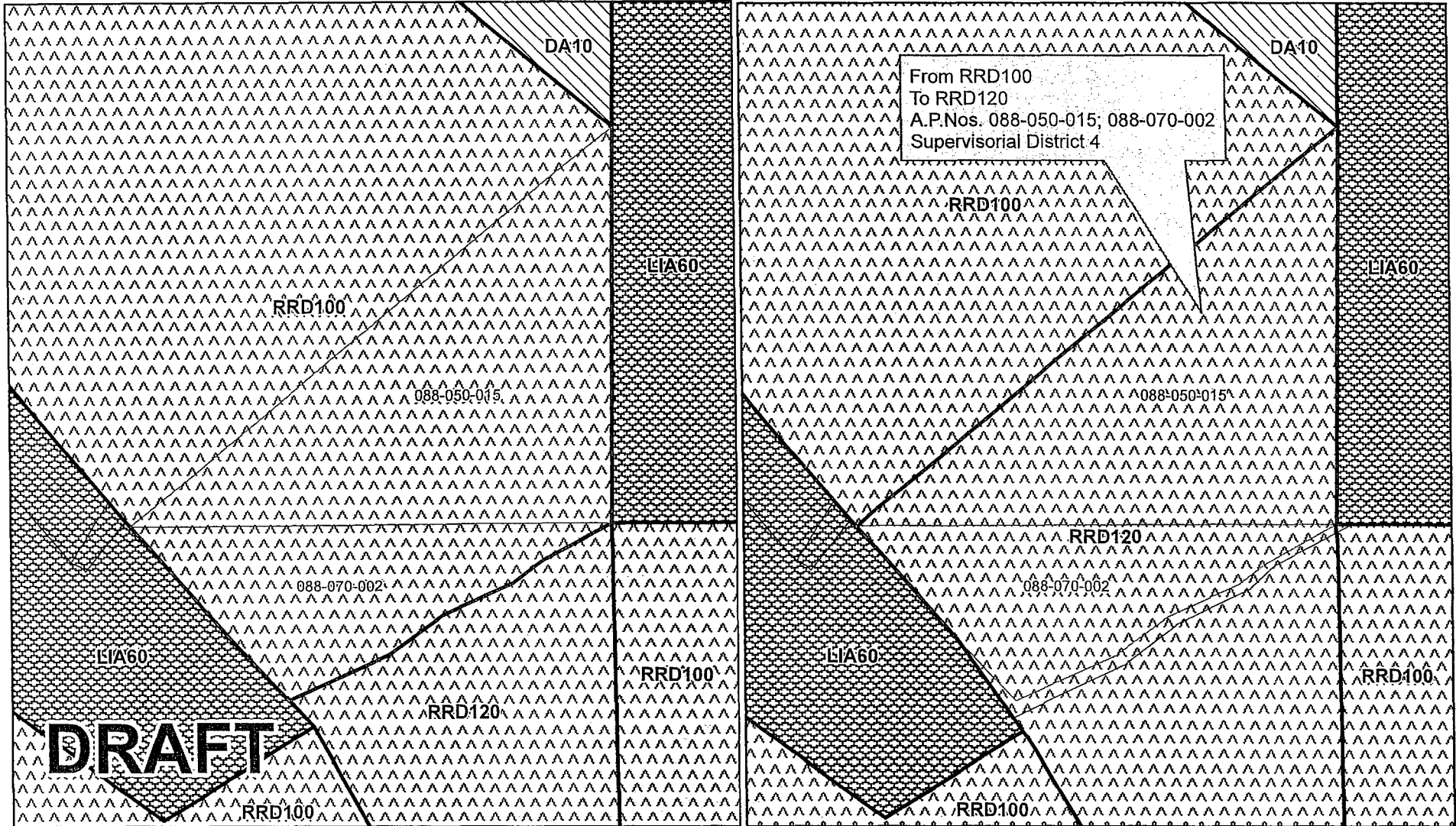
FILE: ZCE 13-0004 (3 of 5)
 AP #: 136-190-003, 010, 016;
 136-201-039, 043, 050; 136-450-005
 Resolution No.

Permit and Resource Management Department
 Project Review Section
 2550 Ventura Avenue, Santa Rosa, CA 95403
 Fax (707) 565-1103
 (707) 565-1965

Author: FRMD Cartography; D. Reinter File No.: S:\GIS-DATA\PRMD_BASE\PRMD Department Projects\Comprehensive Planning\Land Use\Land Use Amendments\Proposed\zce13-004 Reso (3 of 5).mxd Date: 04/03/2013

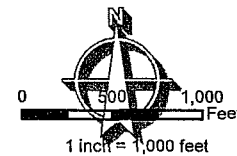
Existing General Plan Land Use

Proposed General Plan Land Use



Land Use

	Diverse Agriculture		Urban Residential		General Industrial
	Land Extensive Agriculture		Recreation / Visitor-Serving Commercial		Limited Industrial
	Land Intensive Agriculture		General Commercial		Public / Quasi Public
	Resource and Rural Development		Limited Commercial		Planning Area Policy
	Rural Residential		Limited Commercial Traffic Sensitive		City



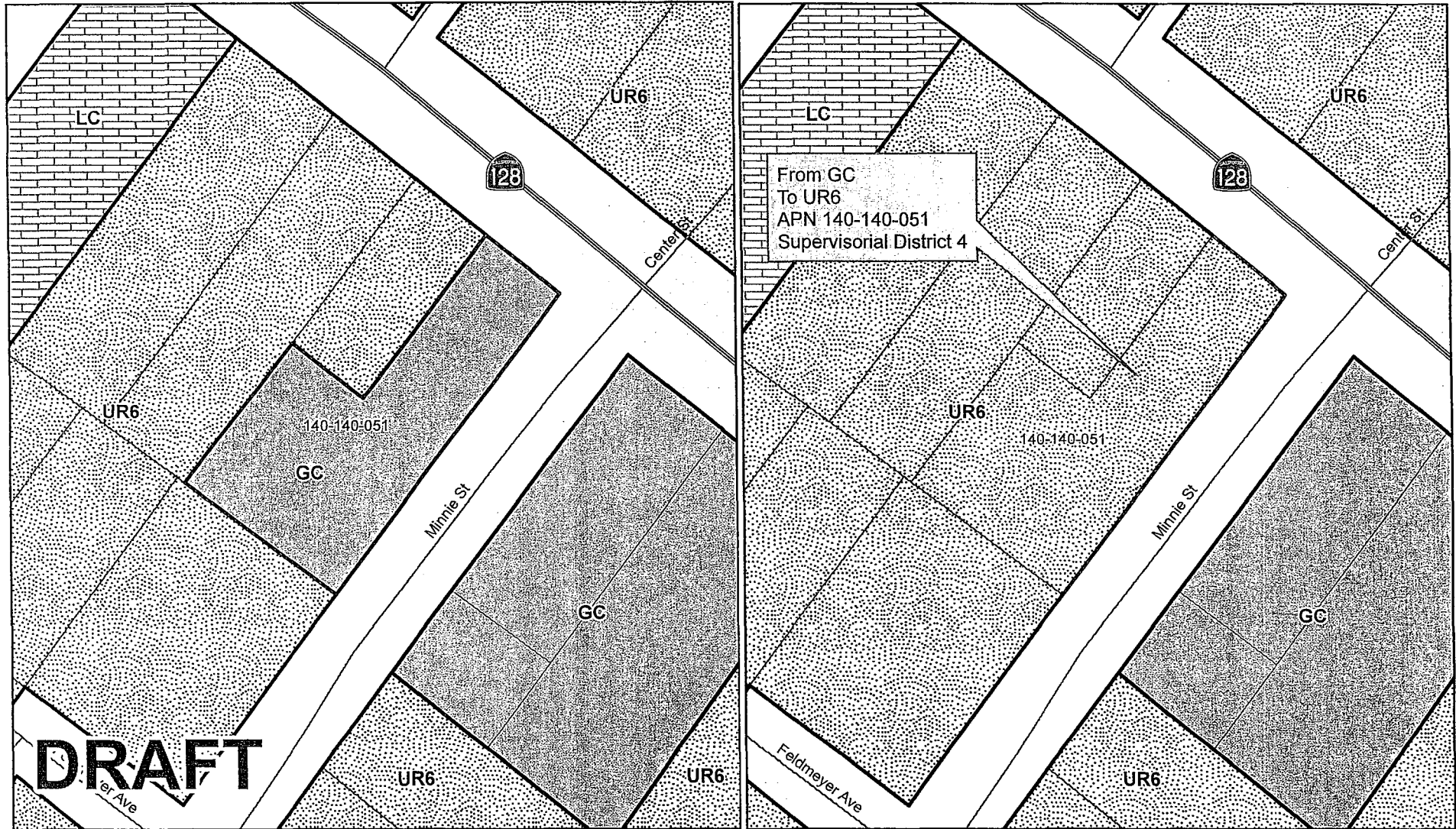
FILE: ZCE 13-0004 (4 of 5)
 AP #: 088-050-015; 088-070-002
 Resolution No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
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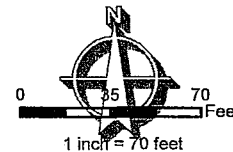
Existing General Plan Land Use

Proposed General Plan Land Use



Land Use

	Diverse Agriculture		Urban Residential		General Industrial
	Land Extensive Agriculture		Recreation / Visitor-Serving Commercial		Limited Industrial
	Land Intensive Agriculture		General Commercial		Public / Quasi Public
	Resource and Rural Development		Limited Commercial		Planning Area Policy
	Rural Residential		Limited Commercial Traffic Sensitive		City

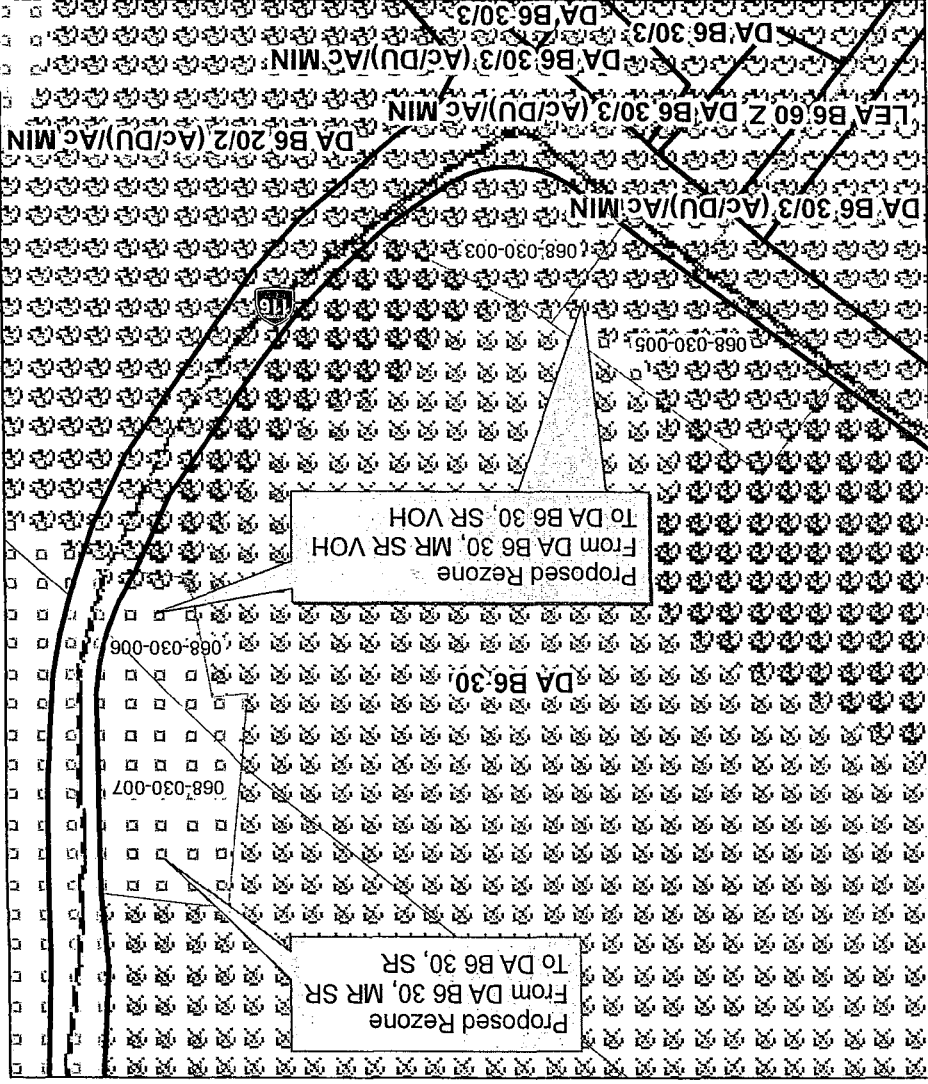


FILE: ZCE 13-0004 (5 of 5)
 AP #: 140-140-051
 Resolution No.

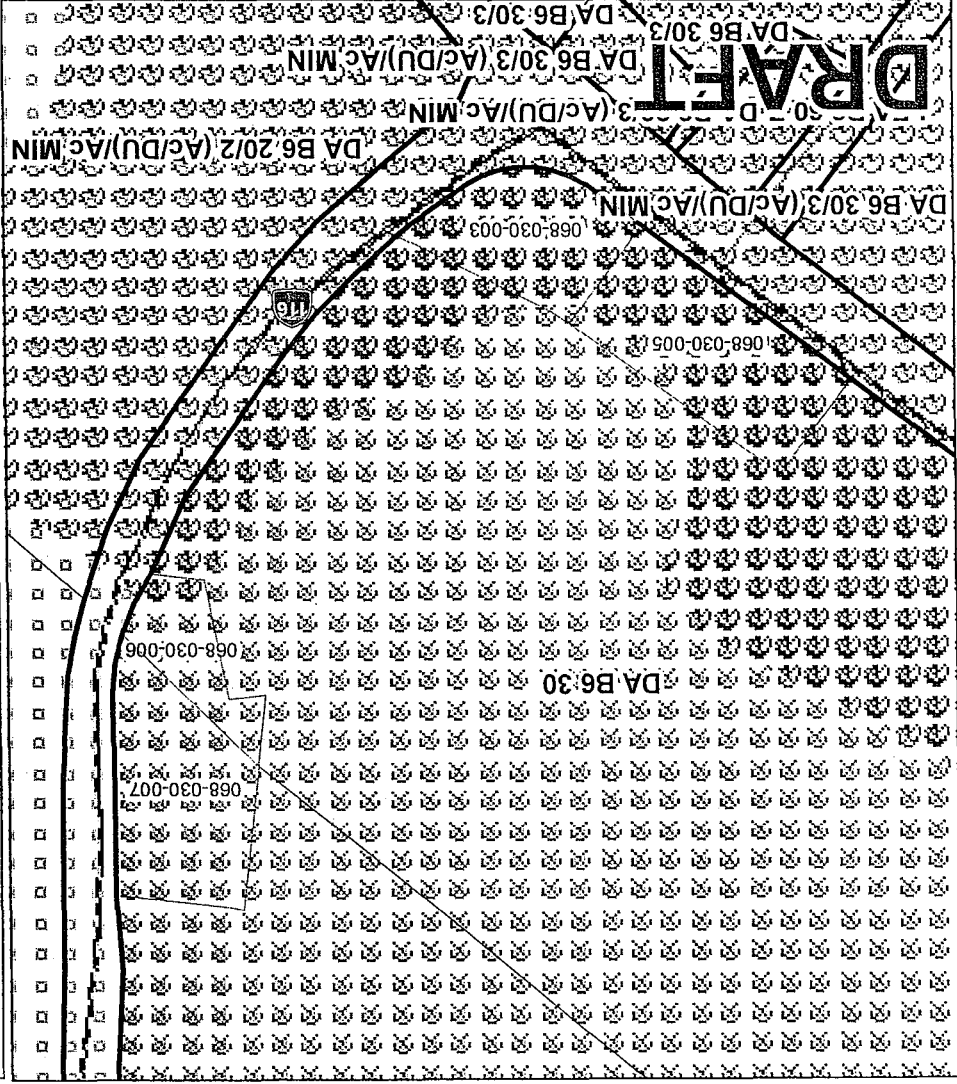
Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Proposed Zoning



Existing Zoning



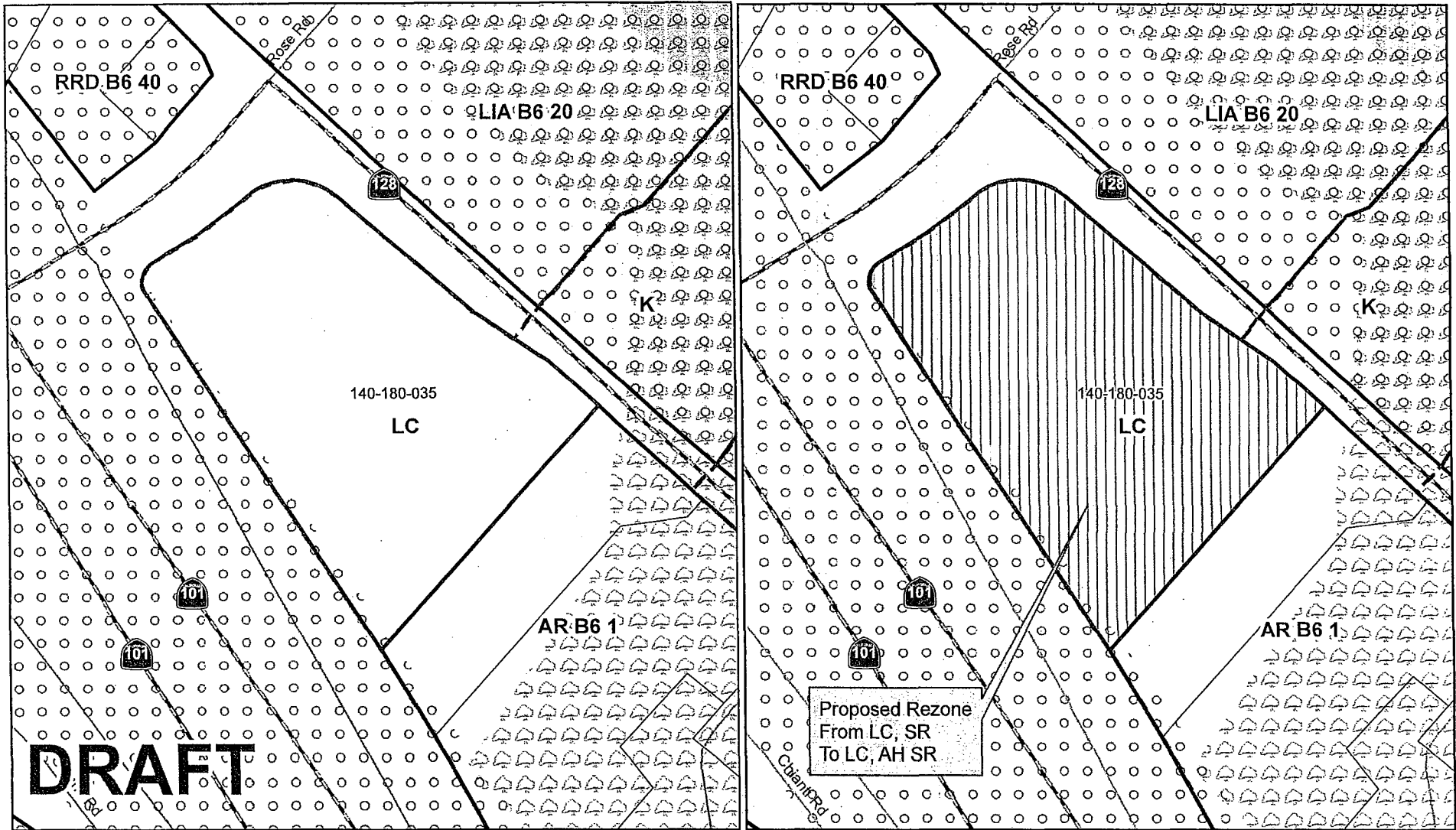
Base Map Data Zoning Combining Districts

	Proposed Rezone		BR Biotic Resource		MR Mineral Resource
	Base zoning by Area		HD Historic District		VOH Valley Oak Habitat
	Highways		AH Affordable Housing		SR Scenic Resource
	Intermittent Stream		SD Scenic Design		G Geologic Hazard
	Perennial Stream		F1 Floodway		F2 Floodplain

0 250 Feet
 1 inch = 250 feet
 Sectional District Map No.
 Ordinance No.
 AP #: 068-030-003, 005, 006, 007
 FILE: ZCE 13-0004 (1 of 5)
 Project Review Section
 Permit and Resource Management Department
 2550 Ventura Avenue, Santa Rosa, CA 95403
 Fax (707) 565-1103
 (707) 565-1965
 Author: PRMD Cartography: D. Reiter File No: S:\GIS-DATA\PRMD_BASE\PRMD Department\Projects\Project Review\Ordinance Mosaic\ORDN\By File\Notice\13-0004 (1 of 5).mxd Date: 04/01/2013

Existing Zoning

Proposed Zoning



DRAFT

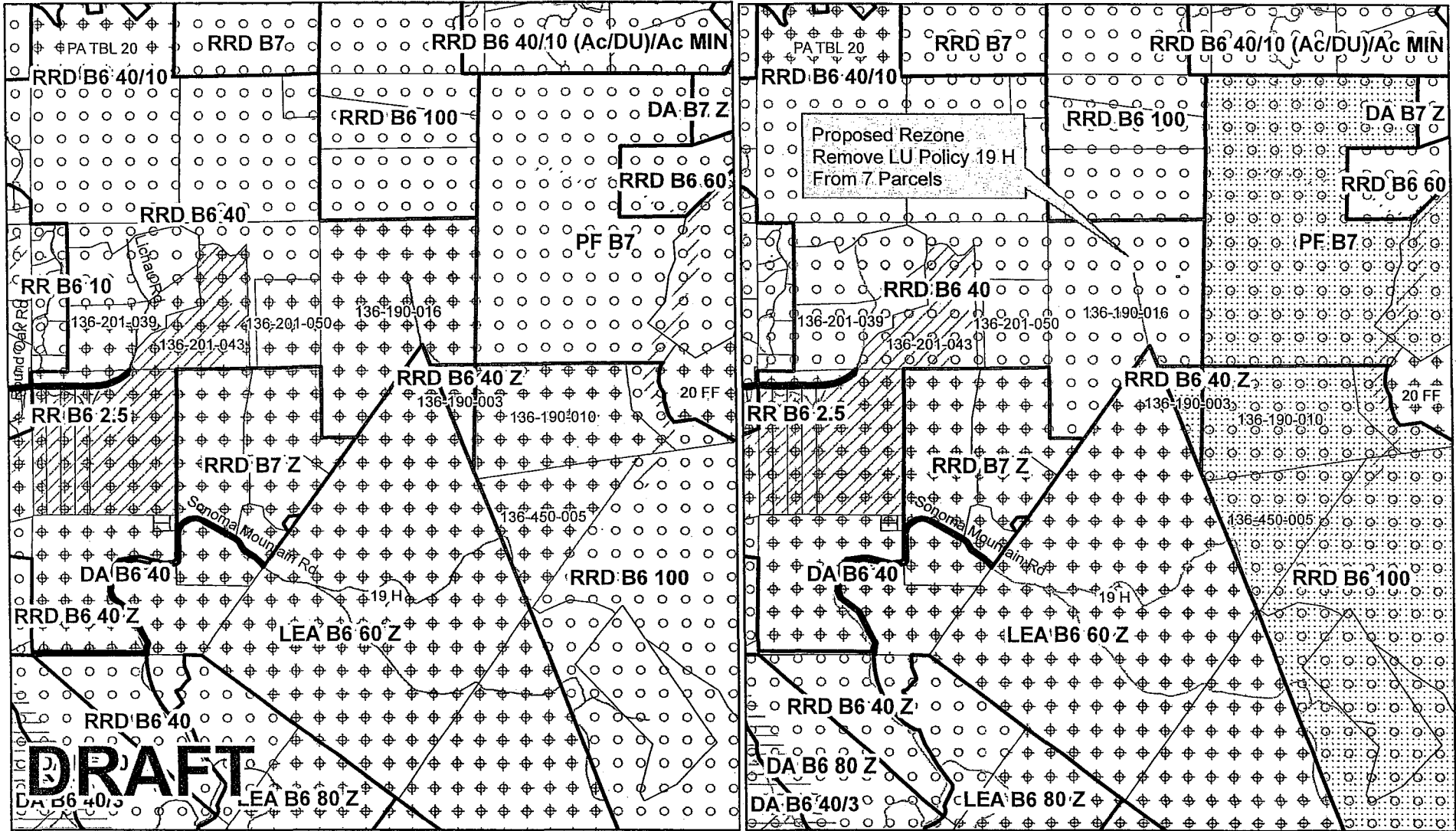
Proposed Rezone
From LC, SR
To LC, AH SR

Base Map Data		Zoning Combining Districts				FILE: ZCE 13-0004 (2 of 5) AP #: 140-180-035 Ordinance No. Sectional District Map No.
<ul style="list-style-type: none"> Proposed Rezone Basezoning by Area Highways Intermittent Stream Perennial Stream 	<ul style="list-style-type: none"> LU Policy AH Affordable Housing HD Historic District BR Biotic Resource 	<ul style="list-style-type: none"> SD Scenic Design SR Scenic Resource VOH Valley Oak Habitat MR Mineral Resource 	<ul style="list-style-type: none"> G Geologic Hazard F2 Floodplain F1 Floodway 			

Permit and Resource Management Department
 Project Review Section
 2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Existing Zoning

Proposed Zoning



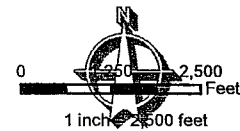
Base Map Data

- Proposed Rezone
- Base zoning by Area
- Highways
- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



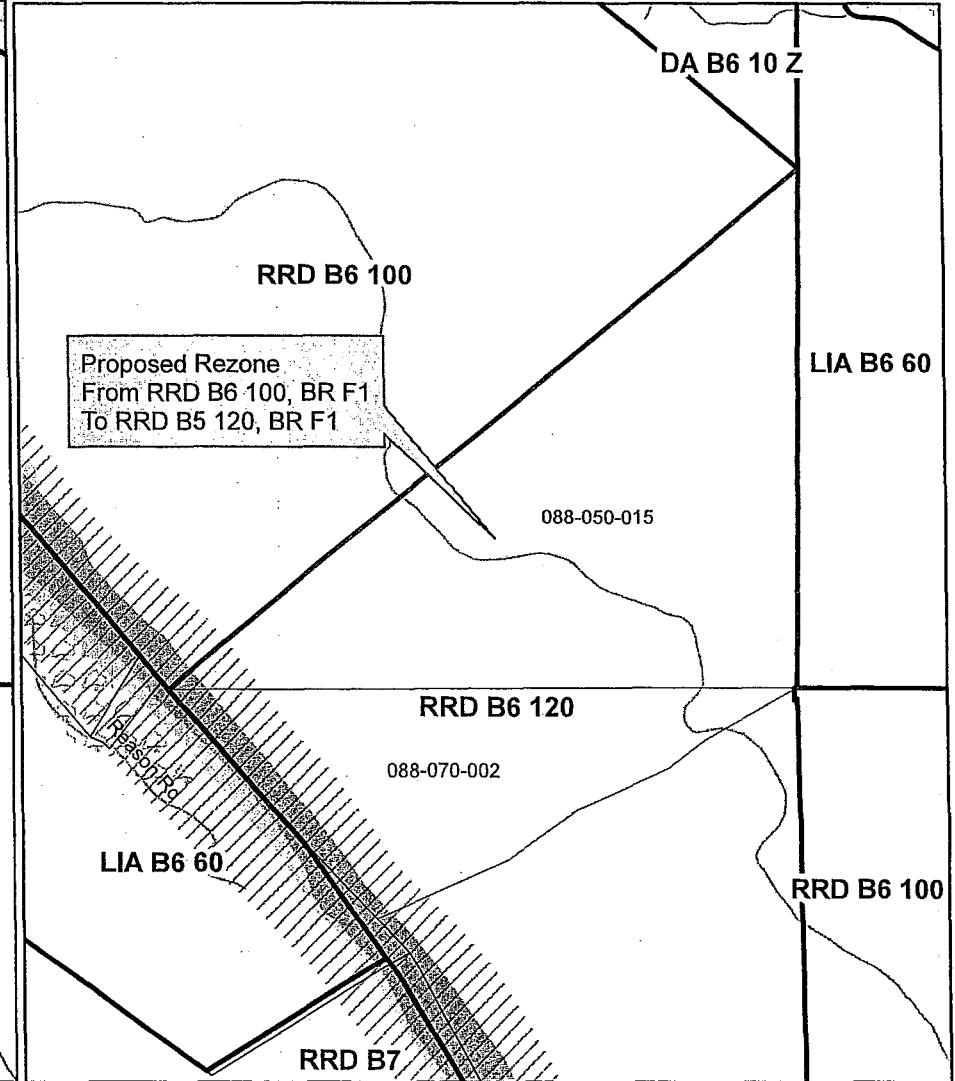
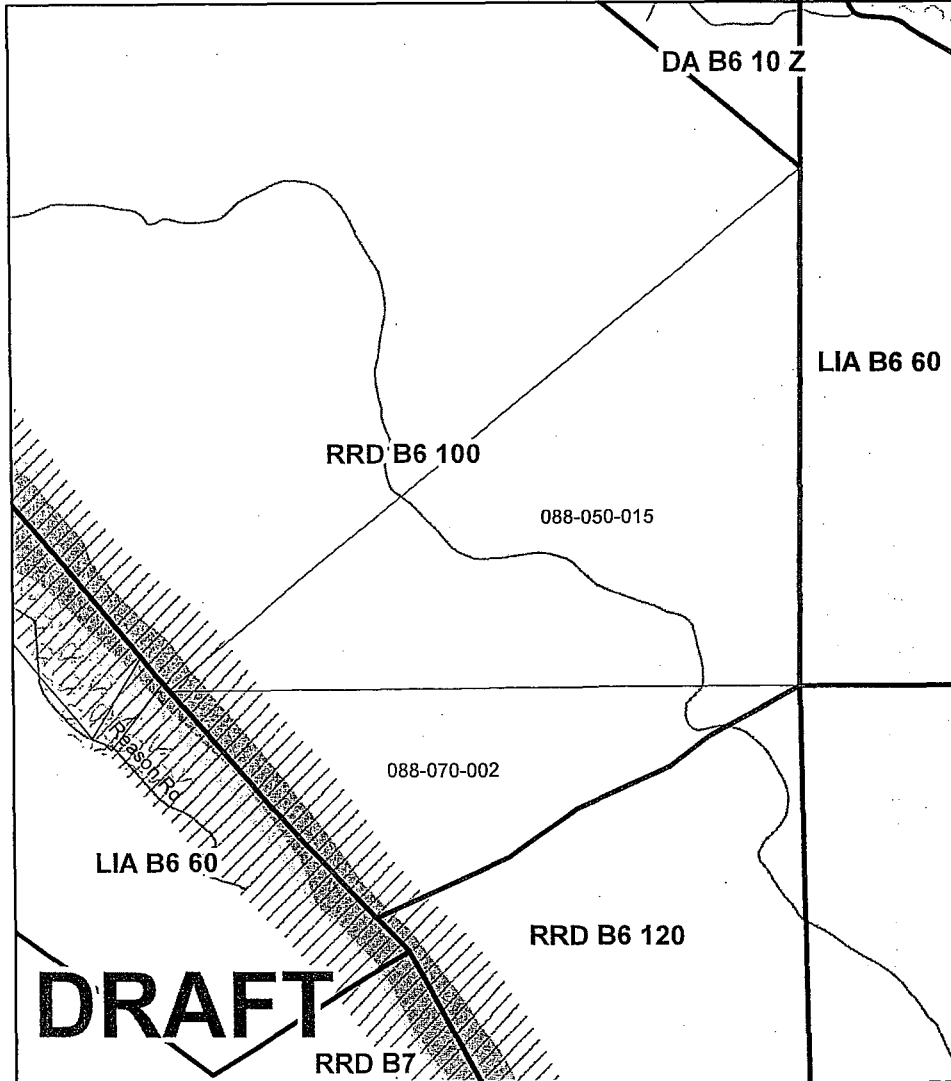
FILE: ZCE 13-0004 (3 of 5)
 AP #: 136-190-003, 010, 016;
 136-201-039, 043, 050; 136-450-005
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Existing Zoning

Proposed Zoning



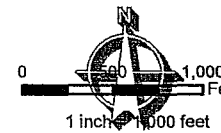
Base Map Data

- Proposed Rezone
- Basezoning by Area
- Highways
- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



FILE: ZCE 13-0004 (4 of 5)
 AP #: 088-050-015; 088-070-002
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Existing Zoning

Proposed Zoning



DRAFT

Base Map Data

- Proposed Rezone
- Basezoning by Area
- Highways
- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway



FILE: ZCE 13-0004 (5 of 5)
 AP #: 140-140-051
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

Exhibit C

Zone Changes Only

Technical Corrections Round 4 (ZCE 13-0004)

APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
035-212-008	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-212-013	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-212-015	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-223-013	RR B6 1.5, VOH	RR B6 1.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
035-241-006	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
038-131-018	RR B6 5, VOH	RR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-036	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-049	RAIL, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-041-058	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-002	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-003	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-004	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-005	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-006	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-007	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-052-008	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-003	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-004	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-005	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-083-016	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-003	RR B6 2 DU, VOH	RR B6 2 DU, F1 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-005	RR B6 2 DU, VOH	RR B6 2 DU, F1 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-018	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-084-023	RR B6 2 DU, VOH	RR B6 2 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-001	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-036	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-037	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-038	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-039	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-040	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-162-041	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data

EXHIBIT C



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
043-164-025	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-026	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-034	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-043	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-045	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-047	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-048	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-049	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-050	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-164-051	R1 B6 5 DU, VOH	R1 B6 5 DU, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-200-001	RR B6 2 DU, VOH	RR B6 2 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
043-300-040	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
044-061-033	RRD B6 40/10 (Ac/DU)/Ac MIN, G SR	RRD B6 40/10 (Ac/DU)/Ac MIN, F1 G SR	1a: Zoning Correction Based on Availability of New Data
044-180-026	RRD B6 40, SR	RRD B6 40, F1 SR	1a: Zoning Correction Based on Availability of New Data
044-180-028	RRD B6 40, SR VOH	RRD B6 40, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
044-180-029	RRD B6 40, SR	RRD B6 40, F1 SR	1a: Zoning Correction Based on Availability of New Data
059-350-016	MP 2 AC AVG, VOH	MP 2 AC AVG, AH VOH	1a: Zoning Correction Based on Availability of New Data
060-040-006	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-017	LEA B6 100 Z, F2 SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-030	M3, F2 VOH	M3, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
060-040-034	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-036	LEA B6 100 Z, F2 SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-040-039	M3, F2 SR VOH	M3, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-020	M3, SR VOH	M3, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-022	M3, SR VOH	M3, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-030	DA B6 40, BR SR VOH	DA B6 40, BR F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-031	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-032	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-038	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-041	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-054	LEA B6 100, BR F2 VOH	LEA B6 100, BR F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
060-060-056	LEA B6 100, BR F2 SR VOH	LEA B6 100, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-058	LEA B6 100 Z, BR F2 SR VOH	LEA B6 100 Z, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-060-063	LEA B6 100, BR F2 SR VOH	LEA B6 100, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
060-070-019	DA B6 40, BR SR VOH	DA B6 40, BR F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
063-180-015	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
063-180-046	DA B6 40, SR VOH	DA B6 40, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
068-030-003	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-005	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-006	DA B6 30, MR SR VOH	DA B6 30, SR VOH	1b: Zoning Error Based on Error in Sectional District Map
068-030-007	DA B6 30, MR SR	DA B6 30, SR	1b: Zoning Error Based on Error in Sectional District Map
088-200-010	LIA B6 20 Z, F2 SR VOH	LIA B6 20 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
110-130-007	LIA B6 20 Z, BR F1 SR VOH	LIA B6 20 Z, BR F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
116-310-038	RR B8, SR	RR B8, F2 SR	1a: Zoning Correction Based on Availability of New Data
125-213-012	R1 B6 5 DU, VOH	R1 B6 5 DU, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-002	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-003	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-252-004	RR B6 10, VOH	RR B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-321-002	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-331-001	RR B6 10, VOH	RR B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-331-004	RR B6 4, VOH	RR B6 4, F2 VOH	1a: Zoning Correction Based on Availability of New Data
125-411-011	RR B6 4, VOH	RR B6 4, F1 VOH	1a: Zoning Correction Based on Availability of New Data
125-421-018	RR B6 4, VOH	RR B6 4, AH VOH	1a: Zoning Correction Based on Availability of New Data
125-421-019	RR B6 4, VOH	RR B6 4, AH VOH	1a: Zoning Correction Based on Availability of New Data
125-531-001	RR B6 4, VOH	RR B6 4, F2 VOH	1a: Zoning Correction Based on Availability of New Data
127-242-038	RR B6 2, F1	RR B6 2, F1 F2	1a: Zoning Correction Based on Availability of New Data
127-251-004	RR B6 2, F1 VOH	RR B6 2, F1VOH	1a: Zoning Correction Based on Availability of New Data
127-302-026	M3, F1 VOH	M3, F1 VOH	1a: Zoning Correction Based on Availability of New Data
127-312-059	AR B6 1.5, F1 F2 VOH	AR B6 1.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-051-012	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-051-013	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-051-014	LEA B6 100 Z, SR VOH	LEA B6 100 Z, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-061-041	DA B6 20, SR VOH	DA B6 20, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-076-007	RR B6 2.5, VOH	RR B6 2.5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-076-024	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-076-030	RR B6 2.5, VOH	RR B6 2.5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-027	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-030	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-037	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-049	AR B6 5, VOH	AR B6 5, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-050	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-051	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-053	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-082-057	AR B6 5, VOH	AR B6 5, F2 VOH	1a: Zoning Correction Based on Availability of New Data



APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
134-151-035	LC, VOH	LC, F2 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-036	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-151-037	DA B6 40 Z, SR VOH	DA B6 40 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-040	DA B6 40 Z, SR VOH	DA B6 40 Z, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-151-041	DA B6 40 Z, SR VOH	DA B6 40 Z, V SR VOH	1a: Zoning Correction Based on Availability of New Data
134-201-026	DA B6 10, SR VOH	DA B6 10, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-202-010	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-019	DA B6 40, SR VOH	DA B6 40, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-202-021	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-026	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-028	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-029	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-202-030	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-004	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-005	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-010	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-011	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-012	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-013	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-211-014	DA B6 10 Z, VOH	DA B6 10 Z, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-007	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-011	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-212-012	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-231-018	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-024	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-027	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-028	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-029	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-032	DA B6 10, SR VOH	DA B6 10, F1 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-033	DA B6 10, SR VOH	DA B6 10, F1 F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-231-035	DA B6 10, SR VOH	DA B6 10, F2 SR VOH	1a: Zoning Correction Based on Availability of New Data
134-232-045	DA B6 10, VOH	DA B6 10, F1 F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-232-050	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
134-232-051	DA B6 10, VOH	DA B6 10, F2 VOH	1a: Zoning Correction Based on Availability of New Data
140-180-035	LC, SR	LC, AH SR	1c: Zoning Error Based on Error in Technical Correction



Exhibit D
Correct Ordinance Text
Technical Corrections Round 4 (ZCE 13-0004)

APN	EXISTING ZONING	PROPOSED ZONING	ERROR CATEGORY
039-012-008	C3, VOH	C3, VOH	2: Error in Ordinance Text
039-012-040	C3, VOH	C3, VOH	2: Error in Ordinance Text

EXHIBIT D



ORDINANCE NO. 5987 (CORRECTED)

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, BY RECLASSIFYING CERTAIN REAL PROPERTY FROM C2 (RETAIL BUSINESS AND SERVICE), VOH (VALLEY OAK HABITAT) DISTRICTS TO THE C3 (GENERAL COMMERCIAL), VOH (VALLEY OAK HABITAT) DISTRICTS FOR 4.87+/- ACRES LOCATED AT 5434 AND 5454 OLD REDWOOD HIGHWAY, SANTA ROSA; APN ~~439-042-008~~ 039-012-008 AND -040.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying the following real property from the C2 (Retail Business and Service), VOH (Valley Oak Habitat) district to the C3 (General Commercial), VOH (Valley Oak Habitat) District(s) for 4.87+/- acres located approximately 1 1/2 miles northwest of the intersection of Mark West Springs Road and Old Redwood Highway, also known as 5434 and 5454 Old Redwood Highway, Santa Rosa; APN 039-012-008 and -040. File No. PLP08-0007. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the OZD of the County as shown on Sectional District Map No. 8.1751.

SECTION II: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION III: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this 8th day of May, 2012, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Brown: Absent Rabbitt: aye McGuire: Aye Carrillo: Aye Zane: Aye

Ayes: 4 Noes: 0 Absent: 1 Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica A. Ferguson
Clerk of the Board of Supervisors

Exhibit E

General Plan Land Use Changes Only

Technical Corrections Round 4 (ZCE 13-0004)

APN	EXISTING LAND USE	PROPOSED LAND USE	ERROR CATEGORY
062-114-050	RR4	RR3	3b: Error in Manual Entry of Land Use Data
062-114-051	RR4	RR3	3b: Error in Manual Entry of Land Use Data
128-471-019	LIA100	LIA100, 20 FF [Applies to Entire Parcel]	3a: Error in Application of General Plan Land Use Policy to Land Use
128-471-028	LEA100	LEA100, 20 FF [Applies to Entire Parcel]	3a: Error in Application of General Plan Land Use Policy to Land Use

EXHIBIT E

Policy LU-20ff: Consider future public uses of the Sonoma Developmental Center and Skaggs Island properties as a priority if they are declared surplus and offered for sale to local agencies, particularly park, recreation, and open space uses and affordable housing.



Exhibit F

Zone Changes and General Plan Amendments

Technical Corrections Round 4 (ZCE 13-0004)

APN	EXISTING ZONING	PROPOSED ZONING	EXISTING GENERAL PLAN LAND USE DESIGNATION	PROPOSED GENERAL PLAN LAND USE DESIGNATION	ERROR CATEGORY
088-050-015	RRD B6 100, BR F1	RRD B6 120, BR F1	RRD100	RRD120	4b: Error in Lot Line Adjustment Condition of Approval
088-070-002	RRD B6 100, BR F1	RRD B6 120, BR F1	RRD100	RRD120	4b: Error in Lot Line Adjustment Condition of Approval
136-190-003	RRD B6 40 Z, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40 Z, SR	RRD40, 19 H [Applies to Portion of Parcel]	RRD40	4a: Error in Application of General Plan Land Use Policy to Zoning and Land Use
136-190-010	RRD B6 100, BR SR, 19 H [Applies to Portion of Parcel]	RRD B6 100, BR SR	RRD100, 19 H [Applies to Portion of Parcel]	RRD100	4a: Error in Application of General Plan Land Use Policy to Zoning and Land Use
136-190-016	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	RRD40, 19 H [Applies to Portion of Parcel]	RRD40	4a: Error in Application of General Plan Land Use Policy to Zoning and Land Use
136-201-039	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	RRD40, 19 H [Applies to Portion of Parcel]	RRD40	4a: Error in Application of General Plan Land Use Policy to Zoning and Land Use
136-201-043	RRD B6 40, BR SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, BR SR	RRD40, 19 H [Applies to Portion of Parcel]	RRD40	4a: Error in Application of General Plan Land Use Policy to Zoning and Land Use

EXHIBIT F

Policy LU-20h: Notwithstanding the general requirement for a 10 acre minimum lot size in the "Diverse Agriculture" category, the areas within the Bennett Valley Area Plan along Sonoma Mountain and Enterprise Roads designated "Diverse Agriculture", 10 and 15 acre residential density, shall be allowed to establish lot size in conformity with zoning in effect as of December 23, 1986.



APN	EXISTING ZONING	PROPOSED ZONING	EXISTING GENERAL PLAN LAND USE DESIGNATION	PROPOSED GENERAL PLAN LAND USE DESIGNATION	ERROR CATEGORY
136-201-050	RRD B6 40, SR, 19 H [Applies to Portion of Parcel]	RRD B6 40, SR	RRD40, 19 H [Applies to Portion of Parcel]	RRD40	4a: Error in Application of General Plan Land Use Policy to Zoning and Land Use
136-450-005	RRD B6 100, SR, 19 H [Applies to Portion of Parcel]	RRD B6 100, SR	RRD100, 19 H [Applies to Portion of Parcel]	RRD100	4a: Error in Application of General Plan Land Use Policy to Zoning and Land Use
140-140-051	C2, HD	R2 B6 6 DU, HD	GC	UR6	4b: Correction to Zoning and Land Use to Reflect Conforming Use

Policy LU-20h: Notwithstanding the general requirement for a 10 acre minimum lot size in the "Diverse Agriculture" category, the areas within the Bennett Valley Area Plan along Sonoma Mountain and Enterprise Roads designated "Diverse Agriculture", 10 and 15 acre residential density, shall be allowed to establish lot size in conformity with zoning in effect as of December 23, 1986.



Resolution Number

County of Sonoma
Santa Rosa, California

June 6, 2013
ZCE13-0004 Lisa Posternak

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS FIND THE PROJECT TO BE EXEMPT FROM CEQA AND APPROVE THE PROPOSED GENERAL PLAN AMENDMENTS AND ZONE CHANGES TO CORRECT VARIOUS TECHNICAL ERRORS IN THE GENERAL PLAN LAND USE MAPS AND OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA.

WHEREAS, on July 12, 2007 the Board of Supervisors adopted the Official Zoning Database, an electronic database containing zoning information for the unincorporated county, which superceded old paper Zoning Maps; and

WHEREAS, various unintended zone changes occurred during the transition from the old paper Zoning Maps to the Official Zoning Database; and

WHEREAS, the Permit and Resource Management Department has identified historical inconsistencies between zoning and General Plan land use designation on certain parcels; and

WHEREAS, the Permit and Resource Management Department proposes to correct the technical errors and reconcile zoning and General Plan land use designation discrepancies; and

WHEREAS, on on June 8, 2010 the Board of Supervisors adopted the first set of technical corrections to the Official Zoning Database, some of which required concurrent General Plan Amendments (Technical Corrections Round 1); and

WHEREAS, on May 10, 2011 the Board of Supervisors adopted the second set of technical corrections to the Official Zoning Database, some of which required concurrent General Plan Amendments (Technical Corrections Round 2); and

WHEREAS, on October 23, 2012 the Board of Supervisors adopted the third set of technical corrections to the Official Zoning Database, some of which required concurrent General Plan Amendments (Technical Corrections Round 3), with the exception of the technical corrections for 8760 Graton Road (APN 130-130-022), 3137 Mueller Road (APN 130-130-024), and 3145 Mueller Road (130-130-023); and whereas on March 26, 2013 the Board of Supervisors adopted the technical corrections to these three parcels; and

WHEREAS, this project is the fourth set of technical corrections to the Official Zoning Database, some of which require concurrent General Plan Amendments (Technical Corrections Round 4); and

WHEREAS, the project includes requested Zone Changes as shown in attached Exhibit C; Ordinance Corrections as shown in attached Exhibit D; General Plan Amendments as shown in

attached Exhibit E, and Zone Changes and General Plan Amendments as shown in attached Exhibit F; and

WHEREAS, the Permit Resource and Management Department determined that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the state CEQA Guidelines; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on June 6, 2013 at which time all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings:

1. The Official Zoning Database contains known errors that occurred during the transition from the previously adopted Zoning Maps to the current digital Zoning Database. This project will correct those errors and restore the subject parcels to the correct zoning.
2. The project will ensure the Official Zoning Database provides accurate and accessible information.
3. The project is consistent and/or will ensure consistency with the General Plan.
4. The project is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3), as it can be seen with certainty that the project will have no significant effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors find the project to be exempt from CEQA and approve the requested Zone Changes as shown in attached Exhibit C; Ordinance Corrections as shown in attached Exhibit D; General Plan Amendments as shown in attached Exhibit E; and Zone Changes and General Plan Amendments as shown in attached Exhibit F.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

Resolution No.:
June 6, 2013
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THE FOREGOING RESOLUTION was introduced by Commissioner _____, who moved its adoption, seconded by Commissioner _____, and adopted on roll call by the following vote:

Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

DATE: November 5, 2013 at 2:10 p.m.

TO: Board of Supervisors

FROM: Jane Riley, Project Planner

SUBJECT: Hearing to consider a General Plan Amendment and Zone Change; PLP13-0024, Jean Kapolchok and Associates; Supervisorial District No. 5.

Action Requested of the Board of Supervisors:

The Board is requested to conduct a public hearing on the proposed General Plan Amendment and Zone Change and consider the Planning Commission recommendation. At the conclusion of the hearing your Board may find the project exempt from CEQA and approve the General Plan Amendment and Zone Change (with changes) as recommended by staff and the Planning Commission.

Prior Actions:

On October 17, 2013, the Planning Commission, with a 5-0 vote, recommended that the Board of Supervisors approve the request by Jean Kapolchok and Associates, for owner Graton Fire Protection District c/o Bill Bullard for a 1) a General Plan Amendment from the PQP (Public Quasi-Public) to the RR (Rural Residential) 5 acre density land use designation; and 2) a corresponding Zone Change from the existing PF (Public Facilities), Z (Second Dwelling Unit Exclusion), HD (Historic District) to the AR (Agriculture and residential), 5 acre density, Z, HD zoning districts on a 2.0 acre parcel.

Location, Zoning and Project Description:

The subject property is located at 4060 Green Valley School Road, Graton; APN 104-110-004; Supervisorial District No. 5. The base zoning is PF (Public Facilities) and combining zones include HD (Historic District), Z (Second Dwelling Unit Exclusion).

The proposed project is a request for a General Plan Amendment and Zone change from the Public/Quasi Public and Public Facilities designations that is currently on this parcel to its former Rural Residential, 5 acre density designation and Agriculture Residential 5 acre density zoning. The request does not involve any physical changes to the property itself. The existing Combining Zones of HD (Historic District) and Z (Second Unit Exclusion) would not be affected and would remain. Approval of this request would not allow further development of the property, but would allow the Graton FPD to sell the property for a rural residential use.

ISSUES DISCUSSED AT THE PLANNING COMMISSION PUBLIC HEARING

This was an uncontested item and no issues were raised by the public or the Planning Commission at the public hearing.

November 5, 2013
PLP13-0024
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List of Attachments:

- EXHIBIT A: Draft Board of Supervisors Resolution and General Plan Amendment Map
 - EXHIBIT B: Draft Ordinance and Sectional District Map
 - EXHIBIT C: Vicinity Map
 - EXHIBIT D: Planning Commission Resolution No. 13-015
 - EXHIBIT E: Planning Commission Staff Report dated October 17, 2013
-



County of Sonoma

State of California

Date: November 5, 2013

Item Number: _____

Resolution Number: _____

PLP13-0024 Jane Riley

[Click here to enter text.](#)

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Finding The Project Exempt From CEQA And Approving The Requested General Plan Amendment And Zone Change As Requested By Jean Kapolchok For The Graton Fire Protection District, For Property Located At 4060 Green Valley School Road, Graton; APN 104-110-004.

RESOLVED, that the Board of Supervisors of the County of Sonoma (“the Board”) hereby finds and determines as follows:

Whereas, Jean Kapolchok For The Graton Fire Protection District, (the “Applicant”), filed an application with the Sonoma County Permit and Resource Management Department (“PRMD”) to change the General Plan designation of the 2.00 acre site at 4060 Green Valley School Road from its existing Public Quasi Public (PQP) designation, to the Rural Residential (RR) a acre density designation, and to change the existing PF (Public Facilities) zoning to AR (Agricultural Residential) zoning. This change will retain the existing HD (Historic) and Z (Second Unit Exclusion) Zoning designations. The General Plan Amendment and Zone change will allow residential re-use of the site. No physical changes are proposed on this property located at 4060 Green valley School Road, Graton; APN 104-110-004; Supervisorial District No. 5 (“the Proposed Project”); and

Whereas, it was determined that the Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California Code of Regulations which provides that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

Whereas, the Planning Commission in accordance with the provisions of law, conducted a public hearing on the Proposed Project on October 17, 2013, and with a x-x vote, recommended that the Board approve the Proposed Project; and

Whereas, the Planning Commission’s recommendation on the Proposed Project has been reviewed and considered by the Board; and

Whereas, in accordance with the provisions of law, the Board held a public hearing on

Resolution #

Date: November 5, 2013

Page 2

November 5, 2012, at which time all interested persons were given an opportunity to be heard on the Proposed Project; and

Whereas, the Proposed Project is part of the third amendment of the General Plan Land Use Element for 2013; and

Whereas, the third land use amendment of the General Plan Land Use Element for 2013, does not significantly alter the goals, objectives and policies of the General Plan and the change is in harmony with the rest of the General Plan; and

Whereas, the Board concurs with PRMD's determination that the Proposed Project is exempt from CEQA under Section 15061(b)(3) of the State CEQA Guidelines. The facts and conditions that support this finding are as follows:

1. Section 15061(b)(3) of the State CEQA Guidelines exempts an activity from CEQA where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment;
2. The project details that establish the proposed project's eligibility for exemption under Section 15061(b)(3) of the State CEQA Guidelines are as follows:
 - a. The General Plan Amendment and Zone Change does not allow for uses on the subject parcel that are more intense in nature than those uses allowed under the current land use designation and zoning.
 - b. The General Plan Amendment and Zone Change eliminate split zoning on the subject parcel.

Whereas, the Board makes the following findings concerning the Proposed Project:

1. The General Plan Amendment and Zone Change are appropriate because the site will no longer be serving a public use and re-designating it as Limited Commercial is consistent with the surrounding area and with the General Plan's Limited Commercial designation criteria.
2. The project is exempt from CEQA pursuant to Section 15061(b)(3) in that no physical changes are proposed that could have an effect on the environment.

Now, therefore, based on the foregoing findings and determinations and the record of these proceedings, the Board declares and orders as follows:

1. The foregoing findings and determinations are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.

Resolution #

Date: November 5, 2013

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2. The Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California Code of Regulations.
3. The Proposed Project is approved as follows:
 - a. The General Plan Amendment is approved as part of the third amendment of the General Plan Land Use Element for 2013.
 - b. The General Plan Land Use Amendment is approved to amend the land use designation on APN 104-110-004 from Public Quasi-Public to Rural Residential 5 acre density.

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

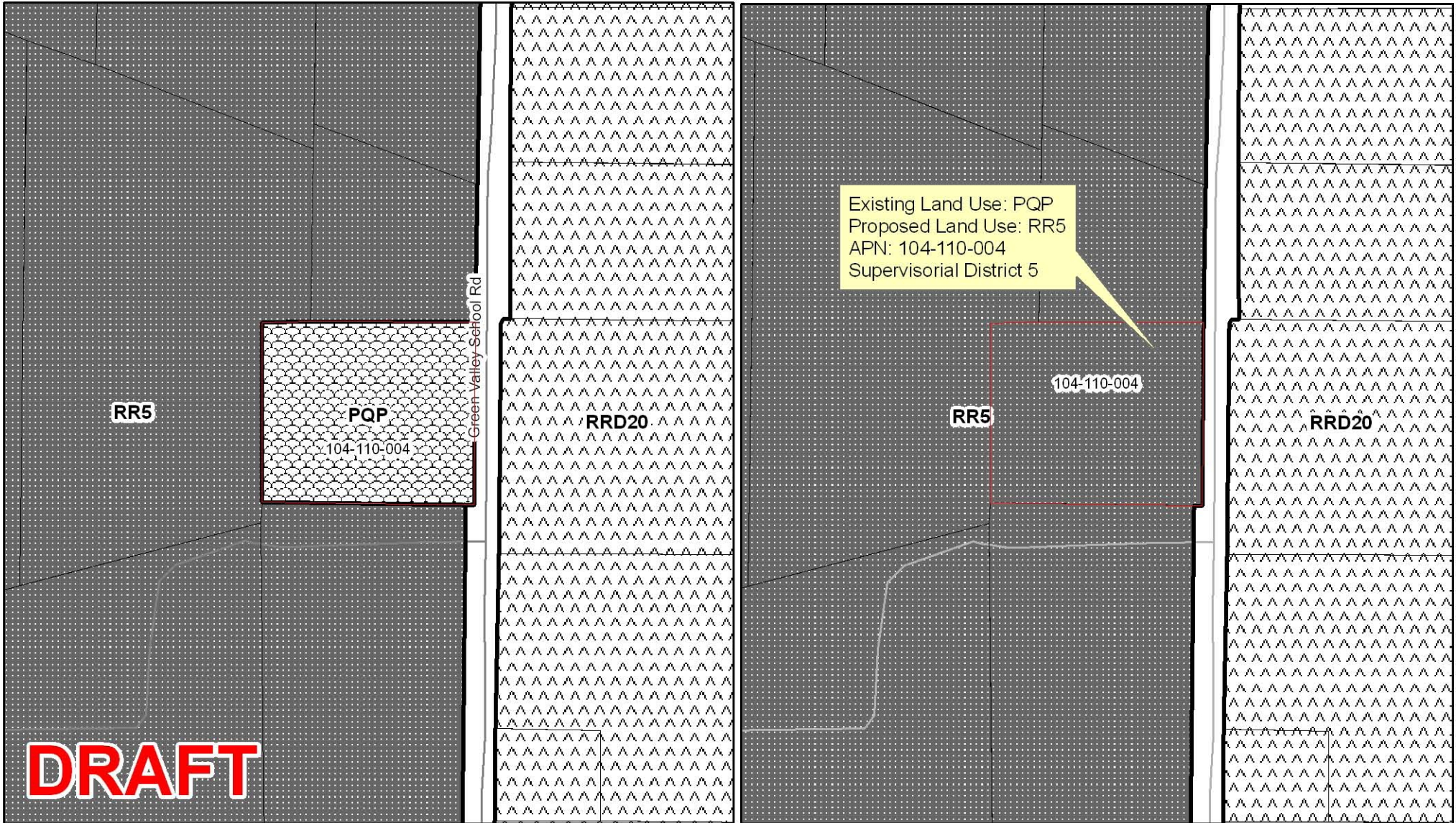
Absent:

Abstain:

So Ordered.

Existing General Plan Land Use

Proposed General Plan Land Use



General Plan Land Use

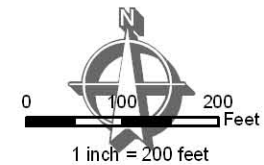
- Diverse Agriculture
- Land Extensive Agriculture
- Land Intensive Agriculture
- Resource and Rural Development
- Rural Residential
- Urban Residential
- Recreation / Visitor-Serving Commercial
- General Commercial
- Limited Commercial
- Limited Commercial Traffic Sensitive
- General Industrial
- Limited Industrial
- Public / Quasi Public

- Planning Area Policy
- AH Affordable Housing

Numbers on Map Indicate Maximum Density in Acres/Unit, except Urban Residential Where Numbers Indicate Units/Acre

Base Map Data

- Subject Property
- Coastal Commission Boundary
- Urban Service Areas
- Highways
- Intermittent Stream
- Perennial Stream



FILE: PLP 13-0024
 AP #: 104-110-004
 Resolution No.

Permit and Resource Management Department
 Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, BY RECLASSIFYING CERTAIN REAL PROPERTY FROM PF (PUBLIC FACILITIES), HD (HISTORIC DISTRICT), Z (SECOND DWELLING UNIT EXCLUSION) DISTRICT TO THE AR (AGRICULTURE RESIDENTIAL), HD (HISTORIC DISTRICT), Z (SECOND DWELLING UNIT EXCLUSION) DISTRICT FOR 2.0 ACRES LOCATED AT 4060 GREEN VALLEY SCHOOL ROAD, GRATON, APN 104-110-004.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying the following real property from the PF (Public Facilities), HD (Historic District), Z (Second Dwelling Unit Exclusion) district to the AR (Agriculture Residential), HD (Historic District), Z (Second Dwelling Unit Exclusion) district for 2.0 acres located at 4060 Green Valley School Road, Graton, APN 104-110-004. File No. PLP13-0024. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the OZD of the County as shown on Sectional District Map No. _____.

SECTION II: The Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA guidelines.

SECTION III: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IV: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this 5th day of November, 2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: McGuire: Carrillo: Zane: Rabbitt:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

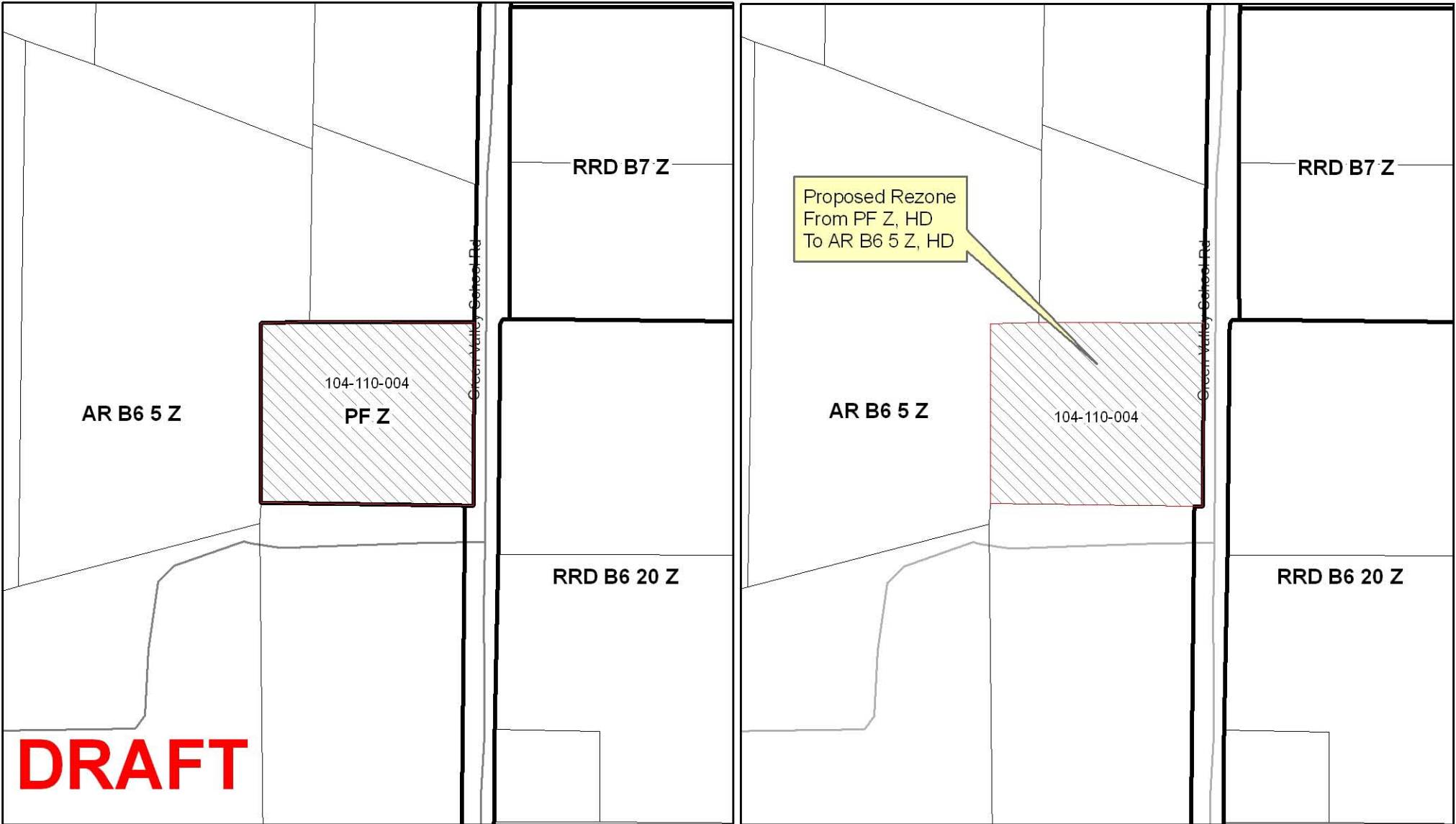
Chair, Board of Supervisors
County of Sonoma

ATTEST:






Veronica A. Ferguson
Clerk of the Board of Supervisors

Existing Zoning

Proposed Zoning

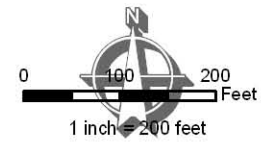


Base Map Data

-  Proposed Rezone
-  Basezoning by Area
-  Highways
-  Intermittent Stream
-  Perennial Stream

Zoning Combining Districts

- | | | |
|---|--|---|
|  LU Policy |  SD Scenic Design |  G Geologic Hazard |
|  AH Affordable Housing |  SR Scenic Resource |  F2 Floodplain |
|  HD Historic District |  VOH Valley Oak Habitat |  F1 Floodway |
|  BR Biotic Resource |  MR Mineral Resource | |



FILE: PLP 13-0024
 AP #: 104-110-004
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section



2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103



Forestville
EL. 170

Graton
EL. 97

Molino

EL. 425
MT. PISGAH ▲

RAGLE RANCH
PARK

116

X

5.5

2.1

2.6

5.4

3.4

Occidental
EL. 558

N GROVE
(TO PUBLIC)

ip Meeker
EL. 400

So

Resolution Number 13-015

County of Sonoma
Santa Rosa, California

October 17, 2013
PLP13-0024 Jane Riley

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS FIND THE PROJECT TO BE EXEMPT FROM CEQA AND APPROVE THE GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED BY JEAN KAPOLCHOK, FOR THE GRATON FIRE PROTECTION DISTRICT, FOR A 2.00 ACRE PROPERTY LOCATED AT 4060 GREEN VALLEY SCHOOL ROAD, GRATON; APN 104-110-004.

WHEREAS, the applicant, Jean Kapolchok for Bill Bolleck of the Graton Fire Protection District, filed an application with the Sonoma County Permit and Resource Management Department for 1) a General Plan Amendment from the Public Quasi-Public land use designation to the Rural Residential 5 acres per unit land use designation; and 2) a Zone Change from the PF (Public Facilities), HD (Historic District), Z (Second Dwelling Unit Exclusion) districts to the AR (Agriculture Residential), HD (Historic District), Z (Second Dwelling Unit Exclusion) districts on a 2.0 acre property located at 4060 Green Valley School Road, Graton; APN 104-110-004; Supervisorial District No. 5; and

WHEREAS, the Permit Resource and Management Department (PRMD) determined that the Project was exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the state CEQA Guidelines in that there will be no physical change to the environment as a result of this action; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on October 17, 2013, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. The General Plan Amendment and Zone Change are appropriate because the site will not be serving a public use and re-designating it as Rural Residential Land Use, and the Agricultural and Residential Zoning District is consistent with the surrounding area and with the General Plan's Rural Residential designation criteria.
2. The project is exempt from CEQA pursuant to Section 15061(b)(3) in that no physical changes are proposed that could have an effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors find the Project to be exempt from CEQA and approve the requested General Plan Amendment and Zone Change.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Lynch, who moved its adoption, seconded by Commissioner Liles, and adopted on roll call by the following vote:

Commissioner	Fogg	Aye
Commissioner	Montoya	Aye
Commissioner Cook		Aye
Commissioner	Liles	Aye
Commissioner	Lynch	Aye

Ayes:

Noes:

Absent:

Abstain:

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.



Sonoma County Planning Commission **STAFF REPORT**

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FILE: PLP13-0024
DATE: October 17, 2013
TIME: 1:05 p.m.
STAFF: Jane Riley, Project Planner

Board of Supervisors Hearing will be held at a later date and will be noticed at that time.

SUMMARY

Applicant: Jean Kapolchok and Associates

Owner: Graton Fire Protection District c/o Bill Bullard

Location: 4060 Green Valley School Road, Graton
APN: 104-110-004 Supervisorial District No.: 5

Subject: General Plan Amendment and Zone Change

PROPOSAL: A request for: 1) a General Plan Amendment from the PQP (Public Quasi-Public) to the RR (Rural Residential) 5 acre density land use designation; and 2) a corresponding Zone Change from the PF (Public Facilities), Z (Second Dwelling Unit Exclusion), HD (Historic District) to the AR (Agriculture and residential), B6-5 acre density, Z, HD zoning districts on a 2.0 acre parcel

Determination: General Exemption, Section 15061(b)(3)

General Plan: Public Quasi-Public

Ord. Reference: 26-52 (Public Facilities), 26-68 (Historic), and 26-76 (Second Dwelling Unit Exclusion) Zoning Ordinance

Zoning: PF (Public Facilities), HD (Historic District), Z (Second Dwelling Unit Exclusion)

Application Complete for Processing: August 21, 2013

RECOMMENDATION: Planning Commission adopt resolution recommending approval of the General Plan Amendment and Zone Change to the Board of Supervisors

ANALYSIS

Background and Project Description:

The subject property was the site of Green Valley School which was established in 1866. In 1902, the original schoolhouse burned down, and was replaced by the current structure. The school building is registered as a historic building with Sonoma County Landmarks. The Graton Fire District acquired the property in 1964 and the school building has been vacant since that time.

This parcel was designated as PF (Public Facilities) as a part of the 1989 General Plan in order to recognize its intended public use as a Fire District property. In 1992, the Sonoma County Landmarks Commission requested that the site be rezoned to add the HD (Historic District) Combining Zone in order to designate it as a historic building. During this process, the Planning Commission determined that it would also be appropriate to change the base zoning of the property from Rural Residential, 2 acre density to PF in order to provide consistency with the 1989 General Plan's land use designation of PQP (Public Quasi Public). This change was not requested by the property owner.

The Fire District never did make use of this site for District purposes, and the historic building remains vacant. The Fire District desires to sell the property at this time, and it is thus appropriate to return the General Plan and Zoning to its former Rural Residential designation. This designation is sought by the property owner and is consistent with the surrounding land uses. The application is to change the General Plan designation of the site from its existing PQP (Public Quasi Public) designation, to that of the surrounding area Rural Residential, 5 acres per unit designation, and to change the existing PF (Public Facilities) zoning to the AR (Agricultural and Residential) 5 acres per unit zoning consistent with the surrounding parcels (see Exhibit B). The existing Combining Zones of HD (Historic District) and Z (Second Dwelling Unit Exclusion) would not be affected by this change. The General Plan Amendment and Zone change would potentially allow re-use of the historic structure on this site as a residence. No physical changes are proposed.

Site Characteristics:

The 2.0-acre subject property is located at 4060 Green Valley School Road. The parcel is level and roughly square in shape. The former school structure is located near the center of the site and is served by a gravel driveway. Vegetation consists of oak trees and native grasses. No physical changes to the site are proposed.

Surrounding Land Use and Zoning:

The site is located in an area of agricultural and residential land uses. Surrounding General Plan land uses are as follows:

North: Rural Residential
East: Rural Residential
South: Rural Residential
West: Agricultural and Residential

DISCUSSION OF ISSUES

Issue #1: General Plan and Zoning Ordinance Consistency

The Rural Residential Land Use designation is sought for this property in order to provide consistency with surrounding land uses. This category provides for very low density residential development on lands that have few if any urban services but have access to County maintained roads. This designation would allow the re-use of the existing school structure as a residential use, but would not allow the addition of

any additional residential units. This designation would also potentially allow the re-use of the existing school structure as a school, subject to the granting of a Use Permit

Designation Criteria. Amendments to add the Rural Residential land use designation must meet all of the following:

- (1) The area does not have soils suitable for agricultural production,
- (2) The area does not include substantial agricultural uses,
- (3) Lands have access to a County maintained road,
- (4) Lands shall have enough groundwater for individual wells,
- (5) Lands shall have sufficient permeability for individual septic systems, and
- (6) Any applicable Land Use Policies for the Planning Area.

Staff Discussion: The parcel meets the designation criteria of the General Plan. The majority of the subject site does not have prime agricultural soils. The parcel is surrounded by Rural Residential property. The site is accessible by Green Valley School Road, a County maintained road. The 2.0 acre site is suitable for an individual septic system and well. There are no applicable Area Plans.

Zoning Ordinance Consistency. The request is to return the property to its former Rural Residential zoning designation, consistent with the surrounding parcels and with the previous designation before it was changed to PF in 1992. The site was never used for public uses. All criteria for the Rural Residential zone district are met by the proposal, including setbacks and minimum parcel size. Any potential modifications to the exterior of the existing structure are subject to a Design Review application and review and approvals by the Landmarks Commission

Issue #2: Appropriateness of Request

As noted above, the PQP/PF designation and zoning was applied to subject site during the 1989 General Plan and as an add-on to a 1992 Rezone request in order to recognize the parcel's public (District) ownership and in anticipation of a public use. Because the use of the property is no longer intended to be a public one, the request to return this portion of the property to its former Rural Residential land use designation and Agricultural Residential zoning is appropriate. Approval of this request will retain the HD and Z designations, and will be consistent with the surrounding General Plan and zoning designations

Issue #3: Environmental Review

The proposal for a General Plan Amendment and Rezone is exempt from CEQA under the General Exemption (Public Resources Code 15061(b)(3)) because it does not involve any physical change to the property. No particular use of the existing building is proposed at this time. A Rural Residential designation will not allow a significant intensification of use on this site. Uses that are permitted within the existing PF Zone (fire station, homeless shelter) are more intense than uses that might be permitted within the AR Zone (single family residential, rural residential, animal husbandry). In terms of CEQA, any future use of the site would need to be evaluated at the time the application is made to determine if further environmental review is needed. The current request would simply change the General Plan and Zoning designations on the site and would not result in any physical change to the property. Future uses that involve any physical change to the property would need to be evaluated at that time. All uses listed in the AR Zoning District as "Permitted Uses" may occupy the existing building subject to prior approval the Landmarks Commission, if applicable. Any proposed uses listed under "Uses Permitted with a Use Permit" would first need to secure a Use Permit prior to occupying the site.

STAFF RECOMMENDATION

Recommend to the Board of Supervisors approval of the requested General Plan Amendment and Zone Change based on the following findings:

FINDINGS FOR RECOMMENDED ACTION

1. The General Plan Amendment and Zone Change are appropriate because the site will not be serving a public use and re-designating it as Rural Residential Land Use, and the Agricultural and Residential Zoning District is consistent with the surrounding area and with the General Plan's Rural Residential designation criteria.
2. The project is exempt from CEQA pursuant to Section 15061(b)(3), in that no physical changes are proposed that could have an effect on the environment.

LIST OF ATTACHMENTS

EXHIBIT A: Draft Ordinance and Sectional District Map
EXHIBIT B: Proposal Statement
EXHIBIT C: Current General Plan Land Use Map
EXHIBIT D: Vicinity Map
EXHIBIT E: Aerial Location Map
EXHIBIT F: Draft Resolution and General Plan Amendment Map

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, BY RECLASSIFYING CERTAIN REAL PROPERTY FROM PF (PUBLIC FACILITIES), HD (HISTORIC DISTRICT), Z (SECOND DWELLING UNIT EXCLUSION) DISTRICT TO THE AR (AGRICULTURE RESIDENTIAL), HD (HISTORIC DISTRICT), Z (SECOND DWELLING UNIT EXCLUSION) DISTRICT FOR 2.0 ACRES LOCATED AT 4060 GREEN VALLEY SCHOOL ROAD, GRATON, APN 104-110-004.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying the following real property from the PF (Public Facilities), HD (Historic District), Z (Second Dwelling Unit Exclusion) district to the AR (Agriculture Residential), HD (Historic District), Z (Second Dwelling Unit Exclusion) district for 2.0 acres located at 4060 Green Valley School Road, Graton, APN 104-110-004. File No. PLP13-0024. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the OZD of the County as shown on Sectional District Map No. _____.

SECTION II: The Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA guidelines.

SECTION III: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IV: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this _____ day of _____, 2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: McGuire: Carrillo: Zane: Rabbitt:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

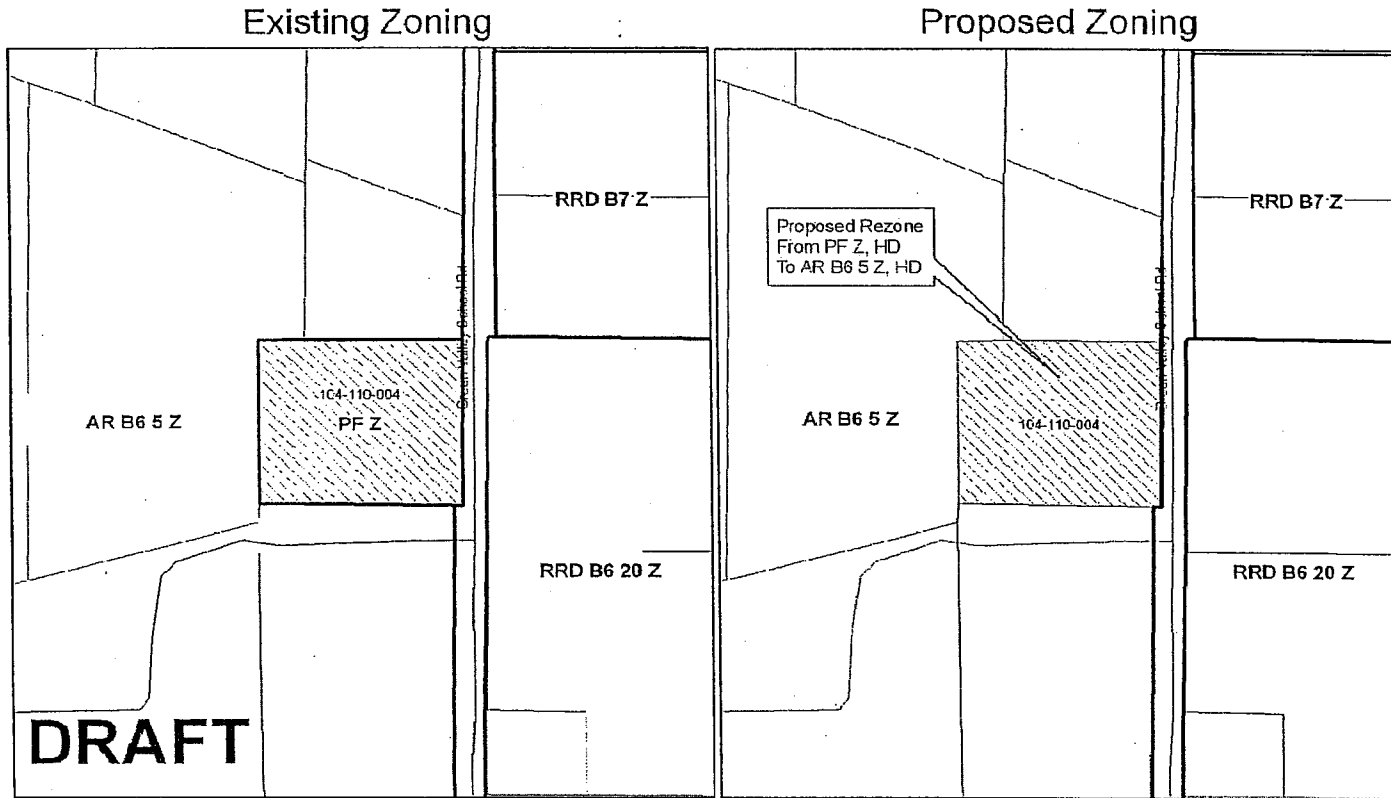
SO ORDERED

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica A. Ferguson
Clerk of the Board of Supervisors

Sectional District Map



Base Map Data		Zoning Combining Districts			FILE: PLP 13-0024 AP #: 104-110-004 Ordinance No. Sectional District Map No.
[Dashed Box] Proposed Rezone [Solid Box] Base zoning by Area [Thick Line] Highways [Dotted Line] Intermittent Stream [Thin Line] Perennial Stream	[Cross-hatch] LU Policy [Vertical Lines] AH Affordable Housing [Diagonal Lines] HD Historic District [Horizontal Lines] BR Biotic Resource	[Dotted Box] SD Scenic Design [Circle with X] SR Scenic Resource [Circle with Arrow] VCH Valley Oak Habitat [Cross-hatch] MR Mineral Resource	[Wavy Line] G Geologic Hazard [Stippled Box] F2 Floodplain [Dark Stippled Box] F1 Floodway		

Author: PRMD Cartography: D. Reifler File No: S:\GIS-DATA\PRMD_BASE\PRMD Department Projects\Project Review\Ordinance Mosaic\ORDN\CBy File No\plp13-0024.mxd Date: 09/24/2013

Permit and Resource Management Department
 Project Review Section
 2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103



PRMD

Activity #PLP13-0024



J. Kapolchok

+ Associates

Land Use Planning
Urban Design

PROPOSAL STATEMENT
General Plan Amendment/Rezoning
Green Valley School
May 9, 2013

Applicant/Owner:	Graton Fire District
Contact:	Bill Bullard, Deputy Chief
Consultants	J. Kapolchok & Associates
Location:	4060 Green Valley School Road Graton, CA
APN:	104-110-004
Site Size:	± 2.0
General Plan:	PQP
Zoning:	PF Z, HD
Proposal:	General Plan Amendment and Rezoning from the Public Facility land use designation and zoning district to the and Rural Residential (RR-5) land use designation and Agricultural and Residential (AR B6-5) zoning district to conform to surrounding uses within the area.

1. PROJECT DESCRIPTION

1.1 SETTING

Location

This property is located at 4060 Green Valley Road, the former site of the Green Valley School. The property is owned by Graton Fire District. The Graton Fire District would like to sell property and is requesting the General Plan Amendment and Rezoning to create a parcel, which is consistent with the surrounding land use and zoning designation.

843 Second Street
Santa Rosa, CA 95404
TEL: 707.526.8939
FAX: 707.526.8985

EMAIL: jkapolchok@sbcglobal.net

Historic and Existing Uses

The property is the site of the Green Valley School, which was established in 1866. The original schoolhouse was burned down in 1902 and replaced by the current structure. The school building is registered as a historic building with Sonoma County Landmarks. The Graton Fire District acquired the property in 1964 and the school building has been vacant since that time.

Surrounding Land and Land Uses

Surrounding land uses include agricultural and residential.

1.2 PROJECT DESCRIPTION

General Plan Amendment and Rezoning from the Public Facility district to Rural Residential (RR-5) and Agricultural and Residential (AR B6-5) to conform to surrounding uses within the area. The requested proposal does not include a Landmarks Alteration permit, as there are no changes to the historic school building with this application.

General Plan:

The parcel has a General Plan designation of Public and Quasi Public (PQP). The proposed General Plan Amendment from the PQP designation to Rural Residential is in keeping with the surrounding land and land uses. The requested General Plan Amendment meets the following criteria:

1. Area does not have soils suitable for agricultural production,

The majority of the 2.0-acre parcel is located in the GdD2 not prime agricultural production soil area with a very small portion of the property in the GdC moderately, prime agricultural production soils.

2. The area does not include substantial agricultural uses,

The parcel is surrounded by Rural Residential property.

3. Lands shall have access to County maintained roads,

Green Valley School Road is a County maintained road.

4. Lands shall have enough groundwater for individual wells,

Utilities exist on site. No intensification is proposed with this project.

5. Lands shall have sufficient permeability for individual septic systems,

Utilities exist on site. No intensification is proposed with this project.

6. Any applicable Land Use Policies for the Planning Area.

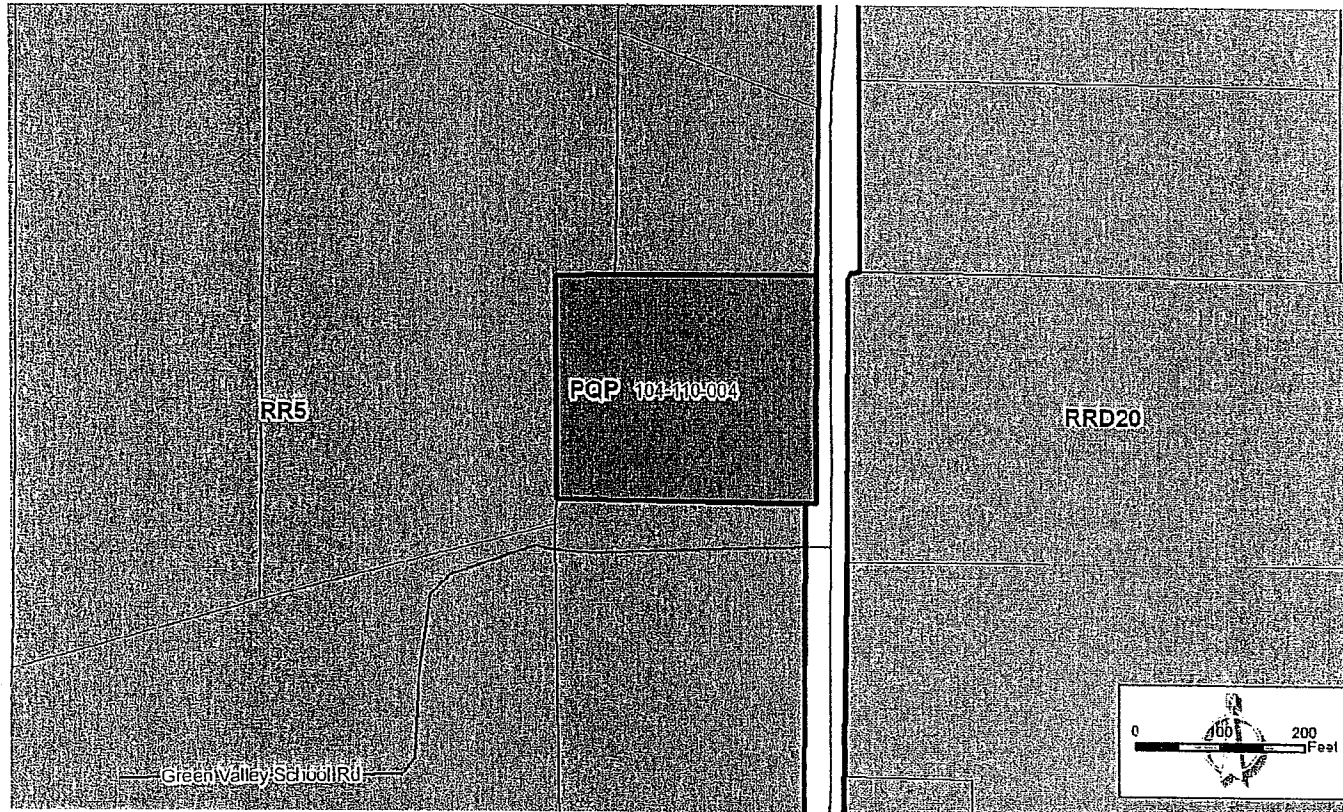
There are no applicable specific planning area policies.

Zoning:

The parcel is zoned Public Facilities (PF Z, HD) in the Sonoma County Zoning Ordinance. The requested zone change to the Agricultural and Residential district is consistent with similar zoning in the surrounding area. The Graton Fire District is looking to sell the parcel and the rezoning is necessary to create a more marketable property.

Current General Plan Land Use

EXHIBIT C



General Plan Land Use

- | | | |
|---|--------------------------------------|----------------------|
| Diverse Agriculture | General Commercial | Planning Area Policy |
| Land Extensive Agriculture | Limited Commercial | Affordable Housing |
| Land Intensive Agriculture | Limited Commercial Traffic Sensitive | City |
| Resources & Rural Development | General Industrial | |
| Rural Residential | Limited Industrial | |
| Urban Residential | Public / Quasi-Public | |
| Recreation / Visitor-Serving Commercial | | |

Base Map Data

- Coastal Commission Boundary
- Urban Service Area Boundary
- Highways
- Perennial Streams
- Intermittent Streams

Numbers on map indicate maximum density in Acres/Unit except Urban Residential where numbers indicate Units/Acres.



PRMD

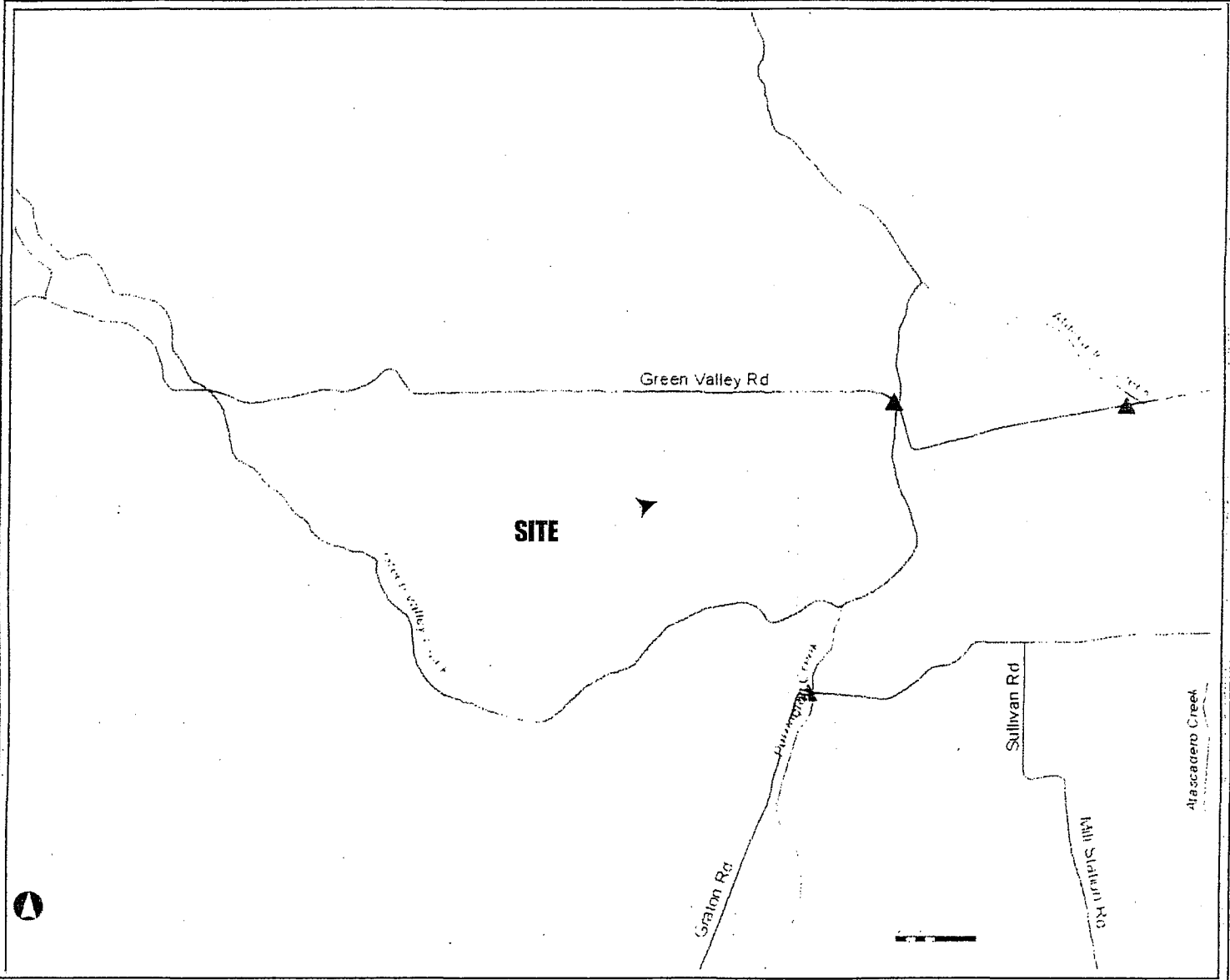
Activity #PLP13-0024



County of Sonoma
Permit and Resource Management Department
California

2013 and 2014
2013 and 2014
2013 and 2014

VICINITY MAP



<p>Planning</p> <ul style="list-style-type: none"> Arbe & Associates Urban Area Development Guidelines Water Quality Well and Septic Water Quality Well and Septic Water Quality Well and Septic 	<p>Air Quality Measure</p> <ul style="list-style-type: none"> Air Quality Control Board Northern Sonoma County Bay Area <p>Well and Septic</p> <ul style="list-style-type: none"> Water Quality Well and Septic Water Quality Well and Septic 	<p>Well/Wastewater Zones</p> <ul style="list-style-type: none"> Zone A: Petaluma Zone B: Sonoma Zone C: Santa Rosa Zone D: Sebastopol Zone E: Guerneville Zone F: Healdsburg Zone G: Ukiah <p>Base Layers</p> <ul style="list-style-type: none"> Geographic Information System Topographic Hydrology 	<p>Planning Areas</p> <ul style="list-style-type: none"> Urban Service Area Water Service Streets US Federal Highways State Highway Major Road Residential Water Electric Internet 	<p>Parcels</p> <ul style="list-style-type: none"> City Limits Supervisor Districts District 1 District 2 District 3 District 4 District 5 Fire Protection Responsibility Areas Federal State Local
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This map is for informational purposes only and is not intended to be used for any other purpose. The County of Sonoma is not responsible for any errors or omissions on this map. The County of Sonoma is not responsible for any errors or omissions on this map.



Created on 3/13/2013 at 12:8PM

4060 Green Valley School Rd. 104-110-004

Aerial Location Map



EXHIBIT E



PRMD

Activity #PLP13-0024

Resolution Number

County of Sonoma
Santa Rosa, California

October 17, 2013
PLP13-0024 Jane Riley

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS FIND THE PROJECT TO BE EXEMPT FROM CEQA AND APPROVE THE GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED BY JEAN KAPOLCHOK, FOR THE GRATON FIRE PROTECTION DISTRICT, FOR A 2.00 ACRE PROPERTY LOCATED AT 4060 GREEN VALLEY SCHOOL ROAD, GRATON; APN 104-110-004.

WHEREAS, the applicant, Jean Kapolchok for Bill Bolleck of the Graton Fire Protection District, filed an application with the Sonoma County Permit and Resource Management Department for 1) a General Plan Amendment from the Public Quasi-Public land use designation to the Rural Residential 5 acres per unit land use designation; and 2) a Zone Change from the PF (Public Facilities), HD (Historic District), Z (Second Dwelling Unit Exclusion) districts to the AR (Agriculture Residential), HD (Historic District), Z (Second Dwelling Unit Exclusion) districts on a 2.0 acre property located at 4060 Green Valley School Road, Graton; APN 104-110-004; Supervisorial District No. 5; and

WHEREAS, the Permit Resource and Management Department (PRMD) determined that the Project was exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the state CEQA Guidelines in that there will be no physical change to the environment as a result of this action; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on October 17, 2013, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. The General Plan Amendment and Zone Change are appropriate because the site will not be serving a public use and re-designating it as Rural Residential Land Use, and the Agricultural and Residential Zoning District is consistent with the surrounding area and with the General Plan's Rural Residential designation criteria.
2. The project is exempt from CEQA pursuant to Section 15061(b)(3) in that no physical changes are proposed that could have an effect on the environment.

Resolution #
October 17, 2013
Page 2

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors find the Project to be exempt from CEQA and approve the requested General Plan Amendment and Zone Change.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner _____, who moved its adoption, seconded by Commissioner _____, and adopted on roll call by the following vote:

Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

Ayes: Noes: Absent: Abstain:

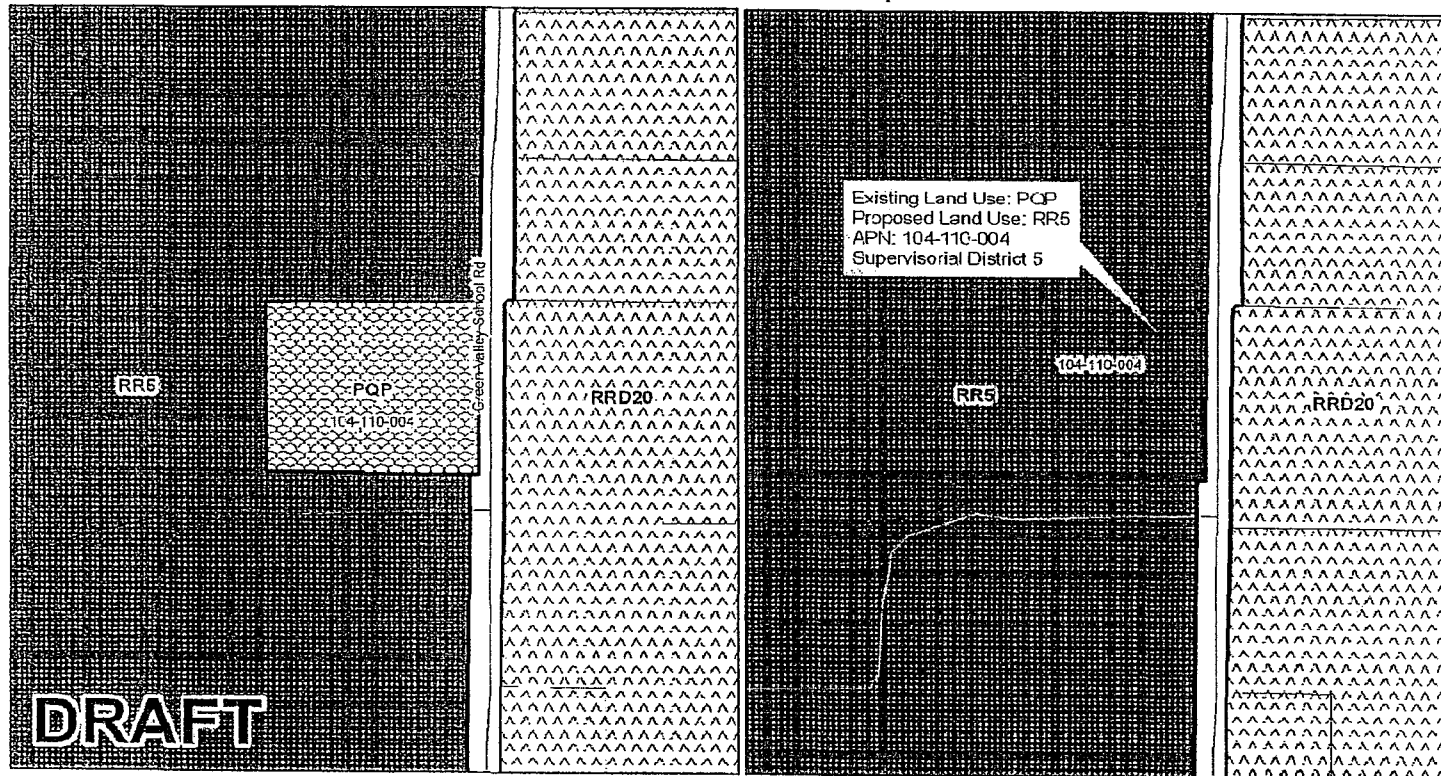
WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.

Existing & Proposed General Plan

Existing General Plan Land Use

Proposed General Plan Land Use



General Plan Land Use Churned Agriculture Land Extensive Agriculture Land Intensive Agriculture Resource and Rural Development Rural Residential Urban Residential Recreation / Visitor-Serving Commercial General Commercial Limited Commercial Limited Commercial Traffic Sensitive General Industrial Limited Industrial Public / Quasi Public		Planning Area Policy All Affordable Housing <small>Numbers on Map Indicate Maximum Density in Acres/Lot, except Urban Residential Where Numbers Indicate Units/Acre</small>	Base Map Data Subject Property Coastal Commission Boundary Urban Service Areas Highways Intermittent Stream Perennial Stream	 0 100 200 Feet 1 inch = 200 feet Permit and Resource Management Department Project Review Section 2550 Ventura Avenue, Santa Rosa, CA 95403 (707) 565-1965 Fax (707) 565-1103	FILE: PLP 13-0024 AP#: 104-110-004 Resolution No.
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Author: PRMD Cartography: D. Reimier File No: S:\GIS-DATA\PRMD_BASE\PRMD Department Projects\Comprehensive Planning\Land Use\Land Use Amendments Proposed\PLP 13-0024.mxd Date: 09/24/2013



Activity #PLP13-0024



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 47
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: November 5, 2013

Vote Requirement: Majority

Department or Agency Name(s): Permit Resource and Management Department

Staff Name and Phone Number:

Sigrid Swedenborg

Supervisorial District(s):

First

Title: Request to certify an Environmental Impact Report, rezone a 33-acre portion of a 99-acre parcel to add the MR (Mineral Resource) Combining District to allow for future mining, a Use Permit to expand the existing Mark West Quarry and approval of a revised Reclamation Plan, PLP09-0035; Bodean, Inc.

Recommended Actions:

Certify the Final Environmental Impact Report, approve rezoning of a 33 acre portion of a 99-acre parcel to add the Mineral Resource Combining District, approve a Use Permit and Mining and Reclamation Plan with a production limit of 500,000 cubic yards (750,000 tons) per year for a 20-year period subject to the Mitigation Monitoring Plan and conditions of approval, and adopt a Statement of Overriding Considerations for Bodean, Inc. 4411 Porter Creek Road, Santa Rosa. APN. 120-210-006, -031 and -048; First District.

Executive Summary:

On September 26, 2013, the Sonoma County Planning Commission, with a 5-0 vote, recommended that the Board of Supervisors certify the Final Environmental Impact Report and approve the request to rezone a 33-acre portion of a 99-acre parcel to add the MR (Mineral Resource) combining district to allow for future mining, a Use Permit to expand the existing Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approval of a Reclamation Plan that directs how the area mined on the site would be reclaimed and adopt a Statement of Overriding Considerations.

Quarrying would occur in three phases over an estimated 20-year period (with final reclamation of the mined area taking up to an additional 5 years). The typical sequence of action for each phase is as follows: 1. Removal of vegetation and overburden, 2. Preliminary grading for drainage control, 3. Blasting, 4. Rock removal using heavy equipment, 5. Rock crushing, processing, and sale, 6. Implementation of reclamation procedures, and 7. Repetition of the above actions in the next phase.

The project was found to be consistent with the General Plan, Zoning Ordinance, Aggregate Resources Management (ARM) Plan, and the Franz Valley Area Plan. A Draft EIR was prepared for the project, a public hearing was held on June 20, 2013 and comments were made on the Draft EIR. A Final EIR was

then prepared and reviewed at the Planning Commission hearing. The Planning Commission recommended that the EIR be certified. The EIR found that potential impacts to the following would be less than significant or have no impacts: Population & Housing, Agriculture and Forest Resources, Mineral Resources, Public Services and Recreation. Potential impacts to the following can be reduced to Less than Significant with Mitigation Measures which have been added to the conditions of approval with a monitoring program: Geology, Water, Biology, Noise, Greenhouse Gases, Visual, Hazards, Cultural Resources. Significant Cumulative Impacts would occur to: Biology – due to habitat fragmentation; Transportation - roadway improvements are needed; Air Quality – due to emissions of ozone precursors; and Visual - due to alteration of character of the site. In order for the project to be approved, the Board will have to make a Statement of Overriding Considerations. The Planning Commission found that there are up to 112 million tons of aggregate needed for local and regional projects, and with the policy to prohibit terrace mining and limits on in-stream mining, the ARM Plan encourages quarries. Local quarries reduce truck travel miles to bring in aggregate for County projects, reducing traffic congestion, construction costs, accidents and pavement deterioration, while providing local jobs.

Prior Board Actions: The Board approved contracts for preparation of the EIR

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Invest in jobs and community infrastructure while supporting the County ARM Plan to prohibit mining in river terraces and limit in-stream mining to bar skimming. This project is consistent with ARM Plan policies to provide for production of aggregate to meet local needs and contribute to the County’s share of aggregate demand in the North Bay region from hard rock quarry production.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Not applicable			
Attachments:			
Board of Supervisors Memo EXHIBIT A: Draft Conditions of Approval EXHIBIT B: Draft Ordinance and Sectional District Map EXHIBIT C: Vicinity Map EXHIBIT D: Planning Commission Resolution No. 13-012 EXHIBIT E: Planning Commission Draft Minutes dated September 26, 2013 EXHIBIT F: Planning Commission Staff Report dated September 26, 2013			
Related Items “On File” with the Clerk of the Board:			
The Draft and Final Environmental Impact Reports			



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

DATE: November 5, 2013 at 2:10 p.m.

TO: Board of Supervisors

FROM: Sigrid Swedenborg, Project Planner

SUBJECT: Hearing to consider an expansion to the Mark West Quarry; PLP09-0035; BoDean Inc., applicant; Supervisorial District No. 1.

Action Requested of the Board of Supervisors:

The Board is requested to conduct a public hearing on the proposal to expand the existing Mark West Quarry and the Environmental Impact Report (EIR). At the conclusion of the hearing your Board may certify the EIR and approve the request as recommended by staff and the Planning Commission.

Prior Actions:

The Draft Environmental Impact Report (DEIR) for the project was circulated for public review on May 21, 2013. The 45-day public review period began on May 21, 2013 and ended on July 5, 2013. On June 20, 2013, the Planning Commission took testimony on the adequacy of the Draft EIR. On September 26, 2013 the Planning Commission, with a 5-0 vote, recommended that the Board of Supervisors approve the request by BoDean Inc. to expand the quarry.

Location, Zoning and Project Description:

The subject property is located at 4411 Porter Creek Road, Santa Rosa. APNs 120-210-006, -031 and -048; Supervisorial District No. 1. The base zoning is RRD (Resources and Rural Development), 100 acre density, and combining zones include SR (Scenic Resources), and MR (Mineral Resources) district).

The proposed project is a request for a Zone Change to add the MR (Mineral Resources) overlay zone to 33 acres of Assessor's Parcel Number (APN) 120-210-031, to approve a Use Permit to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approve a revised Reclamation Plan that directs how the site will be reclaimed when mining ends.

ISSUES DISCUSSED AT THE PUBLIC HEARING

Issue #1: Transportation and Traffic

Staff presented the issue of road segments on the current haul routes of Mark West Springs Road and Porter Creek Road that currently do not meet County design standards (AASHTO and Caltrans) in terms of pavement width, sight distance, and other safety standards. The EIR finds as follows "The project would cause a substantial increase in truck traffic on the Mark West Springs Road/Porter Creek Road haul corridor and could increase the risk of collisions due to potential conflicts between project traffic and bicyclists and/or pedestrians." The EIR also notes the following: "The 2010 Sonoma County Bicycle and Pedestrian Plan identifies the Mark West Springs/Porter Creek/Petrified Forest Road corridor within the County as a future Class II facility (on-street,

striped bicycle lanes) between the U.S. 101 freeway to the west and the Napa County border to the east. The County's planned safety improvements along Mark West Springs Road, pending SCTA Measure M funding, would accommodate the Class II designation but would not do so for the entire length of this corridor." The roads at issue follow creeks and have very steep cuts on one side and steep drops down to the creeks on the other side. To address the safety issues identified in the EIR, the following roadway segments would require shoulder and/or lane widening to meet County standards on the Mark West Springs/Porter Creek Road haul corridor:

1. An approximately one-mile segment of Mark West Springs Road between Riebli Road and Mark West Lodge;
2. A 1.6-mile Porter Creek Road segment between Mark West Lodge and Franz Valley Road; and
3. Approximately 2.9 of 3.2 miles of Porter Creek Road between Franz Valley Road and Petrified Forest Road.

The measures identified in the EIR to mitigate these impacts include a requirement that the applicant pay their fair share to improve haul route roads to meet County road standards. DTPW developed an estimate of \$30,000,000-\$35,000,000 for improvements to the roadways. The total applicant contribution would be \$8,614,760. The applicant has stated that this amount is unfeasible for its project. While the project will create safety risks, the County has no current plans to initiate these improvements as they are not funded. Due to their high cost compared to other roadway needs, implementation is uncertain.

Collision data shows that despite general traffic increases over the last decade on Mark West Springs Road/Porter Creek Road, the annual collision total for the overall corridor has stayed relatively constant, ranging from 23 collisions in 2008 to 32 collisions in 2001. The EIR assessed road wear impacts, and found that the project would not cause a significant impact based on the significance threshold and no mitigations due to the effects of project truck traffic were necessary (see page 4.4-30 of the Final EIR).

Resolution

The Planning Commission determined that the roadway improvements are infeasible due to the high costs and recommended an override to the applicant's fair share contribution of \$8,614,760, finding that the deficiency is an existing situation, and there are no plans by the County to do road improvements. Road work on the segments would require more environmental review since design plans have not been completed. However, the applicant must still pay their fair share contribution (\$255,000 in 2013 dollars) for the signalization for the Riebli/Mark West Springs Road intersection.

The Planning Commission also discussed the adequacy of the current Aggregate Road Mitigation fee of 10.5 cents per ton mined, which is assessed on an annual basis to quarries for road maintenance of haul routes. The Commission expressed concern that the fee may not adequately cover all necessary quarry haul route road maintenance for the project. The Commission recommended that the Board evaluate the mitigation fee to assure that the fee reflects the actual fair share of roadway maintenance costs associated with trucks hauling aggregate.

The Aggregate Road Mitigation Fee was imposed because trucks associated with hauling aggregate were, due to their extreme weight, identified as a key cause of and contributor to pavement deterioration on County roads and identified as a significant cumulative impact of aggregate hauling

operations in the 1981 Aggregate Resources Management Plan (ARM) EIR. A complete evaluation of the Aggregate Road Mitigation Fee cannot occur as a part of Board action on this application at the November 5, 2013 public hearing.

However, if the Board of Supervisors determines that the applicant should be responsible for additional roadway improvements beyond those required by recommended conditions of approval, the Board can consider modifying the proposed conditions of approval.

Issue #2: Timberland Resources

There was a discussion during the Planning Commission hearing on the Draft EIR about the requirement for a Use Permit for Timberland Conversion. After that hearing, a Registered Professional Forester did a thorough examination of the Mixed Evergreen Forest at the site. It was determined to be unsuitable for sustained commercial timber production due to poor soils and slow growth of evergreen trees. His determination was sent to Calfire, and they concurred with this determination.

Resolution

At the hearing on the Final EIR it was clarified that a timber conversion permit or timber harvest plan is not required for the project.

Issue #3: Public Comments

Only two people spoke, besides the applicant, at the Planning Commission hearing on the Final EIR. One of the issues discussed was concerns about the timber harvesting, however, that is no longer part of the project. The applicant will only remove vegetation as necessary and will not be doing a major timber operation. One of the speakers, Janet Angell, is concerned about mining operations in general affecting the use of her property, the "Petrified Forest" which adjoins the property east of the quarry. The Commission pointed out that mining operations are to move west, away from her property and the area mined closest to her has been reclaimed and is no longer part of any active project.

The other speaker owns property west of the site and has an approved subdivision, but has not filed the Final Map. He is concerned about the mining operation affecting his water supply and impact of views from two building envelopes on his four lot subdivision. There was testimony that there is still flexibility with the final design of the proposed lots. The EIR consultant stated that the water supply for his property and the quarry are totally separate and there should be no adverse impact to neighboring wells. Only one neighboring well would be impacted by the quarry, and that is because some of the recharge area for that well will be removed by the quarry operation. The Use Permit has a condition requiring that, with the permission of the property owner, the applicant monitor the domestic water supply well located on Assessor's Parcel 120-021-032 for significant changes due to quarry expansion and regrading of recharge areas. Monitoring shall include quarterly observations of groundwater levels in the well and shall commence before quarry expansion to establish a base line. Well monitoring shall continue through the length of the project. If it is determined that well levels have deviated statistically from the baseline annual cycle at any time during the expansion and reclamation of the quarry (accounting for rainfall totals), or within five-years following the completion of the expansion and reclamation, and the owner of the property requests, the applicant shall be financially responsible for providing a reliable supply of water to the impacted property, which may include deepening of the existing well and/or drilling a new well. (Mitigation4.2-F.1, EIR).

List of Attachments:

- EXHIBIT A: Draft Conditions of Approval
- EXHIBIT B: Draft Ordinance and Sectional District Map
- EXHIBIT C: Vicinity Map
- EXHIBIT D: Planning Commission Resolution No. 13-012
- EXHIBIT E: Planning Commission Draft Minutes dated September 26, 2013
- EXHIBIT E: Planning Commission Staff Report dated September 26, 2013

On File with the Clerk: The Draft and Final EIR were distributed to the Board of Supervisors on October 3, 2013.

**Conditions of Approval
Exhibit A**

Date: November 5, 2013
Applicant: BoDean Co. Inc.
Address: 4411 Porter Creek Rd.,
Santa Rosa

File No.: PLP09-0035
APN: 120-210-048, -031, -006

Project Description: Request to rezone a 33-acre portion of an 99-acre parcel to add the MR (Mineral Resource) Combining District to allow for future mining, a Use Permit to expand the existing Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approval of a revised Reclamation Plan that directs how the area mined on the site would be reclaimed.

Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.

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, and \$2,995.25 (or latest fee in effect at time of payment) because an Environmental Impact Report was prepared, for a total of \$3,045.25 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.
2. Prior to any clearing activities in the expansion area, the applicant shall submit to PRMD a Condition Compliance Review fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.

BUILDING:

"The conditions below have been satisfied BY _____ DATE _____

3. The applicant shall apply for, obtain and finalize permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to site review and drainage review permits.
4. The use shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division.

HEALTH:

"The conditions below have been satisfied BY _____ DATE _____

PRIOR TO VESTING THE USE PERMIT :

Water:

5. Prior to vesting the Use Permit, the applicant shall provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of the well water that serves the office and shop, tested by a California State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County requirements and re-test the well. If the contamination cannot be cleared from the well, destruction under permit of this Department may be required. Copies of all laboratory results must be submitted to the Project Review Health Specialist.

6. Prior to vesting the Use Permit, an easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 AM to 5:00 p.m. Due to safety issues, quarry staff shall accept appointments to accompany County personnel on all site visits and the standard easement shall be revised to reflect this need. All easement language is subject to review and approval by PRMD-Project Review and County Counsel prior to recordation.
7. Prior to vesting the Use Permit, a water well serving this project shall be fitted with a groundwater level measuring tube and port, or electronic groundwater level measuring device. A water meter (or meters) to measure all groundwater extracted for the permitted use shall be installed on the water system. A site plan showing the location of the well with the groundwater level measuring device and the location of the water meter(s) shall be submitted to the Project Review Health Specialist at PRMD.

Septic:

8. Prior to vesting the Use Permit, the applicant shall obtain a permit for a replacement or up-graded sewage disposal system meeting the Re-utilization Policy (Policy 9-2-15 on PRMDs web site) for the residence, office and shop areas on Assessor Parcel Number 120-210-048 (address 4611 Porter Creek on the 1966 septic system permit). The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis, percolation and wet weather testing may be required. Wet weather groundwater testing may also be required. The sewage system shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit (except for the portable toilets described herein) and any additional sources from the parcel plumbed to the disposal system, and shall include the required reserve area. If a permit for a standard, innovative or Experimental Sewage Disposal System sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. Quarry areas not served by the residence, office and shop septic system(s) shall use portable toilets consistent with the portions of PRMD Policy 9-2-31 as listed below. The Project Review Health Specialist shall receive a final clearance from the Well and Septic Division that all required septic system testing and design elements have been met.

(a) The use of portable toilets shall meet the following minimum requirements:

1. An adequate number of portable toilets shall be provided.
2. Portable hand washing facilities shall be provided with all portable toilets.
3. Portable toilets shall be serviced as needed, but in no case less than once every seven days.
4. The applicant shall provide an accessible portable restroom on the job site where required by Federal, State or local law, including but not limited to, requirements imposed under OSHA, the Americans with Disabilities Act or Fair Employment and Housing Act.
5. If complaints are received that PRMD believes are valid complaints, the applicant or current operator of the Use Permit shall increase the number of portable toilets and/or increase the frequency of maintenance of the portable toilets. The property owner and his agent(s) are expected to maintain portable toilets and hand washing units so that:
 - (a) The holding tank does not leak or overflow.
 - (b) Toilet paper is promptly replaced when the dispenser runs out.
 - (c) Water, paper towels and soap is promptly replaced when the hand washing units run out.
 - (d) The wait to use a portable toilet shall not be so long that people relieve themselves at other impromptu locations.
 - (e) Reliance upon portable toilets shall not create a public nuisance.

Vector Control:

9. A mosquito and vector control plan acceptable to the Marin-Sonoma Mosquito and Vector Control District (telephone 707-285-2200) shall be submitted prior to the construction or operation of any ponds and prior to vesting the Use Permit . The Project Review Health Specialist shall receive a copy of the vector control plan and an acceptance letter from the Marin-Sonoma Mosquito and Vector Control District.

OPERATIONAL REQUIREMENTS:

Water:

10. A safe, potable water supply shall be provided and maintained.
11. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored quarterly and reported to PRMD in January of the following year pursuant to section WR-2d of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance.
12. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD-project review at least once every five years.
13. With the permission of the property owner, the applicant shall monitor the domestic water supply well located on Assessor's Parcel 120-021-032 for significant changes due to quarry expansion and regrading of recharge areas. Monitoring shall include quarterly observations of groundwater levels in the well and shall commence before quarry expansion. Well monitoring shall continue through the length of the project. If it is determined that well levels have deviated statistically from the baseline annual cycle at any time during the expansion and reclamation of the quarry (accounting for rainfall totals), or within five-years following the completion of the expansion and reclamation, and the owner of the property requests, the applicant shall be financially responsible for providing a reliable supply of water to the impacted property, which may include deepening of the existing well and/or drilling a new well. (Mitigation4.2-F.1, EIR).

Septic:

14. Maintain the annual operating permit for any package treatment plant, Alternative (mound or pressure distribution) or Experimental Sewage Disposal System installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.
15. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
16. All future sewage disposal system repairs shall be completed in the designated reserve areas and at a minimum shall meet the standard agreed upon under the Re-utilization Policy. 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. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required.

Hazardous Materials Program:

17. Comply with applicable hazardous waste generator, underground storage tank, above ground storage tank and AB2185 (hazardous materials handling) requirements and maintain any applicable permits for these programs from the Hazardous Materials Division of Sonoma County Department of Emergency Services.

Noise:

18. Noise shall be controlled in accordance with the following as measured at the exterior property line of any affected residential or sensitive land use.

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric¹, dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.		

The EIR determined that the only Table NE-2 descriptor that is potentially significant for this project is the Daytime L₅₀, which has been adjusted for ambient conditions [General Plan Policy NE-1c (1) and (3)] at each receptor as follows:

Receptor	Adjusted County Daytime Limit (7a.m. to 10 p.m.) (L₅₀ dBA)
R1- Northwest Residence	53
R2 - West Residence	50
R4 (LT-1) - Southwest Residence	53
R5 - South Residence	54
R6 – (LT-3) - Mountain Home Ranch Resort/ Mayacamas Ranch	45

If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD=s opinion, then the applicant shall conduct a noise study to determine if the current operations meet noise standards and identify any additional noise mitigation measures if necessary. A copy of the noise study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a valid noise complaint has been received. The owner/operator shall implement any additional mitigation measures needed to meet noise standards.

Solid Waste:

19. All garbage and refuse on this site shall be accumulated or stored in non-absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on this site shall not be accumulated or stored for more than seven calendar

days, and shall be properly disposed of to a County Transfer Station or County Landfill before the end of the seventh day.

TRANSPORTATION AND PUBLIC WORKS:

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

20. A Traffic Mitigation Fee shall be paid to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code, prior to clearing or mining activities in the expansion area. This fee is for indirect cumulative traffic impacts throughout the county and shall be based on the Average Daily Traffic (adt) of 178 (increase in peak daily truck trips + new employees) as identified in the EIR. This permit shall not be vested until the traffic mitigation fees are paid in full.
21. The applicant shall report annually to PRMD all aggregate materials sold from the facility, including recycled aggregate materials. This information shall be deemed proprietary for a 5 year period. The applicant shall pay the Aggregate Road Mitigation Fee as adjusted annually, for all aggregate materials, including recycled aggregate materials. PRMD staff will review annual reports submitted by the operator and shall invoice the applicant annually. If the operator does not make payment, the account will be sent to collections and the operator may be issued a Notice of Violation and subject to revocation or modification of this permit.
22. Prior to the expansion of clearing or mining activities onto the adjacent parcels the Applicant shall pay, to the DTPW, a fair share of the cost of the future signalization of the Mark West Springs Road-Riebli Road intersection. The fair share for the signalization improvement is 17%. (Mitigation Measure 4.4-G.1) The permit shall not be vested until the traffic fair share contributions are paid in full. The method for calculating equitable fair share is based on the Caltrans Guide for the Preparation of Traffic Impact Studies, Appendix "B", Methodology for Calculating Equitable Mitigation Measures. The Sonoma County Department of Transportation and Public Works (DTPW) will provide a cost estimate for each improvement.

Mitigation Monitoring: Prior to the expansion of clearing or mining activities onto the adjacent parcels the Applicant shall pay, to the Sonoma County Department of Transportation and Public Works, a fair share (as calculated by the County) of the cost of the future signalization of the Mark West Springs Road-Riebli Road intersection.

GRADING AND STORM WATER:

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

23. Tracking of soil or construction debris into the public right-of-way shall be prohibited.
24. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands.
25. Except for stream crossings, no grading or land disturbance shall occur within 50 feet of the top of banks of the waterways. A construction fence must be placed along the waterway setback to prevent land disturbance adjacent to the waterways.
26. 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 ARM Staff at PRMD.
27. The applicant shall develop and implement a Water Quality Protection Program (WQPP) to control sediment and pollutant runoff from the quarry during its operational life and beyond through post reclamation. All structural elements and processes shall be designed and approved by a professional civil engineer experienced in stormwater management and sediment control.

The design shall meet the standards of the Sonoma County SMARO. All hydrologic and engineering calculations, including sediment trap efficiency, shall be submitted to the County and the RWQCB for review and approval prior to clearing or mining in the expansion area.

The applicant shall submit a copy of the WQPP that adequately addresses control and reduction of stormwater laden with sediment or other pollutants to the County PRMD. The applicant shall comply with requirements set forth by the RWQCB in the WQPP for annual reporting and water quality sampling, which typically includes annual reports and reports of failed best management practices (BMPs). The WQPP shall be regularly updated as BMPs are updated and new BMPs are constructed and/or the quarry operation changes. The WQPP shall be implemented during the initial stage of quarry construction and stay in effect through the completion of reclamation.

- Reclamation or stabilization of all quarry slopes and the quarry floor (excluding the working/processing/stockpile/loading/access areas) shall be completed by October 1 of each year. Stabilization measures include hydraulic application of surface stabilizing compounds, hydroseeding, mulching, or other measures to prevent erosion. To insure accurate compliance with this condition, the applicant shall submit to the Sonoma County PRMD, a site plan or aerial photograph clearly depicting the extent of mining and reclamation on the site every five years during mining and reclamation and at the completion of reclamation;
- In areas not being actively mined, bare soil shall be protected from erosion with the application of hydraulic mulch or hydroseeded;
- In areas requiring temporary protection until a permanent vegetative cover can be established, bare soil shall be protected by the application of straw mulch, wood mulch, or mats;
- To the extent practical, benches should be back-sloped or provided with rock or straw bale checks so that sediment is trapped on the benches rather than washed into the sediment ponds; and
- Benches shall drain into adequately sized pipes or rock-lined channels that convey the runoff to the quarry floor. Outlets of pipes shall have appropriate energy dissipaters to prevent erosion at the outfall.

Sediment Retention Measures. The WQPP shall include specific measures to trap eroded sediment on site to prevent a discharge to receiving waters. Specific measures cited below shall be adapted from the most current edition of the CASQA Stormwater BMP handbook for construction. The applicant shall install sediment retention measures prior to winter (on or about October 15) or in areas receiving surface water runoff in the dry season (e.g. the areas receiving seepage from the quarry walls). Sediment retention measures shall be regularly inspected by quarry personnel and corrective action shall be conducted in the event that the measures fail. Inspection and performance of the sediment retention measures shall be included in the SWPPP and included in the required annual report. Equivalent measures deemed more effective by the North Coast RWQCB may be substituted.

- Silt fences, fiber rolls, and straw bale barriers shall be used on bare slopes not being actively mined to intercept and trap sediment carried by sheet flow;
- The program shall include a description of the construction method for the sediment ponds, including the design storm and spillways;
- The applicant shall design the proposed sediment ponds to the maximum size practical for the available space. The sediment control basin shall include a forebay to trap coarse soil particles. Recognizing that the sediment ponds may not be large enough to trap very fine particles such as clay, the design shall include supplemental treatment that can be

used as needed to meet the water quality discharge criteria for this project. Supplemental treatment may be chemical treatment that promotes fine particle settlement, mechanical filters to remove fine particles, or other measures approved and required by the North Coast RWCQB for this particular project;

- All runoff from actively mined or reclaimed areas shall be directed through the sediment control basins.

Implement Contaminant-Control BMPs. The applicant shall implement BMPs to reduce the potential for discharge of contaminants to storm water runoff. These BMPs shall be designed by a civil engineer and the design engineer shall oversee BMP installation. To minimize the introduction of contaminants which may degrade the quality of water discharged from the site, the following measures shall be taken:

- Fueling and maintenance of all rubber-tired loading, grading and support equipment shall be prohibited within 100 feet of drainage ways. Fueling and maintenance activities associated with other less mobile equipment shall be conducted with proper safeguards to prevent hazardous material releases. All refueling and maintenance of mobile vehicles and equipment shall take place in a designated area with an impervious surface and berms to contain any potential spills;
- The site shall be controlled by maintaining security fencing and locking gates and posted trespass signs at all vehicular access points to the site to prevent unauthorized entry;
- Runoff from the access roads shall be captured, retained and conveyed to the sediment control pond; and
- All chemical dust suppressants and slope stabilization chemicals or polymers, and sediment pond enhancement chemicals or polymers shall be EPA approved and shall be used strictly according with the manufacturer's directions. An accurate accounting of the kinds and quantities of these materials used on the site shall be maintained by the operator.

28. Maintain and repair storm damage to conveyance and water quality control systems, as necessary. The applicant shall maintain procedures to ensure prompt identification and repair of damage to the drainage and water quality control systems, especially after large storm events. The applicant shall conduct routine inspection and maintenance of the stormwater and sediment control facilities. Stormwater drainage conveyance and outfalls shall be inspected monthly during the dry season and after each rain storm between October and March. If inspections reveal that stormwater conveyance of water quality control facilities (e.g. sediment ponds, energy dissipation structures) are damaged, corrective actions shall be implemented immediately.

PLANNING:

"The conditions below have been satisfied BY _____ DATE _____

29. This Use Permit provides a 20 year surface mining permit for Mark West Quarry to include expansion of mining to a 33 acre leasehold area excluding the northern mining area (for a total mining area of 90 acres) and Reclamation Plan for the entire mining area as shown in Exhibit E; APNs:120-210-048, -031, and -006. The maximum allowable production level is 500,000 cubic yards (750,000 tons) per year. The permitted hours of operation are Monday through Friday: 6:00 a.m. through 10:00 p.m., Saturday 6:00 a.m. until 4:30 p.m., and closed on Sundays and national holidays, consistent with SMARO (Surface Mining and Reclamation Ordinance). A maximum of 17 employees are

permitted. The use shall be operated in accordance with the proposal statement, technical reports, and site plan located in File No. PLP09-0035, as modified by these conditions.

30. Prior to expanding the mining operation onto APN 120-210-031, the applicant must submit a recorded document that would be part of any title report with an offer to reimburse the owner/tenant for installation of double pane windows in the residence at 4500 Porter Creek Road (APN120-210-009).
31. Prior to expanding the mining operation onto APN 120-210-031, the applicant must submit a copy of the truck driver education program which would include bicycle safety especially related to safe passing distances and when it is appropriate to use horns.
32. This Use Permit and Reclamation Plan does not include mining in the northern area shown as outside the "active mining area" on Exhibit D. All conditions imposed herein shall apply and remain in effect for the vested rights area as well as the 33 acre expansion area as long as this use permit remains in effect. The applicant shall record a deed restriction, in a form acceptable to County Counsel, stating this. This use permit shall not supersede, alter or waive any of the applicant's existing vested rights on the original leased area except during the term of the use permit as described herein. The original vested rights leased area may require a revised Reclamation Plan after the use permit has expired. No mining in the northern mining area under vested rights may occur unless and until a revised Reclamation Plan is approved.
33. The Use Permit and revised Reclamation Plan shall be effective for 20 years from the date of clearing the site in preparation for mining on APN120-210-031. The applicant shall notify PRMD the specific date of commencement.
34. Prior to commencement of clearing the site in preparation for mining, the applicant shall submit a final Reclamation Plan document or addendum reflecting the "As Approved" mining and reclamation plan and incorporating the comments/conditions of the Department of Conservation Office of Mine Reclamation by letter dated October 2, 2013. The final Reclamation Plan shall incorporate all conditions of approval and or revisions included in the approved project.
35. Prior to commencement of clearing or mining in the expansion area, a "Notice of Reclamation Plan Approval" shall be filed with the County Recorder per State law. Each notice must include a description of the real property subject to the reclamation plan approval.
36. Prior to clearing or mining in the expansion area, the applicant/operator shall submit to PRMD financial assurance(s) payable to the County of Sonoma and, in the alternative, the State Department of Conservation, in an amount and format to be reviewed and approved by PRMD and State Department of Conservation Office of Mine Reclamation, to assure compliance with the approved Reclamation Plan and conditions thereof for the entire area of the quarry. A valid financial assurance shall be maintained on file until PRMD determines that all reclamation has been successfully carried out in compliance with the reclamation and final conditions. Financial assurance shall renew automatically and shall not expire without 90-days advance written notice being provided to PRMD. A Continuation Certificate or other proof of extended coverage shall be forwarded to PRMD no less than 30 days prior to the expiration date of the financial assurance. PRMD may adjust the amount of the security on an annual basis to account for additional lands disturbed or reclaimed, inflation, or revised cost estimates. The financial assurance shall reference the name of the mining site, the resolution number of the County approval, and PRMD file number.
 - a. The County may pursue redemption of the securities if: 1) reclamation activities do not meet the performance standards; 2) satisfactory progress is not made towards completing the reclamation in a timely manner; or, 3) the operator is financially incapable of carrying out the reclamation.

37. The applicant/operator and subsequent owners or operators of the above-referenced project shall complete mining and reclamation activities in accordance with the approved Mark West Quarry surface mining Use Permit and final Reclamation Plan as modified by these conditions. The applicant/operator shall maintain the site in accordance with the Reclamation Plan, including but not limited to the drainage improvements, slopes and vegetation. Prior to the lease, sale or other conveyance of any portion of the real property subject to this approval, the applicant/operator shall provide a copy of the Use Permit and Reclamation Plan approval along with all technical reports, site plans, proposal statement and this exhibit to the prospective lessee, buyer or other recipient of such conveyance. The County has the power to modify or revoke a permit, entitlement, or project approval if the conditions are not met. The mining operator must also notify the State Office of Mine Reclamation and PRMD of any changes in ownership/operator.
38. The operator shall contribute to ARM Plan Monitoring and Administration funds established by the County pursuant to the ARM Plan and shall otherwise mitigate identified impacts as follows: Inspection, enforcement and monitoring fees shall be paid by the operator in order to cover all actual costs incurred by the County for the inspection, monitoring, and enforcement of the applicable Use Permit and reclamation plan conditions in accordance with the ARM Plan. Where the monitoring service of a qualified professional is required by the Mitigation Monitoring Program, additional monitoring fees may be levied on the operator to cover such costs.

Monitoring: PRMD ARM staff shall be responsible for determining compliance with this condition. PRMD staff shall also be responsible for billing the operator for all monitoring work done in compliance with ARM Plan and County ordinance requirements. Violations of the condition may result in proceedings to revoke the Use Permit for mining.
39. All mining and reclamation activities shall comply with the provisions of the 1994 ARM Plan, Chapter 26A of the Sonoma County Code, and other County ordinances, local, state and federal regulations, rules, orders, permits and requirements regulating surface mining and reclamation in existence or hereafter adopted. Any violation of applicable regulations is a violation of this permit.
40. To the extent required by applicable law, the operator and all successors in interest shall obtain any and all permits or approvals required by other agencies having jurisdiction over the project and shall provide copies of same to PRMD prior to clearing or mining in the expansion area. This Use Permit is subject to the conditions of said permits and any violation of other such permits shall constitute a violation of this Use Permit. If there are conflicts between the conditions of any permits, the more restrictive shall apply. Such agencies may include, but are not limited to:
 - a. North Coast Regional Water Quality Control Board (RWQCB)
 - b. Department of Fish and Wildlife (CDFW)
 - c. California Department of Forestry and Fire Protection (CAL FIRE)
 - d. Department of Conservation
 - e. Department of Toxic Substances Control
 - f. Bay Area Air Quality Management District
 - g. Army Corps of Engineers
 - h. U.S. Fish and Wildlife Service
 - i. National Marine Fisheries Service
 - j. Mountain Volunteer Fire Department
 - k. Occupational Safety and Health Administration (OSHA)
 - l. Mine Safety and Health Administration (MHSa)
41. The operator shall continue to provide the California Department of Conservation and PRMD, in the manner specified by said agencies, annual reports on mining and reclamation activities on the site until the project site is fully reclaimed and the site is taken off the state's mining site list.
42. 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 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.

43. This permit shall be subject to revocation or modification by the Planning Commission if: (a) the Commission finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) year after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.

Mitigation Measures and Monitoring Program:

Prior to issuance of any permits (grading, septic, building, etc.) or commencement of clearing or mining activity in the expansion area or adjacent parcels defined as APN 120-210-031, all of the pre-operational conditions must be met and verified by PRMD staff pursuant to this Use Permit.

Geology and Soils

44. Following discernible seismic shaking at the quarry project, a visual inspection shall be made by experienced, onsite mining personnel of all quarry slopes and slopes above Porter Creek Road. The intent shall be to identify any failure or incipient failures that require correction for safety or ongoing mining. In the event of failures causing substantial damage, or an identified incipient failure that could cause such damage, a Certified Engineering Geologist and/or licensed Geotechnical Engineer shall be immediately retained to characterize the failure(s) and recommend repair procedures. All slope repairs within the active mining area posing a risk to workers shall be completed prior to resuming routine mining activities in the affected area. All slopes above Porter Creek Road posing a risk to road traffic shall be immediately protected or stabilized prior to reopening the road to traffic.

Mitigation Monitoring: The applicant shall implement after seismic shaking event and report findings and/or repair procedures to PRMD. Applicant's geotechnical expert shall report completion of repairs to PRMD. Operations will not be allowed to re-commence until authorized by PRMD.

45. Mining slopes will be graded to meet the following guidelines:
- a. in order to reduce the damage created by rock failures, benching is required on active mining slopes over 60 vertical feet in height.
 - b. The width of the benches shall be no less than half the height of the slope face that is directly above it.
 - c. Inter-bench mining cuts shall have an average steepness of no more than 0.25 to 0.5:1

(horizontal to vertical) and generally be kept to 60 feet in height or less, and 90-foot cuts shall only be excavated if the rock appears highly stable and shows no signs of failure, such as incipient wedge failures, substantial raveling or sloughing.

- d. Overburden at the top of working slopes consisting of soil and severely weathered rock shall be sloped no steeper than 2:1.
- e. Minimum 10-foot wide benches shall be constructed every 30 vertical feet or at the middle of the soil/overburden slopes, whichever is less.

Mitigation Monitoring: PRMD ARM staff shall verify that these conditions have been met during scheduled quarry inspections. Applicant will remediate any identified inadequacies.

46. For the first five years of production, the applicant shall be responsible for annual monitoring and assessment of the mining production slope stability. After 5 years, the monitoring will be done every 3 years; after 10 years the monitoring interval will be extended to every 5 years. This work will be done by a qualified engineering geologist. The geologist shall prepare a written report describing the results of the monitoring and any related subsurface investigations, and will specifically note any observed changes in the properties of newly exposed rock that might indicate that large, or otherwise damaging slope failures could occur. In the event that such changes in rock properties are observed, the geologist will make recommendations for revisions to the Final Reclamation Plan that may be required to improve slope stability and protect adjacent properties. The geologist's report will be submitted to the Sonoma County Permit and Resource Management Department by June 30th of each year. If the geologist recommends changes to the Final Grading Plan in any area of the quarry, the quarry operator will revise that plan and submit it to the County. Once the County has approved the changes, the Reclamation Plan will be also be revised accordingly. This must be done prior to making further excavations in the area requiring grading.

Mitigation Monitoring: PRMD ARM staff shall verify that these conditions have been met during scheduled quarry inspections. Applicant will remediate any identified inadequacies.

47. Before production slopes are developed in the quarry expansion area, the large landslide above the quarry driveway (the "Potential Rockfall" on Figure 4.1-2) shall be removed or stabilized. An engineering geologist shall confirm that subsequent mining would not cause additional sliding or rockfall off the site that cannot be contained by the proposed rockfall barrier system.

Mitigation Monitoring: The applicant shall implement slope stabilization measures prior to mining the expansion area. PRMD shall review and approve the engineering geologist's findings before authorizing mining of the expansion area. PRMD ARM staff shall verify that the condition has been complied with during quarterly inspections of mining in the expansion area.

48. Prior to the initiation of mining on the slopes above Porter Creek Road, the applicant shall develop a blasting program to reduce blasting vibrations on these slopes and minimize the potential for blasting-triggered instability above the road. The blasting program shall be developed in consultation with a blasting engineer to assist in selecting, calibrating, and installing a vibration monitoring system. The purpose of the system would be to determine if recommended vibration limits are being exceeded on the slopes and, if necessary, to reduce them to acceptable levels through modification of blasting practices.

Mitigation Monitoring: PRMD will review and approve the blasting program prior to mining of the expansion area. PRMD ARM staff shall verify that the condition has been complied with during quarterly inspections of mining in the expansion area.

49. The applicant shall prepare a final design for the rockfall barrier system. The final design and supporting geotechnical data shall be submitted to the County for review. The applicant shall pay for any technical review required by the County. The final design shall include the following:

- a. The barrier system will be designed to capture rocks that could be dislodged from Landslide A on Figure 4.1-2 as well as from all other sources above Porter Creek Road on the project site.
- b. The barrier shall capture rocks of a size that currently exist on the slopes as well as rocks that could be expected (as predicted by an engineering geologist) to be exposed or dislodged given future blasting, seismic ground shaking, and mining activities.
- c. The height of the barriers shall be sufficient to accommodate the predicted bounce height of dislodged rocks.
- d. Details specifying when and how to shift the upper temporary removable fence downslope, remove debris, and maintain the fence, shall be included.
- e. No road or trail shall be constructed on the slopes above Porter Creek Road to install the rockfall barriers.

Mitigation Monitoring: PRMD will review and approve the rockfall barrier design prior to allowing mining of the expansion area. PRMD ARM staff shall visually verify that the installation of the rockfall barrier system is consistent with the approved final design during field inspection of the site.

50. During the duration of mining the slope above Porter Creek Road, visual inspections shall be made at least once a month by mining personnel to confirm the slopes and slope protection facilities are performing satisfactorily. Any necessary slope maintenance or repairs shall be promptly completed.

Mitigation Monitoring: Applicant shall inform PRMD in writing of any repairs required, and PRMD ARM staff will review for compliance during scheduled quarry inspections.

51. The temporary fence will be removed once mining of the section of slope being protected ends.

Mitigation Monitoring: PRMD ARM staff will review for compliance during scheduled quarry inspections.

52. The final highwall slopes shall be developed to include the following measures:

- a. Final reclaimed cuts in rock slopes shall average no steeper than 1.5:1 from the toe of the overall highwall cut to the top.
- b. Fifteen-foot wide drainage/catchment benches shall be constructed every 30 vertical feet and intervening cut slopes shall have a maximum inclination of 1:1.
- c. Benches shall be cut to dip into the slope at an angle of no less than 2%.
- d. If a zone of weathered rock (overburden) or soil remains at the top of the highwall cut, it shall be sloped no steeper than 2:1.
- e. At least 10-foot wide benches shall be constructed every 30 vertical feet or at the middle of the weathered rock zone, whichever is less.
- f. A permanent earthen berm (compacted to a minimum of 85% relative compaction) or rock containment fence shall be installed along the outside perimeter of the wide bench that will be constructed beyond the base of the completed highwall.
- g. The top of the throughcut backslope facing the base of the completed highwall shall be rounded off to prevent a sharp edge that will be susceptible to accelerated erosion or rock

fall.

- h. Prior to construction of the final highwall, a Certified Engineering Geologist or licensed Geotechnical Engineer and a blasting engineer shall review the geologic conditions exposed at that time and develop a blasting program appropriate for the construction of the finished highwall slopes.
- i. Once final highwall construction starts, the project applicant shall annually survey the highwall benches and maintain them free of loose rock and debris and maintain interbench drainage ditches and culverts in good operating order. This shall be done prior to the onset of the rainy season and following intense rainfall events (3 inches or more in 24-hour period). The engineering geologist conducting monitoring of slopes will determine if the frequency of inspections and maintenance by mine personnel is adequate, will identify incipient failures that require repair, and develop recommendations for their repair. Recommended repairs shall be made, documented, and submitted to County PRMD.
- j. Any portions of the final highwall or the proposed location of Detention Basin A that are found to include unstable/compressible landslide material shall be corrected by either removing the debris and/or stabilizing the wall and ground beneath the basin. Stabilization can include one of several geotechnically acceptable methods, and depending on conditions encountered, could include placement of rip rap, gabion structures, reinforced fills, or retaining walls. Additionally, surface runoff from the highwall or nearby areas shall be directed away from the surface of the slide. The monitoring engineering geologist and geotechnical engineer will determine whether additional measures are needed to ensure that the landslide is not reactivated. Alternatively the highwall corner and basin site can be shifted to the east to eliminate intrusion by the landslide.
- k. The final highwall shall be inspected on an annual basis for a period of 5 years after final reclamation by an engineering geologist. If more than two damaging failures occur within the five year inspection period, inspections shall be extended in increments of two years until the slopes are free of all but minor failures that constitute routine maintenance. Maintenance and repairs shall be done prior to the following rainy season. Documentation of monitoring and any maintenance/repair shall be submitted to County PRMD.

Mitigation Monitoring: PRMD staff shall review and approve the blasting program and recommended geotechnical measures before final highwall construction. PRMD ARM staff shall verify that the conditions have been complied with during scheduled inspections of mining and for at least the first five years of the reclamation stage.

53. All rock slopes to be capped with fill shall be developed to include the following measures:
- a. Fill will be placed on completed rock benches as described in Mitigation Measure 4.1-B.8 (subsections 1-4).
 - b. The slope ratio of the overall final fill slope shall be no steeper 2.4:1 (H:V).
 - c. Permanent interbench fill slopes shall be no steeper than 2:1 (H:V), as shown on Figure 8 of Miller Pacific 2003 report (part of the project application).
 - d. Minimum 10-foot wide benches shall be constructed no more than 30 vertical feet apart.
 - e. Keyways and subdrains for the fill shall be placed as shown on Figure 8, referenced above.
 - f. Once it has been determined what the maximum thickness will be of the fill to be placed on constructed rock slopes of the highwall, the project applicant shall retain a geotechnical engineer to provide additional design-level mitigations to insure fill performance. One of the most important of these will be the degree of compaction required for long term stability of the

high (300 feet) filled slopes. Other design guidelines to be developed by the geotechnical engineer include guidelines for the placement of fill keyways and installation of subdrains and their outlets.

Mitigation Monitoring: PRMD ARM staff shall verify that the conditions have been complied with during scheduled inspections of mining and for at least the first five years of the reclamation stage.

54. The applicant shall have a Final Grading Plan for the final reclamation phase prepared by geotechnical and civil engineers. That plan shall include the following requirements regarding fill operations. The final plan shall be submitted to County PRMD for review and comment prior to implementation:
- a. Fill with a plasticity index (PI) of less than 30 (non-expansive) may be placed at slopes no steeper than 3:1.
 - b. Fill with a PI of greater than 30 (moderately to highly expansive) may be placed at slopes no steeper than 4:1.
 - c. All quarry floor fills shall be moisture conditioned to near optimum and track-walked in lifts to provide initial compaction that will decrease the erosion potential.
 - d. Any fills that are steeper than described in requirements 1 and 2, above, shall be constructed based on the recommendations for final reclaimed fill slopes presented above.
 - e. Where catchment dams, ponds, subdrains, or other structures used for drainage or water retention are either buried in or rest on top of reclaimed fill on the quarry floor, the compaction of the fill under and around these structures shall be designed to minimize the settlement of the fill to limit damage or decreased performance over the long term.
 - f. Gravity flow storm drains, open channels, or other improvements with minimal slopes toward outfalls shall be designed to accommodate settlement of loosely compacted fill.
 - g. The entire reclaimed area is to be stable and not transport sediment across property lines.
 - h. Final geotechnical report to address site stability for entire reclaimed area.
 - i. An Erosion Prevention and Sediment Control Plan

Mitigation Monitoring: PRMD staff shall review and approve the Final Grading Plan before the onset of the final reclamation phase. PRMD ARM staff shall verify that the conditions have been complied with during scheduled inspections for at least the first five years of the reclamation stage.

55. Overburden that was placed in the Overburden Storage Area prior to the initiation of project operations shall not be removed until a geotechnical engineer and a hydrologic engineer prepare a removal plan that identifies what and how materials should be removed to maintain slope stability and control erosion. This plan shall be submitted to the County for review and approval. At final reclamation, any remaining fill will be assessed by a geotechnical engineer to determine what, if any, additional treatment is required to maintain slope stability and erosion control per the requirements of the Reclamation Plan.

Mitigation Monitoring: PRMD staff shall review and approve the removal plan for material that was placed prior to project operations began. PRMD ARM staff shall verify that the conditions have been complied with during scheduled quarry inspections.

Hydrology and Water Quality

56. The applicant shall prepare, for the review and approval by the Sonoma County Permit and Resource Management Department, a final Stormwater/Water Quality Protection Program (including appropriate hydrologic and hydraulic calculations). The plan and calculations shall include sizing for all sediment retention/storm water detention facilities (see Mitigation Measure 4.2-B.4) and shall verify the available capacity of existing conveyance facilities (culverts) exiting the project site. The storm water plan and calculations shall ensure that peak storm water flows are managed to the extent that flows entering the existing culverts crossing under Porter Creek Road do not exceed pre-project peak flow estimates for the 10-, 25-, 50, and 100-year flows. Alternative detention strategies could include additional detention basins, expanded use of the quarry floor for detention, or expanded use of infiltration areas for percolation and storage. The drainage plan and accompanying design calculations shall be prepared by a Registered Civil Engineer and in conformance with the Sonoma County Water Agency's Flood Control Design Criteria. The plan shall be approved and detention facilities constructed prior to the onset of mining the expansion area.

Mitigation Monitoring: PRMD ARM staff shall review and approve the final Stormwater/Water Quality Protection Program prior to site clearing for mining of the expansion area. PRMD ARM staff shall verify that the conditions established in the Program have been complied with during scheduled quarry inspections.

57. All on-site drainage facilities shall be constructed and maintained according to Sonoma County Water Agency's Flood Control Design Criteria and the County of Sonoma Permit and Resource Management Department standards and requirements, and shall be operated in accordance with the prepared drainage plan in the Reclamation Plan.

Mitigation Monitoring: PRMD ARM staff shall verify that these have been complied with during scheduled quarry inspections.

58. All detention basins and other drainage features shall be maintained (e.g., accumulated sediment shall be removed) pursuant to the standards stated in the approved sediment/erosion control and drainage plan. The sediments shall be stockpiled for use as topsoil in the reclamation process. All detention basins and drainage features shall be cleaned out by October 15 each year. If upon inspection by the County or RWQCB, the basins and drainage system have not been adequately maintained by October 15, the owner of the quarry would be notified that the maintenance must be completed within 30 days or all crushing, screen, grading, and sales of material on site shall immediately cease until the basins and drainage system have been sufficiently maintained.

Mitigation Monitoring: PRMD ARM staff or RWQCB staff shall verify that these conditions have been complied with during scheduled quarry inspections.

59. All detention basins and other drainage features shall be monitored and maintained for 5 years after completion of site reclamation. At the end of this 5-year period, the applicant shall engage a qualified civil engineer to determine whether the site drainage system can operate without further maintenance. If further maintenance is warranted, it will be done. A new review will be done each year until the engineer determines that the system is self-sustaining for a period of an additional 5 years.

Mitigation Monitoring: PRMD ARM staff or RWQCB staff shall review and approve the findings of the civil engineer. PRMD ARM staff or RWQCB staff shall verify that these conditions have been complied with during scheduled quarry inspections.

60. The applicant shall develop and implement a final Stormwater/Water Quality Protection Program (the Program) to control sediment and pollutant runoff from the quarry expansion for both interim mining operations and after final reclamation. All erosion control measures listed in the proposed Reclamation Plan shall become conditions of approval for the project. In addition, the following measures are required:

- a. All structural elements and drainage features shall be designed and approved by a professional civil engineer experienced in storm water management and sediment control. The design shall meet the standards of the Sonoma County SMARO. All hydrologic and engineering calculations, including sediment retention pond trap efficiency, shall be submitted to the County for review and approval prior to commencement of quarry expansion activities.
- b. The existing 2011 Storm Water Pollution Prevention Plan (SWPPP) shall be updated to include the proposed quarry expansion. The SWPPP shall be regularly updated to reflect current conditions at the quarry. The following recommendations supplement the proposed actions:
 - c. The applicant shall update the Spill Prevention Control and Countermeasures Plan (SPCCP), which identifies and evaluates sources of pollutants associated with industrial activities at the quarry including the use, storage, and quantity of potential contaminants. The SPCCP shall also include emergency response and notification procedures.
 - d. As specified by SMARA, sediment retention ponds will be reconstructed or, if needed, new ones constructed so that particles of medium silt (0.32 mm) will be settled out for no less than the 20-year, 1-hour rainfall event before runoff leaves the site. Flocculents and/or filters can be used to enhance the settling process in order to meet this standard. Sediment retention design shall include emergency spillways sized to accommodate larger less frequent storm events (25-, 50-, and 100-year) and concomitant overtopping. Prior to each construction season (May 1), the applicant shall quantify the total proposed drainage area contributing to each sediment retention pond at the beginning of the next winter season (October 15) and verify the ponds provide adequate residence time and design capacity to meet both water quality and flow detention goals. All design and annual pond sizing verification shall be completed by a professional civil engineer experienced in sediment detention basin design and the regulations of SMARA. All hydrologic and engineering calculations, including sediment trap efficiency, shall be submitted to the County for review and approval prior to any additional quarry expansion.
 - e. If any semi-annual monitoring indicates that the mining of that year exceeded the water quality performance criteria, the applicant shall confer with the Regional Board and propose changes to the sediment control program that will improve its performance sufficiently to meet the performance criteria of the Reclamation Plan and the general permit. The proposed changes shall be submitted to the Regional Board for comment, revised as needed to address their comments, and then implemented by the applicant. If the performance criteria are not met for two consecutive years, the County will confer with the applicant and the Regional Board to determine what additional changes in the sediment control plan are needed to result in compliance, and these changes shall be made until compliance is reached.
 - f. Chemical dust suppressants and sediment detention basin enhancement chemicals or polymers shall be used strictly according to the manufacturer's specifications as well as any additional restrictions required by the RWQCB. An accurate accounting of all these materials purchased and used on the site shall be maintained, including kinds and quantities of material.
 - g. The Basin Plan allows storm water from a project site to increase turbidity in a receiving stream by no more than 20%. However in the case of this project, because of the sensitivity of Porter Creek, the storm water from the project would not be allowed to increase turbidity any more than the runoff from the existing quarry does for an overall no net increase as a result of quarry expansion. The RWQCB shall review the water quality monitoring data and determine the turbidity baseline to be used in the final Stormwater/Water Quality Protection Program.
 - h. The applicant shall monitor all storms that generate discharge from the active mining portion and overburden stockpiling area of the project site to Porter Creek. However, as a practical measure, it shall not be required that monitoring events occur more frequently than once every

two weeks or pursuant to the criteria developed by the RWQCB. The discharge end of each outfall shall be made easily accessible for inspection and water sampling during storm events by the applicant.

Mitigation Monitoring: PRMD ARM staff and RWQCB staff shall review and approve the final Stormwater/Water Quality Protection Program, the updated SWPPP, and the updated SPCCP prior to mining of the expansion area. If required, the RWQCB shall review and approve changes to the sediment control plan. PRMD ARM staff and/or RWQCB staff shall verify that these conditions have been complied with during scheduled quarry inspections.

61. With the permission of the property owner, the applicant shall monitor the domestic water supply well located on Assessor's Parcel 120-021-032 for significant changes due to quarry expansion and regrading of recharge areas. Monitoring shall include quarterly observations of groundwater levels in the well (if less than 5 acre feet a year is used, otherwise it shall be monitored monthly) and shall commence before quarry expansion. Well monitoring shall continue through the length of the project. If it is determined that well levels have deviated statistically from the baseline condition at any time during the expansion and reclamation of the quarry (accounting for rainfall totals), or within five-years following the completion of the expansion and reclamation, and the owner of the property requests, the applicant shall be financially responsible for providing a reliable supply of water to the impacted property, which may include deepening of the existing well and/or drilling a new well.

Mitigation Monitoring: Well monitoring results will be submitted to PRMD. If warranted, PRMD staff will verify that the applicant has met the conditions for supplying a reliable water source.

Biological Resources

62. Prior to ground-disturbing activities in any part of the expansion area, and for several years in succession, conduct annual focused surveys until ground clearing removes all potential habitat to identify all localities of Jepson's linanthus within the project area. Each year that plants are found, collect voucher specimens, mark the locations in the field, and collect seed when mature. Donate voucher specimens to university herbaria and donate cleaned seed to research institutions with facilities for long-term storage. Required methods and procedures are provided below:
 - a. A qualified botanist familiar with Jepson's linanthus and its habitat in Sonoma County shall conduct the focused surveys.
 - b. Each annual survey shall cover 100% of the California annual grassland found within the project area.
 - c. For each locality of Jepson's linanthus that is found, the surveyor shall record the location with a Global Positioning System (GPS) unit; record habitat information (soil type, slope position, elevation, vegetation type, associated species, etc.), and phenology (vegetative, early flowering, etc.); collect herbarium-quality voucher specimens of Jepson's linanthus and its associated species; mark the location in the field using a durable and visible marking system; and photograph Jepson's linanthus and its habitat.
 - d. Voucher specimens shall be collected, dried, stored and distributed according to the requirements of the receiving institution.
 - e. The surveyor shall make a return visit to each Jepson's linanthus locality during the time period when seeds are mature, and shall collect as much mature, dry seed as possible. Several visits each year may be needed. Seed shall be stored in paper envelopes labeled with the date, location and species name.
 - f. Cleaned seed shall be donated to a university or other research institution located in

California that has modern cold-storage or other state-of-the-art facilities for keeping plant seed in good condition over the long term. Any required storage fees shall be paid by the project applicant.

- g. Location and habitat information for all localities of Jepson's linanthus found during pre-ground-clearing surveys shall be provided to CNDDDB during the calendar year that the locality is found.
- h. Results of each annual survey shall be provided in memo format, and shall include a figure showing the location of all Jepson's linanthus localities found to date within the project site.

Mitigation Monitoring: PRMD will review the annual survey memo and PRMD ARM staff shall verify that annual surveys of the expansion area are completed, voucher specimens and seed collected, locations marked, and that voucher specimens and cleaned seed are donated to a suitable research facility.

- 63. Avoid disturbing active nests of raptors and other special-status birds through clearing surveys and creation of no-disturbance buffers during ground-clearing and grading activities associated with initiation of each mining phase. If site preparation activities are scheduled to occur during the general breeding season (February 1 through August 31), the following measures shall be implemented to avoid potential adverse effects to nesting raptors, other special-status birds, and bats:

- a. A qualified wildlife biologist shall conduct preconstruction surveys of all potential nesting habitat for raptors and other special-status birds within 300 feet of construction activities where access is available.
- b. If active nests of raptors or other special-status birds are found during preconstruction surveys, a no-disturbance buffer acceptable in size to CDFW shall be created around active raptor nests and nests of other special-status birds during the breeding season or until it is determined that all young have fledged. Buffers include 300 feet for raptors and 75 feet for other nesting special-status birds. The size of these buffer zones and types of construction activities restricted in these areas may be further modified through coordination with CDFW and will be based on existing noise and human disturbance levels at each project site. Nests initiated during construction are presumed to be unaffected and no buffer is necessary. However, the "take" of any individual is prohibited.

Mitigation Monitoring: If site preparation activities are scheduled to occur during the breeding season (February 1 through August 31), PRMD will verify that preconstruction surveys are completed and buffer areas established through consultation with the CDFW, as necessary. PRMD ARM staff shall verify compliance at scheduled quarry inspections.

- 64. Prior to clearing activities, surveys for special status bats shall be conducted. If evidence of special-status bats in trees on the property is observed by the wildlife biologist, the following measure is required. Removal of trees or other suitable habitat showing evidence of special-status bat activity will occur during the period least likely to impact the bats as determined by a qualified bat biologist (generally between February 15 and October 15 if winter hibernacula are observed or between August 15 and April 15 if maternity roosts are present). If known bat roosting habitat is destroyed during tree or other suitable habitat removal activities, artificial bat roosts shall be constructed in an undisturbed area of the property, at least 200 feet from any project activities. The design and location of the artificial bat roost(s) shall be determined by a qualified bat biologist.

Mitigation Monitoring: PRMD will verify that pre-clearing surveys are completed, avoidance times established, and habitat created, as necessary, prior to tree removal. PRMD ARM staff shall verify compliance with the project biologist's requirements at scheduled quarry inspections.

65. Prior to vegetation removal or grading on the expansion site, a survey of the site for California red-legged frog shall be conducted per the protocol established by the United States Fish and Wildlife Service (USFWS). If red-legged frogs are found, a work plan shall be developed addressing how to avoid impacts to this species. This plan shall be submitted to the USFWS and CDFW for review and comment.

Until such time that protocol surveys can be completed in their entirety, it is assumed the California red-legged frog inhabits the Wetland A area. Therefore, to protect the potential habitat until such time as the protocol study has been done and, if frogs are present, a work plan has been submitted, a protective buffer and continuing seasonal restrictions will be implemented. A buffer area as shown on Figure 4.3-5 will be maintained and no vegetation or grading will occur there.

Seasonal restrictions will be imposed during the winter period (November 15 – April 1). During this time period mining and excavation operations will not be conducted during extended rain events that produce overland flow. California red-legged frog dispersal typically occurs during these rainy periods and therefore, these seasonal restrictions of operations will provide another source of protection to any potentially occurring California red-legged frogs.

Mitigation Monitoring: The applicant shall avoid mining the protective buffer area until protocol surveys have been completed and a work plan approved by USFWS and CDFW. Prior to mining the protective buffer area, PRMD Project Review staff will verify that the applicant has obtained necessary clearances from USFWS for relocation of any red-legged frogs and an adaptive management plan. Ongoing monitoring and reporting to PRMD and USFWS shall be accomplished in compliance with the project biologist's and USFWS requirements

66. The project shall not injure or destroy habitat used by foothill yellow-legged frogs (on Porter Creek near the confluences with Tributaries D and E), and/or northwestern pond turtle (at Wetland A on the project property and on the Less pond west of the project site). To accomplish this, a qualified biologist, capable of monitoring projects with potential habitat for these species, shall conduct a pre-clearing survey for these species no more than 14 days prior to grading or construction in suitable aquatic habitats within the project site, including stream crossings, drainage ditches, settling ponds, and culverts. The confluence of project site tributaries with Porter Creek shall also be surveyed for foothill yellow-legged frog and northwestern pond turtle to determine if the species is present near tributaries draining the site. If these species are found near any proposed construction areas, impacts on individuals and their habitat shall be avoided. In addition, if any species are found during pre-clearing surveys, a work plan addressing how to avoid impacts to these species shall be submitted to USFWS and CDFW for approval prior to construction. If occupied habitat can be avoided, an exclusion zone shall be established around the habitat and temporary plastic exclusion fencing shall be installed around the buffer area with "Sensitive Habitat Area" signs posted and clearly visible on the outside of the fence. If avoidance is not possible and the species is determined to be present in work areas, a qualified biologist with appropriate permits from USFWS and CDFW may capture frogs and turtles prior to construction activities and relocate them to nearby, suitable habitat out of harm's way (e.g., downstream from the work area or as designated by the agency). Exclusion fencing shall then be installed to prevent these animals from re-entering the work area. For the duration of work in these areas the biologist shall conduct monthly follow-up visits to monitor effectiveness of the mitigations.

Mitigation Monitoring: Prior to mining aquatic habitats on the site, PRMD will verify that the applicant has conducted the pre-clearing surveys and, if northwestern pond turtles or foothill yellow-legged frogs are found, that a work plan has been approved by USFWS and CDFW. USFWS and CDFW will be responsible for monitoring for compliance with the work plan. Ongoing monitoring and reporting to PRMD ARM staff, CDFW, and USFWS shall be done in compliance with the project biologist's, CDFW, and USFWS requirements.

67. The project applicant shall prepare a formal wetland delineation in accordance with 1987 Corps of

Engineers Wetlands Delineation Manual and have it verified by the U.S. Army Corps of Engineers (Corps). If the Corps and/or CDFW determine that the potentially affected water-associated feature is jurisdictional, then the applicant shall obtain appropriate wetland permits and implement all conditions contained in the Section 404 Clean Water Act permit (possibly a Nationwide permit) from the Corps, Section 1603 Streambed Alteration Agreement from CDFW, and/or Section 401 water quality certification from the Regional Water Quality Control Board.

Mitigation Monitoring: Prior to mining the expansion area, PRMD staff will verify that wetlands have been formally delineated and verified by the U.S. Army Corps of Engineers and conditions established in required permits are complied with.

68. The applicant shall compensate for the loss of jurisdictional wetlands at a 2:1 ratio (or as agreed to by the permitting agencies) within the project site boundary, or at a 3:1 ratio (or as agreed to by the permitting agencies) off-site within the local watershed, by creating, restoring or enhancing waters of the U.S., contributing in-lieu funds to an existing or new restoration project preserved in perpetuity, or purchasing wetland creation credits at an approved wetland mitigation bank. The restoration effort shall require implementation of a five-year monitoring program with applicable performance standards (as agreed to by the permitting agencies), including but not limited to: 80 percent survival rate of restoration plantings; restoration species that are native to the local watershed; absence of invasive plant species; erosion features will be remediated; and a functioning, and self-sustainable wetland system will be maintained.

Mitigation Monitoring: Prior to mining the expansion area, PRMD staff will verify that wetlands have been formally delineated and wetlands are created and/or mitigation fees paid in accordance with resource agency approvals.

69. Obtain a Streambed Alteration Agreement from CDFW pursuant to Section 1603 of the California Fish and Game Code for removing on-site ephemeral drainages. Mitigation measures designed to offset streambed-related impacts may include on-site creation of drainage habitats (unlikely) and/or enhancement of existing drainage habitats. Off-site mitigation may also be an option. Mitigations could include conducting stream and riparian enhancement projects identified by CDFW, Sonoma Resource Conservation District, or Friends of the Mark West, as approved by CDFW. Mitigation measures will be finalized in coordination with the CDFW through the Streambed Alteration Agreement process.

Mitigation Monitoring: The Streambed Alteration Agreement shall be obtained by the applicant prior to removal of on-site ephemeral drainage. CDFW shall be responsible for monitoring to ensure compliance with the Agreement. The applicant shall provide PRMD a copy of the Agreement.

Noise

70. If overburden is removed in areas that have a clear path to the two residences to the west of the quarry (Residences R1 and R2 on Figure 4.5-5) for longer than a single construction period (an 8-month period), the applicant shall shield the mobile equipment from the two residences. This can be accomplished by removing overburden starting in the east and retaining a slope between the mobile equipment and the residences to the west. The detailed mining plan required by Mitigation Measure 4.1-D.1 shall delineate the methodology that will be used to maintain a topographical barrier between operating mobile equipment in the overburden area and the receptors to the west.

Mitigation Monitoring: PRMD ARM Staff will periodically monitor compliance with blasting mitigations during scheduled quarry inspections. PRMD Code Enforcement will investigate all noise complaints and shall ensure compliance from the permit holder.

71. When blasting within 600 feet of a residence limit the charge weight per delay to a maximum of 60 pounds. Monitor vibration levels at the residence to confirm that the vibration level is less than

0.5 inch/sec PPV. If not, further limit the charge weight per delay until that target vibration level is achieved.

Mitigation Monitoring: PRMD ARM staff shall monitor for compliance during scheduled quarry inspections or more frequently if it receives complaints from neighboring property owners.

Climate Change

72. The applicant shall offset all remaining GHG emissions above the threshold of 1,100 MT CO₂e/year. Any offset of project emissions shall be demonstrated to be real, permanent, verifiable, enforceable, and additional as determined by PRMD at its sole discretion. To the maximum extent feasible, as determined by PRMD, offsets shall be implemented locally. Offsets may include but are not limited to the following (in order of preference):
- a. Applicant funding of local projects, subject to review and approval by PRMD, that will result in real, permanent, verifiable, and enforceable, and additional reduction in GHG emissions. If the BAAQMD or Sonoma County develops a GHG mitigation fund, the applicant may instead pay into this fund to offset GHG emissions in excess of the significance threshold.
 - b. Purchase of carbon credits to offset emissions below the significance threshold for the 20-year mining period. Only State Air Resource Board carbon offset credits, credits verified and registered with the Climate Action reserve, or available through a County-approved local GHG mitigation bank or fund may be used to offset project emissions.

Mitigation Monitoring: PRMD staff will verify that the applicant has met the funding or carbon credit purchase requirement prior to mining of the expansion area. If in the future, the quarry emission levels can be shown (to PRMD's satisfaction) that they are less than 1,100 MT CO₂e/year or whatever State or BAAQMD threshold is adopted in the future, then offsets will no longer be required.

Visual Resources

73. Within the first year after project approval, Douglas fir trees or alternative evergreen species acceptable to the County shall be planted in the area where the trees are shown screening some of the solar panels in Figure 4.7-4. A certified arborist or landscape architect shall develop a final tree plan for this area. The plan shall meet at least the following requirements unless the arborist can demonstrate that substitute measures would meet the success criteria listed at the end of this mitigation. At least 30 trees shall be planted. The trees shall be fertilized, irrigated, protected, and maintained until they are five years old. Any trees dying within that period shall be replanted until there are 30 new live trees that have been alive for at least seven years. Compacted ground shall be broken to an area three times the diameter of the root ball prior to planting to allow root growth. Trees shall be watered weekly by the property owner in weeks with no natural precipitation (usually April 15 through October 15 of each year), and for the first three years after planting they shall be watered three times per week when temperatures exceed 100 F. The planting shall meet the following success criteria: 1) the trees being at least 20 feet tall after seven years; and 2) sufficient trees shall be planted to provide the screening shown on Figure 4.7-4. Trees are self-sustaining for a period of 5 years. The plan will be reviewed and approved by the County prior to expansion of mining.

Mitigation Monitoring: The applicant shall implement and PRMD ARM staff shall review and approve the plan prior to expansion of mining onto the expansion parcel. PRMD ARM staff shall review for ongoing compliance during its scheduled quarry inspections.

Public Services

74. Prior to vegetation removal or mining of the expansion area, the project applicant shall provide to the Sonoma County Fire and Emergency Services Department an affirmative covenant, that

includes a vegetation management maintenance agreement approved by the County Fire Marshal, which shall run with the land in perpetuity.

Mitigation Monitoring: PRMD staff shall confirm the covenant has been successfully completed prior to expansion of mining onto the expansion parcel.

Hazards and Hazardous Materials

75. Prior to clearing or mining in the expansion area, the applicant shall prepare a revised Spill Prevention, Control and Counter Measure Plan (SPCCMP) in conformance with the requirements of the Code of Federal Regulations 40CFR112. A copy of the SPCCMP shall be submitted to the Sonoma County Department of Emergency Services to demonstrate completion of the mitigation.

Mitigation Monitoring: Prior to the handling and storage of hazardous waste, PRMD will verify that appropriate approval has been obtained for the generation or storage of hazardous waste.

76. If hazardous waste is generated or stored, then the operator shall comply with hazardous waste generator laws and AB2185 requirements and obtain a permit or approval from the C.U.P.A. or the participating agency. The applicant shall submit a copy of a current permit to the Permit and Resource Management Department Health Specialist to verify compliance.

Mitigation Monitoring: Prior to the handling and storage of hazardous waste, PRMD will verify that appropriate approval has been obtained for the generation or storage of hazardous waste.

77. All hazardous waste materials shall be stored, handled and managed in accordance with the approved site plan and hazardous materials plan so as to reduce the potential for any spillage. No soil or other material containing hazardous or toxic waste shall be imported to the quarry.

Mitigation Monitoring: In conjunction with ongoing quarry inspections, PRMD ARM staff and Fire and Emergency Services staff will verify compliance with the hazardous materials management plan.

Cultural Resources

78. If concentrations of prehistoric or historic-period materials (other than the GANDA-571-01H resource) are encountered during ground-disturbing work at the project location, all work in the immediate vicinity will be halted until a qualified archaeologist can evaluate the finds and make recommendations. The applicant/operator must immediately notify PRMD of the find. Historic-period features that may be present include backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse. Prehistoric cultural remains might include 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), and/or stone milling equipment, such as mortars and pestles. The operator shall provide training to all personnel in cultural resource protection from a qualified cultural resource specialist prior to expansion. Evidence of the training plan shall be provided to PRMD.

Mitigation Monitoring: The archaeologist, if required, will submit a report to PRMD ARM staff. No mining will be allowed in the area where the cultural resource was found until authorized by PRMD. PRMD staff will verify that cultural resource training has been provided.

79. If human remains are encountered, work in the immediate vicinity will stop and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall hire a qualified archaeologist will be contacted 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.

Mitigation Monitoring: PRMD will coordinate with the qualified archaeologist, the Sonoma County Coroner, the California Native American Heritage Commission and local Native American Heritage Commission should Native American burials be discovered. No mining of the area where the remains were found will be allowed until authorized by PRMD.

80. If paleontological resources are found, all work in the vicinity of the find must cease, and a paleontologist and PRMD staff must be notified to develop proper mitigation measures required for the discovery. No earthwork in the vicinity of the find shall commence until a mitigation plan is approved and completed subject to the review and approval of the paleontologist and Project Review staff. This condition shall be noted on all grading and construction plans and provided to all contractors and superintendents on the job site. Paleontological resource protection shall be included in the staff training program.

Mitigation Monitoring: PRMD ARM staff will coordinate with the qualified paleontologist and ensure that a monitoring plan is developed in accordance with the above condition.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE TO ADD THE MR (MINERAL RESOURCE) COMBINING DISTRICT TO A 33 ACRE PORTION OF APN NO.120-210-031 LOCATED AT 4411 PORTER CREEK ROAD, SANTA ROSA

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying the following real property to add the MR (Mineral Resource) combining district on a 33 acre portion of APN 120-210-031 located on the north side of Porter Creek Rd. approximately one-half mile northwest of the Porter Creek Road/Calistoga Road/Petrified Forest Road intersection also known as 4411 Porter Creek Road, Santa Rosa. File No. PLP09-0035. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the OZD of the County as shown on Sectional District Map No. _____.

SECTION II: An Environmental Impact Report was Certified by the Board of Supervisors and found to be in compliance with CEQA

SECTION III: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IV: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this _____ day of _____, 2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: McGuire: Carrillo: Zane: Rabbitt:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

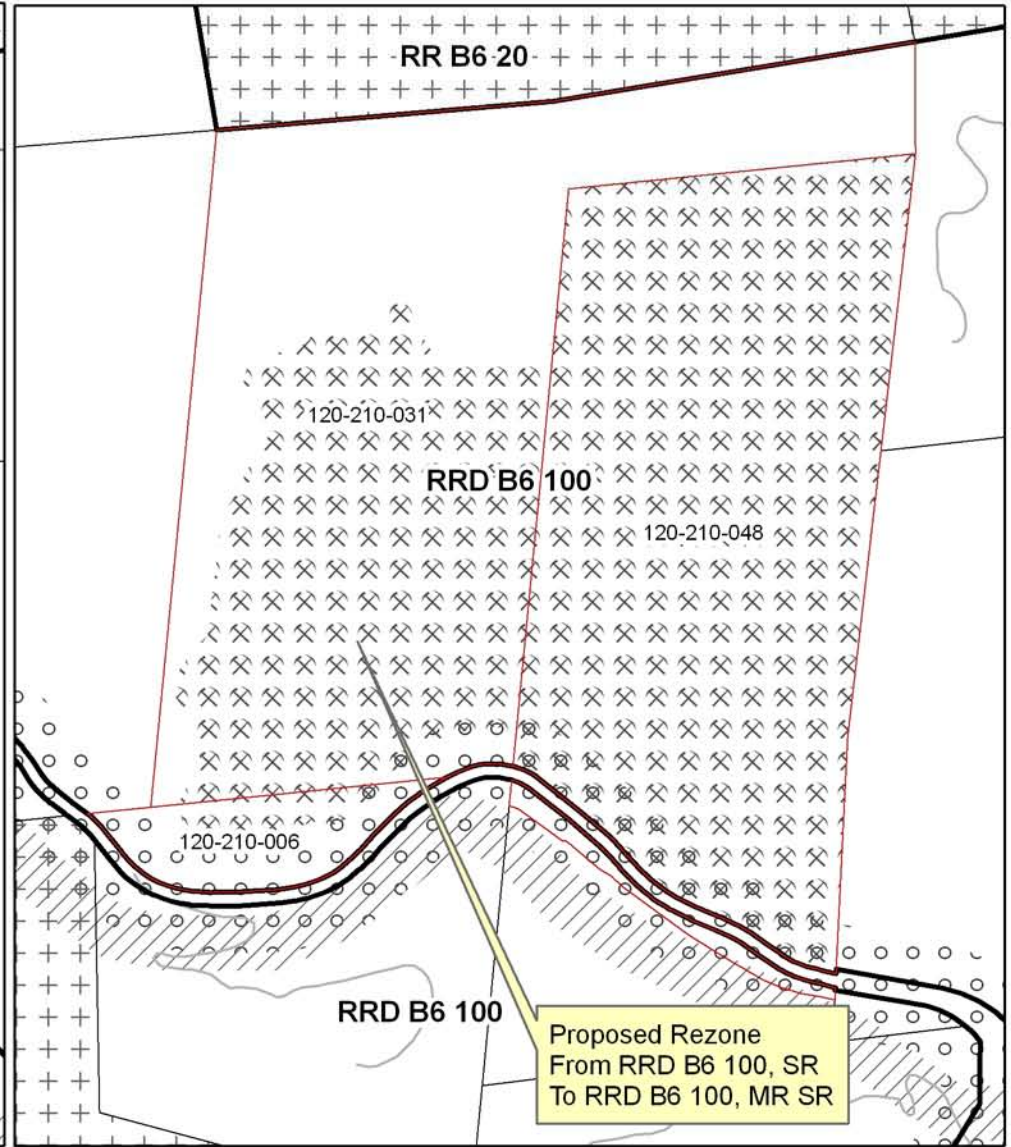
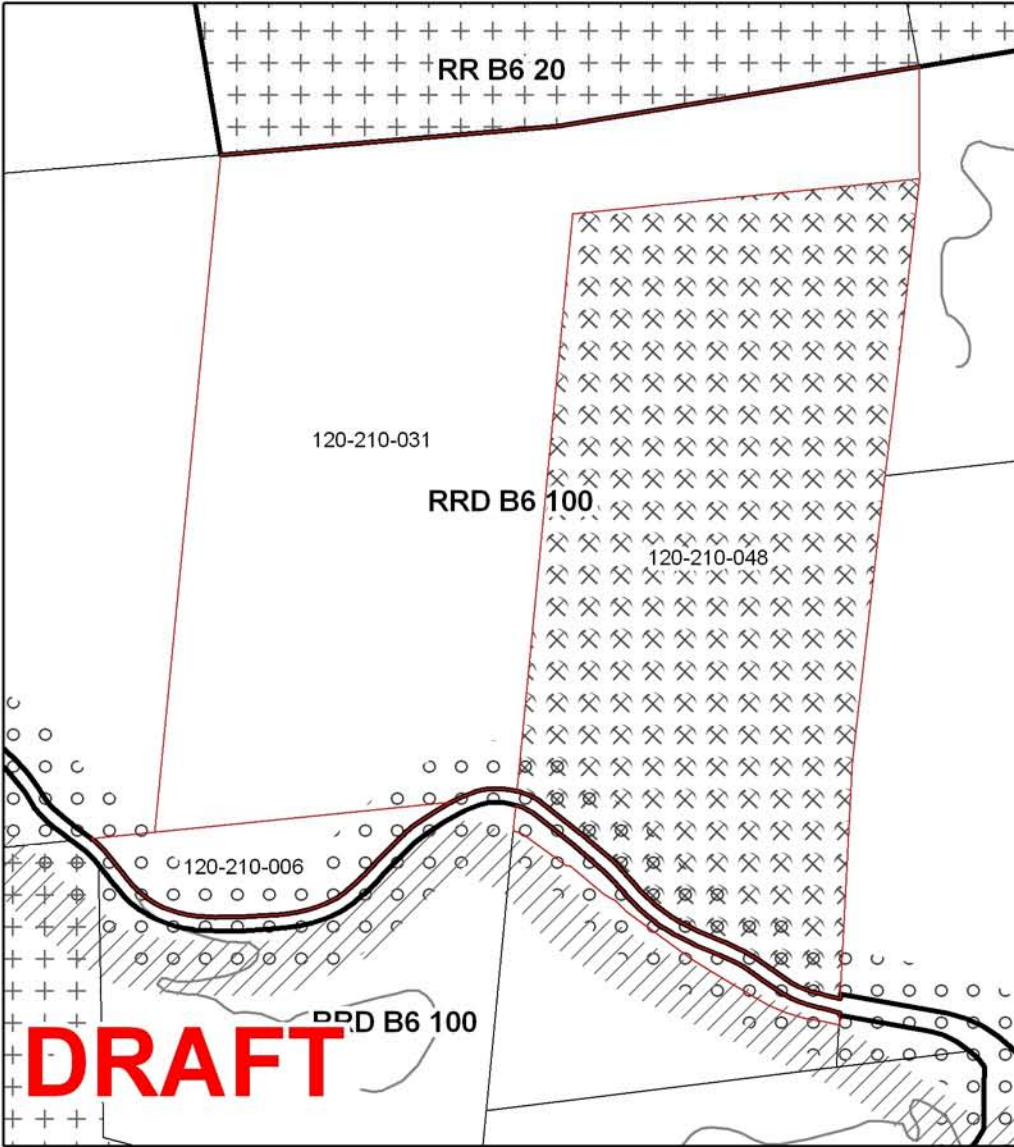
Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica A. Ferguson
Clerk of the Board of Supervisors

Existing Zoning

Proposed Zoning



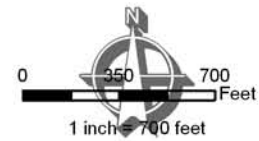
Base Map Data

- Proposed Rezone
- Basezoning by Area
- Highways
- Intermittent Stream
- Perennial Stream

Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F2 Floodplain
- F1 Floodway

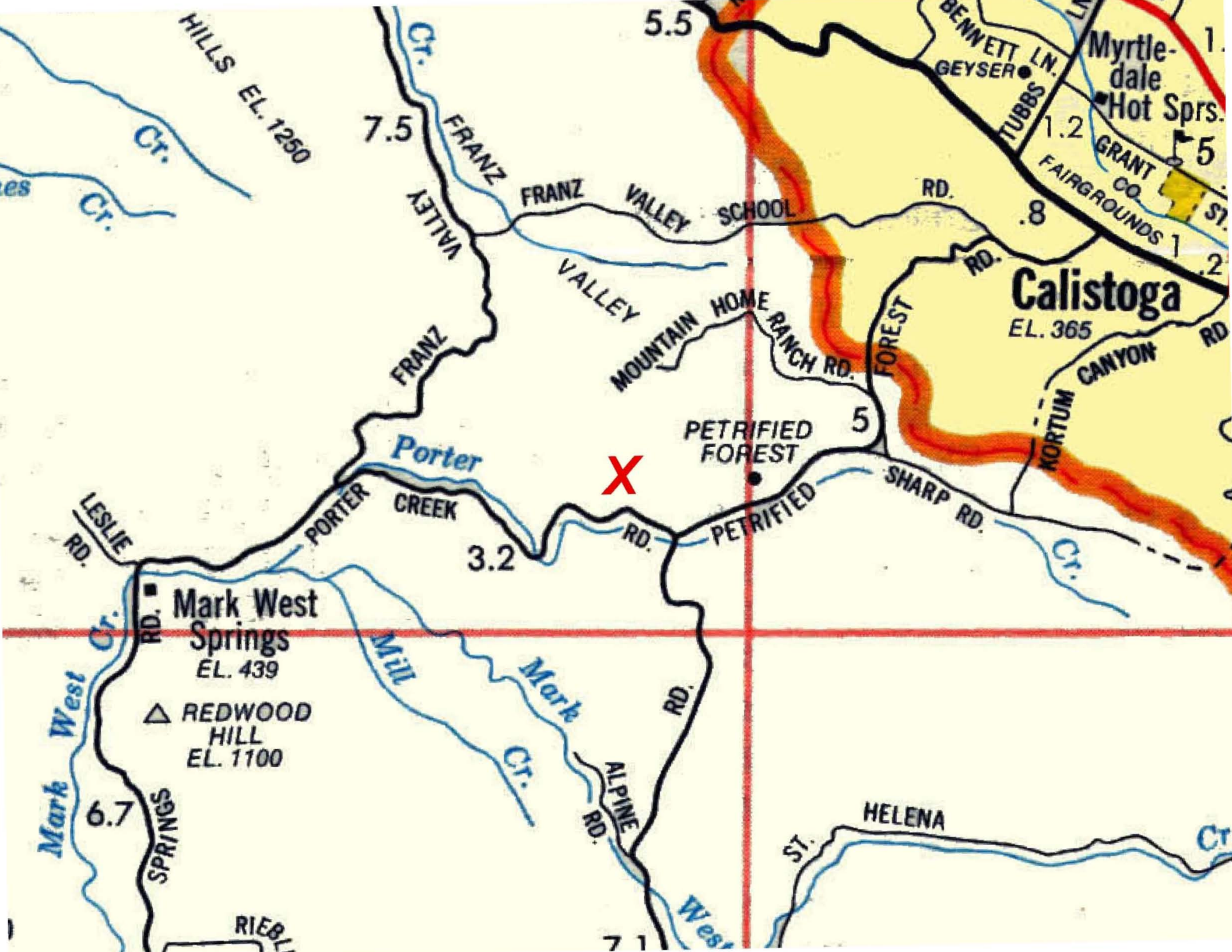


FILE: PLP 09-0035
 AP #: 120-210-006, 031, 048
 Ordinance No.
 Sectional District Map No.

Permit and Resource Management Department
 Project Review Section



2550 Ventura Avenue, Santa Rosa, CA 95403
 (707) 565-1965 Fax (707) 565-1103



HILLS EL. 1250

Myrtle-dale Hot Sprs.
BENNETT LN.
GEYSER
TUBBS LN.

GRANT CO. FAIRGROUNDS
1.2
1.5
1.2

Calistoga
EL. 365

5.5

7.5

FRANZ VALLEY
FRANZ VALLEY SCHOOL

VALLEY MOUNTAIN HOME RANCH RD.

FOREST

KORTUM CANYON

PETRIFIED FOREST

5



PETRIFIED

SHARP RD.

3.2

Porter CREEK

Mark West Springs
EL. 439

△ REDWOOD HILL
EL. 1100

Mill

Mark Cr.

ALPINE RD.

6.7

SPRINGS

HELENA

ST.

RIEBL

7.1

Resolution Number 13-012

County of Sonoma

September 26, 2013

PLP09-0035 Sigrid Swedenborg

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING TO THE BOARD OF SUPERVISORS CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT AND APPROVAL OF THE REQUEST TO REZONE A 33-ACRE PORTION OF AN 99-ACRE PARCEL TO ADD THE MR (MINERAL RESOURCE) COMBINING DISTRICT TO ALLOW FOR FUTURE MINING, A USE PERMIT TO EXPAND THE EXISTING MARK WEST QUARRY TO ALLOW MINING OF 500,000 CUBIC YARDS (750,000 TONS) PER YEAR FOR A 20-YEAR PERIOD, AND APPROVAL OF A REVISED RECLAMATION PLAN THAT DIRECTS HOW THE AREA MINED ON THE SITE WOULD BE RECLAIMED AND THE ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS. THE PROJECT SITE IS LOCATED AT 4411 PORTER CREEK ROAD, SANTA ROSA, APNs 120-210-048, -031 AND -006 SUPERVISORIAL DISTRICT NO. 1.

WHEREAS, the applicant, Dean Soiland filed application PLP09-0035 with the County and its Permit and Resource Management Department requesting approval of the request to rezone a 33-acre portion of an 99-acre parcel to add the MR (Mineral Resource) combining district to allow for future mining, a Use Permit to expand the existing Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approval of a revised reclamation plan that directs how the area mined on the site would be reclaimed. The project site is 4411 Porter Creek Road, Santa Rosa, APNs 120-210-048, -031 and -006, Supervisorial District No. 1.

WHEREAS, on June 15, 2011, the Permit and Resource Management Department issued a Notice of Preparation that an Environmental Impact Report (EIR) would be prepared for the proposed project.

WHEREAS, on July 21, 2005 a public scoping meeting was held; and

WHEREAS, the Draft EIR was duly noticed and made available for public review and circulated to public agencies for comment from May 21, 2013; and

WHEREAS, on June 20, 2013, the Sonoma County Planning Commission conducted a public hearing to take testimony and receive evidence on the adequacy of the Draft EIR from both Planning Commissioners and the public; and

WHEREAS, on September 6, 2013, the Final Environmental Impact Report (Final EIR) for the project was made available to the public and forwarded to responsible agencies; and

WHEREAS, on September 26, 2013, the Planning Commission conducted a public hearing to receive testimony and consider the Final EIR and the project; and

WHEREAS, the Planning Commission recommended Certification of the Final EIR, adoption of a Statement of Overriding Considerations, and approval of the project; and

WHEREAS, Impacts to land use, transportation, air quality, biological and aesthetics (temporarily until vegetative screening grows to block views) were found to be significant and unavoidable despite the implementation of mitigation measures to reduce impacts to the extent feasible.

WHEREAS, the Planning Commission recommends that the Board of Supervisors makes the following Statement of Overriding Considerations:

1. According to the Sonoma County General Plan 2020, approximately 75 to 112 million tons of construction aggregate are likely to be needed over the next 20 years to meet local needs and a share of the North Bay regional needs.

The State Geologist has classified certain mineral resource areas within Sonoma County as mineral bearing areas of regional significance. As a result, Sonoma County is required, by state law, to adopt mineral management policies that:

- Recognize mineral information provided by the State,
- Assist in the management of land use that affect areas of statewide and regional significance, and
- Emphasizes the conservation and development of identified mineral deposits.

In response to the state's mandate, Sonoma County adopted resource management goals and policies in the General Plan and the Aggregate Resources Management (ARM) Plan.

General Plan Goal OSRC-13 requires the County to "provide for production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region." An implementing General Plan objective is to "use the ARM Plan to establish priority areas for aggregate production and to establish detailed policies, procedures, and standards for mineral extraction." (OSRC-13.1). General Plan Policy OSRC-13a was adopted to achieve this objective. The policy states:

Policy OSRC-13a: Consider lands designated in the ARM Plan as priority sites for aggregate production and mineral extraction and review requests for additional designations for conformity with the General Plan and the ARM Plan. Mark West Quarry is listed and described in the ARM Plan.

Through the adoption of the ARM Plan, the Board of Supervisors declared that it is the policy of the County of Sonoma to prohibit mining in the river terraces and limit in-stream mining to bar skimming. The Board of Supervisors further declared that in order to comply with the County's adopted goal to provide for the production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region, aggregates would be produced from hard rock quarries.

Sonoma County's residential, business and industrial construction, particularly road construction and re-construction, depends on a good quality, local source of construction grade aggregates. Mark West Quarry will help fulfill the demand.

2. According to an economic assessment of aggregate supply entitled "Construction Aggregate Supply Limitations: Some Estimates of Economic Impact" prepared by the Division of Transportation Planning's Office of Transportation Economics, September 2008, there are a number of positive economic benefits in permitting rock quarries in proximity to the work needed to be performed. They include:

- A reduction in emissions from trucks with a reduction in truck miles of travel for hauling aggregates.
- A shorter hauling distance, which would reduce aggregate-truck miles of travel and the cost of the materials.
- A reduction of pavement deterioration from fewer truck miles traveled, which would allow rehabilitation resources to be available for other critical maintenance improvements.
- A reduction in project delays due to lack of aggregate supply in the area, which leads to increased project costs.

- A reduction in aggregate-related truck miles of travel would also reduce traffic congestion and traffic accidents on roads.
3. There will be economic benefits to Sonoma County from the project including, but not limited to, job creation, increased property taxes, sales taxes, vehicle license fees, and employee income taxes.
 4. The Board of Supervisors adopted a Statement of Overriding Considerations for the ARM Plan indicating that the benefits of the aggregate industry outweigh the adverse unavoidable noise and visual impacts. These findings are contained in Resolution No. 94-1569 and are incorporated herein by reference.

WHEREAS, the Planning Commission made the following additional findings:

1. The Proposed Project as approved herein is found to be consistent with the Sonoma County General Plan ("the General Plan"), the Aggregate Resources Management Plan ("the ARM Plan") Plan, the RRD (Resource and Rural Development) zoning district, and the Surface Mining And Reclamation Ordinance ("SMARO") for the following reasons:
 - (a) The Project Site has a Resource and Rural Development land use designation. This land use category permits surface mining operations provided they are consistent with the 1994 ARM Plan, the Sonoma County SMARO. Mining operations are required to have a surface mining use permit, reclamation plan, and financial assurance approved prior to commencing mining operations. The conditions of approval imposed herein ensure that the Proposed Project is in compliance with the General Plan, the ARM Plan, the RRD MR zoning, and the operational and reclamation standards of SMARO.
 - (b) The Project site is designated as a priority aggregate resource site since the adoption of the 1994 ARM plan. The 1994 ARM Plan recognized the need to increase quarry production to meet local needs due to the intentional phase out of terrace pit mining in the County. The Proposed Project has been designed and conditioned to be consistent with the ARM Plan standards and mitigation measures contained within the ARM Plan Program EIR and Project EIR.
 - (c) The Project Site is zoned RRD (Resource and Rural Development) B6-100 acre density, SR (Scenic Resources), with the MR (Mineral Resources) district to be added. The RRD zoning district permits surface mining operations if they are conducted in accordance with the requirements of the ARM Plan and SMARO and the site is zoned to include the MR (Mineral Resource) Combining District. The ARM Plan requires specific standards to be met by the proposed mining and reclamation plan, and that a Mineral Resource combining zone be added to the property to identify lands with potential mineral resources and to minimize potential conflicts/impacts. The Project Applicant has proposed to meet all ARM Plan standards with this request, and has filed the appropriate application to have the Mineral Resource combining zone added to the property. SMARO allows a 20 year term for mining, contains operational restrictions, and requires that a reclamation plan and financial assurances be approved prior to commencing mining operations. The Conditions of Approval in Exhibit A of this Resolution require compliance with the ARM Plan and the operational, financial assurance, and reclamation standards of SMARO.
2. The proposed project is found to be in harmony with applicable goals, objectives, and policies of the General Plan and therefore, consistent with the General Plan.
3. The proposed addition of the MR (Mineral Resource) overlay to the Zoning Map on APN 120-210-031 is found to be consistent with the ARM Plan and purpose of the MR designation by providing

for the development of lands as mineral resources in the RRD (Resources and Rural Development) zoning district.

4. The development of aggregate resources on the site over the 20 year term of the Use Permit implements the General Plan and ARM Plan.
5. The Planning Commission, in consideration of the whole record relating to the Mark West Quarry project, finds that the establishment, maintenance and operation of the uses and facilities, will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the neighborhood or to the general welfare of the area. The circumstances of this particular case are:
 - a. The uses proposed by this project were anticipated by the ARM Plan and General Plan, and policy and land use designations allow mining in this area.
 - b. The Use Permit requested for this project, as conditioned, will provide for comprehensive control of the uses of the property and incorporate all of the mitigation measures identified in the Final EIR in order to ensure that environmental quality is maintained. These conditions include hours of operation, production limits, limits on blasting and noise generation, groundwater and surface water monitoring and treatment, a comprehensive dust control program, traffic mitigation measures, mitigation of air quality and biological impacts, and landscape screening.
6. Mitigation measures identified in the EIR to avoid or substantially reduce significant impacts, to the extent feasible, and a mitigation monitoring program have been incorporated as Conditions of Approval.

NOW THEREFORE BE IT RESOLVED that the Planning Commission recommends to the Board of Supervisors as follows:

1. The Board of Supervisors adopt the Final EIR.
 - a. The Final EIR has been prepared in compliance with CEQA.
 - b. The Final EIR was presented to the Planning Commission and the Planning Commission reviewed and considered the information contained in the Final EIR prior to making its recommendation on the project.
 - c. The Final EIR reflects the independent judgment and analysis of the County.
2. The Board of Supervisors approve a rezoning to add the MR (Mineral Resources) overlay zone to 33-acre portion of an 99-acre parcel (APN 120-210-031).
3. The Board of Supervisors approve a Use Permit for the Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and a Reclamation Plan to return the site to agriculture and open space, subject to conditions as shown in Exhibit "A."
4. The Board of Supervisors adopt the Conditions of Approval and mitigation monitoring program for the project set forth in Exhibit "A."
5. The Board of Supervisors adopt a Statement of Overriding Considerations for the project.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Permit and Resource Management

Department, 2550 Ventura Avenue, Santa Rosa, California 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Fogg who moved to recommend that the Board of Supervisors certify the Final Environmental Impact Report seconded by Commissioner Liles, and adopted on roll call by the following vote:

Commissioner	Fogg	Aye
Commissioner	Bennett	Aye
Commissioner	Cook	Aye
Commissioner	Liles	Aye
Commissioner	Davis	Aye

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

WHEREUPON, the Chairman declared the above and foregoing resolution duly adopted; and

SO ORDERED.



Sonoma County Planning Commission Draft MINUTES

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: September 26, 2013
Meeting No.: 13-011

ROLL CALL

Commissioners

Don Bennett
Paula Cook
Jason Liles
Pam Davis
Dick Fogg, Chair

Staff Members

Dean Parsons
Sigrid Swedenborg
Sue Dahl
David Hurst, Chief Deputy County Counsel

ADA Accessibility: The County of Sonoma does not discriminate on the basis of disability and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. This hearing is located in an accessible facility. If you wish to request a copy of the agenda in an alternate format, or would like to attend this meeting and will require special assistance in order to participate, please contact Sue Dahl at (707) 565-1947 or Sue.Dahl@sonoma-county.org at least 72 hours in advance of the meeting to make arrangements.

1:00 PM Please Be Courteous - Turn off cell phones and pagers while the meeting is in session.

Call to order and Pledge of Allegiance

Approval of Minutes -

Correspondence

Board of Supervisors Actions

Commissioner Announcements/Disclosures

Public Appearances - The Planning Commission invites public participation regarding the affairs of the County. Any person desiring to speak on any matter which is not scheduled on this agenda may do so. Comments are limited to 3 minutes, or as imposed at the discretion of the Chair. Under State Law, matters presented during public appearances cannot be discussed or acted upon by the Planning Commission members.

Items scheduled on the agenda In order to expedite the meeting, it is requested that you fill out a speaker card before speaking.

The Commission also invites interested persons to submit written comments and presentation which will be entered into the permanent record. Written comments and presentations may be submitted prior to the meeting by mail addressed to: Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403. You may also hand-deliver comments and presentations to the above address. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the Agenda packet are available for public inspection at the above

EXHIBIT E

address. Office hours are Monday, Tuesday, Wednesday and Thursday from 8:00 a.m. to 4:00 p.m. The lobby is closed to the public on Fridays.

REGULAR CALENDAR

If you wish to speak on an item under discussion by the Planning Commission which appears on this agenda, you may do so upon receiving recognition from the Chairperson. State your name and address for the record before making your presentation. All hearings are taped. Time limitations on public testimony are limited to 3 minutes, or as imposed at the discretion of the Chair.

Item No.1 Time:	1:05 p.m.	File:	PLP09-0035
Applicant:	Bodean, Inc.	Staff:	Sigrid Swedenborg
Con't from:	June 20, 2013		
Env. Doc:	Environmental Impact Report		
Proposal:	Request to rezone a 33-acre portion of an 99-acre parcel to add the MR (Mineral Resource) Combining District to allow for future mining, a Use Permit to expand the existing Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approval of a revised Reclamation Plan that directs how the mined area would be reclaimed.		
Location:	4411 Porter Creek Road, Santa Rosa, CA		
APN:	120-210-006, -048, and -031 Supervisorial District:1		
Zoning:	RRD (Resources and Rural Development), B6 – 100 acre density, SR (Scenic Resources)		

Sigrid Swedenborg summarized the staff report, which is incorporated herein by reference.

Questions from commissioners: Commissioners Fogg and Liles asked for more information about the road mitigation fee, and Commissioner Liles added that Supervisor McGuire is concerned about road quality.

Public Hearing Opened. 1:20 p.m.

Speakers: Bill Williams, Bodean General Manager, commented that the road mitigation fee was established two years ago, codified by supervisor vote, and at that time the supervisors identified primary haul routes that the fund would be applied to. There are several location and Porter Creek Road was included. Mr. Williams asked for clarification on whether the well needs to be monitored monthly or quarterly. He was in agreement with the Final EIR.

Mike Vranjes owns property to the west of the quarry and has a tentative four lot subdivision map in process. The County has given him site-specific building envelopes, approved in 2006. Impacts from traffic, engineering, well draw down, aesthetics, noise and economics generated by the quarry could negatively impact his ability to develop the lots. The EIR incorrectly stated that there were no dwellings on his property, but this does not take into consideration future developments that will affect his aesthetics and property values. Mr. Vranjes stated that this should have been taken into consideration in the EIR. He expressed concern about traffic, noise, and well water draw down and said more studies were needed to determine impacts.

Janet Angell, owner of the Petrified Forest, submitted written comments. The family is worried about the impacts. Traffic has increased over the years, and the EIR did not address changes needed to increase production. The haul numbers were not addressed. Her business has been negatively impacted by road problems, and the report does not address big rigs coming over the grade and the restricted access. The project will impact their ability to enjoy the part of the property near Mountain Home Ranch Road, and Angell wanted proportion for her property, wildlife, the forest, changes to the wildlife corridor, and noise. While not opposed to the project, she asked for mitigations.

Bill Williams, on rebuttal, said they have not discussed increasing production and have mined at the same levels in the past. There seems to be some misunderstanding.

Commission Discussion:

Leonard Charles. Regarding Mr. Vranje's comments, said that the EIR did not address impacts to future residents on his subdivision map or any other undeveloped property in the area, and the map is only tentative, not final and approved by the County. Two homesites are on the ridge, and if shifted, could be screened from the quarry view. Noise impacts were reviewed in the EIR. Well draw down was considered for a ½ mile radius, but not for future well.

Commissioner Fogg commented that there are 18 homes on the road, and it is hazardous.

Scott Briggs, remarking on a comment about visual impacts, said that the guidelines apply to public roads, not private property. Regarding the Angell letter, the EIR did not look at potential impacts from logging and traffic, and the project will no longer require a timber harvest plan when approved. Originally, when a timber conversion permit would have been required, the project would have been more intense. When the current project is approved the applicant will be able to log at certain times during the year when they need to get new material. The CDF determined that the site is not forest land and there is marketable timber. The most important fact is that the mining is moving away from the neighbors, and there are no new impacts.

Commissioner Fogg asked about the claim that the traffic studies were inadequate, and **Staff Swedenborg** said that the road projects referred to are temporary and of short duration. Commissioner Fogg asked how the vested rights would be affected. Staff Swedenborg said that moving into the northern area triggers the need for a new Use Permit, reclamation plan and CEQA. Vested rights would not be lost for the current mining area.

Commissioner Fogg expressed concern about the way road mitigation fees are disbursed and noted that the neighbors wanted specific instructions for using the fees. Staff Swedenborg commented that Public Works does not administer the fee that way, but if the money is not used in ten years, they have to give it back.

Public Hearing Closed at 2:19

Commissioner Liles commented that the operators have provided a model operation and helped to get away from terrace mining. There are a few neighbors with legitimate issues, and many other hearings for mining operations have been packed with opposition. The operators have tried to make improvements and bring forth a good project. **Commissioner Liles** stated that he is most concerned with the road, and not happy with how the road mitigation fees are administered, but added that this is a Board issue and they should make sure that the fee reflects the actual fair share for repair of the road in the future – especially when adopting a statement of Overriding Considerations. **Commissioner Bennett** concurred, and **Commissioner Fogg** said there is the issue of priorities.

Change in Draft Conditions:

Clarify the well monitoring requirements for water use related to the 5 acre/foot criteria.

Action: Action: **Commissioner Fogg** moved to recommend that the Board of Supervisors certify the Final Environmental Impact Report, approve a rezoning of a 33 acre portion of an 99-acre parcel to add the Mineral Resource Combining District, approve a Use Permit and Mining and Reclamation Plan with a production limit of 500,000 cubic yards (750,000 tons) per year for a 20-year period subject to the Mitigation Monitoring Plan and modified conditions of approval, and adopt a Statement of Overriding Considerations after making findings provided in the draft resolution. Seconded by **Commissioner Liles** and passed with a 5-0 vote.

Appeal Deadline: N/A
Resolution No.: 13-012

Fogg: Aye	Bennett: Aye	Cook: Aye	Liles: Aye	Davis: Aye
Ayes:5	Noes: 0	Absent:0	Abstain: 0	



Sonoma County Planning Commission STAFF REPORT

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FILE: PLP09-0035
DATE: September 26, 2013
TIME: 1:05 p.m.
STAFF: Sigrid Swedenborg, Project Planner

The Board of Supervisors hearing will be scheduled and noticed after a recommendation on the project is made by the Planning Commission.

SUMMARY

Applicant: Dean Soiland – BoDean Co. Inc.

Owner: Lawrence and Raymond Less

Location: 4411 Porter Creek Road, Santa Rosa
APNs: 120-210-048, -031 and -006 Supervisorial District No.: 1

Subject: Zone Change and Use Permit

PROPOSAL: Request to rezone a 33-acre portion of an 99-acre parcel to add the MR (Mineral Resource) Combining District to allow for future mining, a Use Permit to expand the existing Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approval of a revised Reclamation Plan that directs how the area mined on the site would be reclaimed.

Environmental Document: Environmental Impact Report (EIR)

General Plan: Resources and Rural Development

Ord. Reference: Section 26-72-020 of the Zoning Ordinance (Mineral Resources), the Aggregate Resources Management Plan and Chapter 26 A of the Sonoma County Code

Zoning: RRD (Resources and Rural Development), B6-100 acre density SR (Scenic Resources), MR (Mineral Resources)

RECOMMENDATION: Staff recommends that the Planning Commission recommend that the Board of Supervisors:

1. Certify the Final Environmental Impact Report (Final EIR)

2. Adopt a Statement of Overriding Considerations after making findings provided in the draft resolution.
3. Approve a Zone Change to add the MR (Mineral Resources) overlay zone to 33 acres of Assessor's Parcel Number (APN) 120-210-031.
4. Approve a Use Permit to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period; and
5. Approve a revised Reclamation Plan that directs how the site will be reclaimed at the end of the use permit.

ANALYSIS

Background:

The Mark West Quarry is an operating quarry that extracts, processes (crushes, screens, and segregates), and sells aggregate to retail customers. The quarry currently has been mined for hard rock to produce aggregate since 1910. The existing quarry is located on an 87-acre parcel and is currently permitted to produce up to 500,000 cubic yards of aggregate per year. There are no previous Use Permits for the quarry, because the original site has been continuously mined since 1910, the County recognized a vested right to mine after the ARM (Aggregate Resources Management) Plan was adopted in 1981. The current operator and applicant for this project, BoDean Co., Inc., has operated the quarry since 1989 under the vested rights and an approved Reclamation Plan. BoDean does not own the property, but operates the existing quarry under a lease agreement with the owners, Stanley and Evelyn Ramatici. The project includes expansion onto an adjacent parcel 99 acres in size owned by Lawrence and Raymond Less (Exhibit C, attached).

The applicant originally submitted a similar proposal for expansion of the quarry in December 2003. Work on this original proposal was halted at the request of the applicant while they revised the scope of the project. The principal differences between the 2003 submittal and the current project include:

1. The applicant originally sought approval for a 60-year permit whereas the current proposal is for 20 years.
2. The applicant clarified which portions of the property would be rezoned to the Mineral Resource (MR) Combining District
3. The Overburden Stockpile Area had not been developed in 2003.
4. There are minor differences in boundaries defining activity areas and the description of the mining process.
5. The Reclamation Plan has been revised to address the revised project description.

The Draft Environmental Impact Report (DEIR) for the project was circulated for public review on May 21, 2013. The 45-day public review period began on May 21, 2013 and ended on July 5, 2013. On June 20, 2013, the Planning Commission took testimony on the adequacy of the Draft EIR. The comment period closed on July 5, 2013 at 5:00 p.m. All oral and written comments have been addressed in the Final EIR. On September 6, 2013, the Final Environmental Impact Report (Final EIR) for the project was made available to the public and forwarded to responsible agencies.

Project Description:

The applicant, BoDean Co. Inc., requests the following:

1. The rezoning of a 33-acre portion of a 99-acre parcel adjacent to the existing quarry property to add the Mineral Resource Combining District that would allow the mining of this property (Exhibit D, attached);

2. A Use Permit to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period; and
3. A revised Reclamation Plan that directs how the site will be reclaimed at the end of the use permit.

Currently, the Mark West Quarry operation, including reclamation work already completed at the site, covers about 58 acres of the existing 87-acre parcel, which has the MR (Mineral Resource) zoning. The project is a request to allow mining operations on an adjacent parcel, which would be leased from the property owners, the Lessees. An area of approximately 15.1 acres on the Less parcel has been used for stockpiling overburden and storing fill material that was removed during emergency grading repairs during the winter season of 2006 (this area is referred to as the Overburden Stockpile Area). The applicant has placed additional overburden in this area. A grading permit has been issued to allow for this stockpiling until the expanded mining permit is approved. The planned mining expansion area is primarily to the west of the existing mining area.

The project would expand the total mined area from the current 58 acres to a total of about 90 acres and at the same time reclamation of mined areas would occur. The total size of the quarry pit would remain approximately the same but its position would shift towards the west. Over a 20-year period, the area to be mined would be expanded by approximately 33 acres.

Mining of the proposed expansion area would be done using the same procedures and phasing currently employed at the quarry – mining would be extended west from the existing active quarry face. As mining moves westerly on the expansion site, the processing area would expand from about 5 acres to about 10 acres, and about every 5-7 years the primary jaw crusher that is used for initial rock crushing would be moved to the west to be nearer the working face of the quarry. Additional conveyors would be used to transport crushed aggregate from the primary crusher to secondary crushers.

Quarrying would occur in three phases over an estimated 20-year period (with final reclamation of the mined area taking up to an additional 5 years). The typical sequence of action for each phase is as follows:

1. Removal of vegetation and overburden
2. Preliminary grading for drainage control
3. Blasting
4. Rock removal using heavy equipment
5. Rock crushing, processing, and sale
6. Implementation of reclamation procedures
7. Repetition of the above actions in the next phase.

To ensure continuous quarry operations, the phases would overlap to some extent, so that as one phase nears completion, the next phase would begin, and the mined area of the previous phase would be reclaimed. The specific timing, sizing and boundaries of each phase would be determined by the applicant based on market demand and on-site conditions.

The quarry currently maintains 12 employee positions. The proposed project includes an allowance for 5 additional employees. Sewage disposal is provided by an existing on-site septic system and portable chemical toilets. The quarry operates on weekdays between the hours of 6:00 a.m. to 10:00 p.m. and on Saturdays between the hours of 6:00 a.m. to 4:30 p.m. and is closed on Sunday.

Site Characteristics:

Mark West Quarry is located at 4611 Porter Creek Road. The quarry is located on the north side of Porter Creek Road, approximately 9 miles north-northeast of the City of Santa Rosa, about 7 miles east

of the Highway 101/Mark West Springs Road interchange, and one-half mile northwest of the Porter Creek Road/Calistoga Road/Petrified Forrest Road intersection.

There are no dwelling units and no agricultural uses in the expansion area. It is currently a relatively steep ridge vegetated with chaparral scrub species with some redwood forest, mixed evergreen forest, and grasslands. The expansion area or "project site" has no improvements except unpaved access roads. The east-west ridge on the northern part of the site is the dividing line between the Porter Creek watershed to the south and the Franz Creek watershed to the north.

Surrounding Land Use and Zoning:

The area immediately surrounding the project site contains steep slopes with a mix of mainly chaparral vegetation and evergreen forest. Most of the land is undeveloped, though scattered rural residential development occurs south of Porter Creek Road, east and west of Calistoga Road, and along Calistoga/Petrified Forest Road. North of the site, there are residences and lodging businesses on Mountain Home Ranch Road.

The project site is currently zoned RRD (Resources and Rural Development) 100-acre density. The existing quarry parcel (APN 120-210-048) is also currently zoned as a Mineral Resource Combining District (MR). Properties to the south, east, and west are designated RRD 100-acre density, while the property to the north is designated RRD 20-acre density.

California Environmental Quality Act (CEQA) Process:

The Final EIR was distributed to commenting agencies on September 6, 2013 and a notice of availability and public hearing notice were provided on September 13, 2013. The response to comments, together with the Draft EIR, is referred to as the Final EIR. The Final EIR provides an analysis of potential environmental impacts of the project, alternatives to the project, and identifies mitigation measures. It also includes comments on the Draft EIR, and responses to those comments. The purpose of the EIR is to provide the County of Sonoma, public agencies, and the general public with detailed information about the potential environmental effects of the project and the project alternatives.

The EIR analyzes the potential environmental impacts of the project and provides mitigation measures to reduce or avoid these impacts. The EIR identified practical, feasible mitigation measures that, once implemented, will reduce significant adverse environmental impacts of the project. CEQA stipulates that public agencies should not approve projects unless all feasible means available have been employed to substantially lessen the significant environmental effects of such projects.

Prior to approving the project, the Lead Agency must find that the EIR is in conformance with CEQA and certify the Final EIR. Certification means that the Final EIR: 1) has been completed in accordance with CEQA; 2) was presented to the decision making body and that this body reviewed and considered the information contained in the Final EIR before approving the project; and 3) reflects the Lead Agency's independent judgment and analysis. The first action to be considered by the Planning Commission is a recommendation to the Board of Supervisors on whether to certify the Final EIR.

Section 15091 of the CEQA Guidelines states that no project shall be approved for which a certified EIR identifies one or more significant environmental effects unless the Lead Agency makes one or more written findings for each of those significant effects, accompanied by the rationale for each finding. Section 15091 also requires that when mitigation measures are required, the agency shall adopt a program for reporting on or monitoring the measures which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures. Each of the mitigation measures identified in the EIR has been incorporated into the recommended conditions of approval with a monitoring program, as required by CEQA.

Section 15092 requires that whenever unavoidable significant impacts remain, the agency may determine that those effects are acceptable due to overriding considerations. Section 15093 requires the agency to adopt a statement of overriding considerations setting forth the specific reasons that outweigh the unavoidable impacts.

Proposed Project-Significant Unavoidable Impacts: The EIR identifies several significant unavoidable impacts of the proposed project. These impacts are:

Transportation:

Impact 4.4-D - Project-generated traffic may increase the risk of traffic accidents involving motorists along the Mark West Springs Road/Porter Creek Road corridor.

Impact 4.4-E - Project-generated traffic may increase the risk of traffic accidents involving bicyclists and pedestrians along the Mark West Springs Road/Porter Creek Road corridor.

Impact 4.4-G -Project-generated traffic will cause unacceptable intersection operations at two study intersections in 2035. (The applicant is required to contribute a fair share towards these improvements.)

Impact 4.4-I -Project-generated traffic will increase the risk of collisions between haul trucks and other vehicles, pedestrians, and bicyclists, along the Mark West Springs – Porter Creek Road haul corridor under the Long-term (2035) Plus Project Condition.

Recommended roadway improvements would address these impacts related to safety concerns, but they are not currently planned or fully funded by the fair share contributions. For these reasons implementation of these improvements is uncertain. Implementation of Mitigation Measures related to road work for the above impacts could result in short-term and/or long-term environmental impacts on geology and soils, hydrology and water quality, hazardous materials, biological resources, transportation and circulation, air quality, noise, aesthetics and cultural resources. For these reasons, the impacts of the traffic mitigation measures are noted as Significant and Unavoidable.

Visual:

Impact 4.7-A - The project could have a significant impact on visual resources for eastbound travelers on Porter Creek Road. To reduce this impact trees shall be planted in the foreground to screen views of the site. However, it will take several years for the trees to grow and screen the site. This impact is temporarily significant and unavoidable.

Biology:

Impact CI-6 - The project would make a considerable contribution to a significant cumulative impact on habitat fragmentation and blocking wildlife movement. This impact is significant and unavoidable

Air Quality:

Impact CI-10 - The project could make a cumulatively considerable contribution to a significant cumulative air quality impact regarding emissions of ozone precursors.

Statement of Overriding Considerations: If the County approves the project despite the identified significant and unavoidable impacts, the County must state the reasons for its action in writing. A Statement of Overriding Considerations must be adopted in order to approve the project or any alternative that does not mitigate impacts to less than significant levels. As required in Section 15093 of the CEQA Guidelines, a Statement of Overriding Considerations sets forth the Lead Agency's findings on the ultimate balancing of the merits of a project against its unavoidable environmental risks.

Mitigation Monitoring Program: Public Resources Code Section 21081.6 requires that an agency adopt a mitigation monitoring program to ensure an applicant's compliance with mitigation measures identified in the EIR. The EIR recommends mitigations for each impact and monitoring activities for each mitigation which are included in the project Conditions of Approval, which includes the mitigation monitoring program.

Mining Use Permit/Reclamation Plan Process:

The County Surface Mining and Reclamation Ordinance (SMARO) designates the Planning Commission as the decision making body for surface mining Use Permits, except where a concurrent rezoning is requested to designate the site with the MR overlay zone, in which case the Board of Supervisors is the acting body and the Planning Commission is advisory. The MR overlay zone permits the establishment of hard rock mining with a Use Permit (Section 26-72-020 (a) (1).

The SMARO includes 22 general standards for mining permits and operations requiring that projects:

- 1) Are consistent with the base zoning district
- 2) Provide adequate off-street parking
- 3) Limit traffic impacts by keeping roads clean, paying traffic mitigation fees, obtaining encroachment permits and providing safety signage
- 4) Control stormwater runoff, flood waters and protect water quality
- 5) Prevent contamination of surface and ground water
- 6) Manage hazardous materials
- 7) Prevent erosion and sedimentation
- 8) Submit annual reports
- 9) Control noise
- 10) Restrict hours of operation to 6 am to 10 pm Monday through Friday and 6 am to 4:30 pm Saturdays
- 11) Ensure security of the site by providing fencing and warning signs and other measures if necessary
- 12) Provide visual screening
- 13) Slopes and benches must comply with grading standards for mines
- 14) Stockpile topsoil when appropriate for reclamation of the site
- 15) Control air emissions and dust
- 16) Avoid damaging cultural resources and train mining personnel on the nature and importance of cultural resources
- 17) Minimize off-site glare from night lighting
- 18) Obtain any permits and approvals required by other agencies having jurisdiction
- 19) Comply with the State Surface Mining and Reclamation Act and the ARM Plan and reimburse the County for the operator's fair share of staff monitoring costs
- 20) Comply with Williamson Act requirements if applicable
- 21) Comply with building and health codes, and
- 22) Avoid or mitigate impacts to wildlife habitat

The ordinance also includes specific standards for instream, terrace and quarry mining. The eight quarry mining standards require:

- 1) A Use Permit period not to exceed 20 years, and that the mining permit can be extended by the Planning Commission for an additional 20 years upon request if there are no violations or new environmental impacts
- 2) Screening from public roads to the extent feasible
- 3) Maximum allowable working slopes as approved by a certified engineering geologist and in conformance with the state reclamation guidelines

- 4) A setback of 25 feet from the MR zone boundary, 100 feet from stream banks and designated wildlife habitat, and 200 feet from any residential land use designation in the general plan
- 5) A maximum allowable import of 25% of the materials processed or sold per year (for existing quarries only) - recycling is excluded from this restriction
- 6) Provide proof of adequate water supply and monitor ground water use for sites in Water Availability zones III and IV (this site is zone IV)
- 7) Minimize erosion and sedimentation
- 8) Conduct blasting activities under the supervision of a licensed blasting professional to minimize noise and vibration impacts to off-site residential areas

Mitigation measures and Conditions of Approval recommended for the project ensure compliance with the ordinance requirements.

A Reclamation Plan was submitted in conjunction with the Zone Change/Use Permit application. It was updated July 1, 2013 as required by the State Surface Mining and Reclamation Act, the County Aggregate Resources Management (ARM) Plan and County Surface Mining and Reclamation Ordinance. The components include:

- 1) Reclaiming finished quarry walls by adding soil and replanting with native vegetation at the completion of each phase,
- 2) Regrading the site after the mined rock is completely removed,
- 3) Replanting with approved native species, and
- 4) Returning the site to agricultural use and open space.

As mining advances, the finished grading of slopes would be reclaimed so that the total area of exposed soil would be the minimum required for safe operation at any time. As grading is complete, the slopes would be terraced, bench drains would be installed, and surfaces would be covered with topsoil and planted with native vegetation. The project is required to meet Reclamation Plan timing and bonding standards established by PRMD and the State Department of Conservation to ensure that all final reclamation activities take place in a timely manner. See Issues Section below for an analysis of the findings required for reclamation plan approval.

DISCUSSION OF ISSUES

Issue #1: Plan and Zoning Consistency

General Plan and Zoning

The Sonoma County General Plan designates the existing quarry and the proposed expansion area as Resource and Rural Development, with a 100-acre density. The project site is currently zoned RRD (Resources and Rural Development), with a 100-acre density. The existing quarry parcel (APN 120-210-048) is also zoned MR (Mineral Resource). The MR district has been established to conserve and protect land that is necessary for future mineral resource production. The MR district is intended to be applied only where consistent with the Aggregate Resources Management (ARM) Plan and combined with base zoning within the General Plan's Land Intensive Agriculture, Land Extensive Agriculture, Diverse Agriculture and Resources and Rural Development land use categories. This zone allows mining with the issuance of a surface mining Use Permit and the approval of a Reclamation Plan, but restricts residential and other incompatible uses. Its uses supersede those allowed in the applicable base district.

Aggregate Resources Management Plan

The Sonoma County ARM Plan identifies this quarry as one of the sources of aggregate in the County. The ARM Plan shows a likely expansion area for the quarry onto the parcel which is the subject of this project.

The County's goals and objectives for aggregate resources were established in the Sonoma County ARM Plan. Relevant objectives from the ARM Plan are:

1. *Facilitate new or expanded quarry operations at designated sites or at other locations with resources which can meet the needs for aggregate in an environmentally sound manner.*
2. *Encourage the retention of locally produced aggregate for use within Sonoma County.*

Franz Valley Area Plan

The project site is located within the Franz Valley Area Plan. The Plan recognized the existence of the quarry, (calling it "The Mark West Shale Pit") and states that "*Environmental impacts of the operation will be mitigated by future reclamation requirements. No residential uses are close enough to the pit to be affected. Surrounding roads are adequate for haul purposes. Both the Franciscan and the Sonoma Volcanic formations provide some rock types suitable for use in construction and future demand may result in additional limited mining activities in the area.*" The Final EIR includes several pages of a consistency determination with the Franz Valley Area Plan. The project has been found to be consistent with policies in the Franz Valley Plan on Transportation, Timber Resource Management, Stability of the Ecological System, and Scenic Qualities of the Area Plan.

The project is consistent with the General Plan, Zoning Ordinance, Aggregate Resources Management (ARM) Plan, and the Franz Valley Area Plan.

Issue #2: Environmental Impacts

The EIR analyzes potential project impacts for topics required by CEQA (California Environmental Quality Act). The project would have less than significant or no impacts in the following areas: Population & Housing, Agriculture and Forest Resources, Mineral Resources, Public Services and Recreation. The Project was found to have potentially significant adverse impacts in the following areas: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology & Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use & Planning, Noise, Transportation/Traffic, Utilities/Service Systems and Cumulative Impacts. Impacts in each of these topical areas is discussed in detail below, and summarized in Table 1.

Mitigation measures proposed as part of the project, as well as measures identified by the Draft EIR, would avoid or reduce most of the impacts to a less-than-significant level. However, the following adverse impacts would remain as significant and unavoidable, even with the implementation of the mitigation measures proposed as part of the project and identified in the Draft EIR:

Significant Project Impacts:

The Planning Commission will consider the Final EIR and the merits of the project and make a recommendation to the Board of Supervisors whether there are economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits that outweigh these significant adverse impacts of the project. If the Board makes these finding and adopts a Statement of Overriding Considerations, then under CEQA, the impacts are considered "acceptable" (CEQA Guidelines Section 15093) and the project can move forward.

Table 1. Summary of Potentially Significant Impacts and Mitigation Measures That Reduce Impacts to a Less-Than-Significant Level

Impact Number	Potentially Significant Impact	Summary of Select Mitigation Measures
4.1-A	GEO: Earthquake ground shaking could result in injury to mine personnel, increase the potential for slope instability, and cause damage to equipment & structures.	<ul style="list-style-type: none"> • Post earthquake inspection shall be conducted by a Certified Engineering Geologist or licensed Geotechnical Engineer and all damaged or failed slopes repaired.
4.1-B	GEO: Mining could cause slope failure, landsliding, or rockfalls that could injure on-site workers and travelers on Porter Creek Rd.	<ul style="list-style-type: none"> • Mining will be conducted and all slopes graded in accordance with the Mining and Reclamation Plan. • Prior to mining the expansion area the large landslide above the quarry driveway will be stabilized. • Monthly inspections of slopes upslope of Porter Creek Road will be conducted during mining.
4.1-C	GEO: Placement of backfill at the base of the completed highwall could cause differential settlement of fill beneath the large siltation ponds. This could damage ponds and pipings and compromise their integrity and performance.	<ul style="list-style-type: none"> • The Applicant shall develop and implement a final grading plan for slope configuration and drainage for final reclaimed land. The plan shall be prepared by a Certified Engineering Geologist or licensed Geotechnical Engineer and submitted to the County for approval.
4.1-D	GEO: Removal of overburden from the Overburden Stockpile Area could result in slope failure and exposure of the subdrain system.	<ul style="list-style-type: none"> • The Applicant shall develop and implement a plan for removal of fill from the Overburden Storage Area. The plan shall be prepared by a qualified engineer and submitted to the County for review and approval.
4.2-A	WATER: Mining would expose bedrock and reduces rainwater infiltration resulting in increased storm water runoff from the site and increase peak flows in Porter Creek. The additional flows caused by the project could lead to downstream flooding, bank erosion, and channel instability in Porter Creek.	<ul style="list-style-type: none"> • The Applicant shall develop and implement a final Stormwater/Water Quality Protection Program. The plan shall be prepared by a qualified professional and submitted to the County for review and approval. • All drainage facilities shall be designed in accordance with County flood control design criteria. • All detention basins shall be monitored and maintained for a minimum of 5 years following final reclamation.
4.2-B	WATER: During mining unprotected soil would be subject to wind and water erosion increasing sediment and other pollutants and degrading water quality in Porter Creek, Mark West Creek, and the Russian River.	<ul style="list-style-type: none"> • The Applicant shall develop and implement a final Stormwater/Water Quality Protection Program. • Update the existing 2001 Stormwater Pollution Prevention Plan • Update the Spill Prevention Control and Countermeasure Plan
4.2-F	WATER: The proposed mining expansion would reduce the contributing area and potential groundwater recharge to the domestic supply well located below Sub-basin A.	<ul style="list-style-type: none"> • Monitor domestic groundwater wells at Assessor's Parcel 120-021-032 for significant changes in groundwater levels. • Provide alternative water supply if necessary.

4.3-A	BIO: Future mining of the project site would displace a population of Jepson's linanthus.	<ul style="list-style-type: none"> • Conduct annual focused plant surveys prior to ground-disturbing activities • If Jepson's linanthus is found collect voucher specimens, record location. • Donate voucher specimen to university herbaria
4.3-B	BIO: Project construction and grading activities within the proposed aggregate mining area could disturb active nests of special-status birds, as well as roosts of special-status bats.	<ul style="list-style-type: none"> • Conduct preconstruction surveys to avoid disturbing nesting birds • Establish and implement no disturbance buffers for each species found • Limit habitat disturbance to the time period least likely to disturb the species.
4.3-C	BIO: Project construction and grading activities within the proposed aggregate mining area could injure or kill special-status species of frogs and turtles.	<ul style="list-style-type: none"> • Conduct preconstruction surveys for California red legged frogs, foothill yellow-legged frog, and northwestern pond turtle. • Establish and implement no disturbance buffers for each species found • Impose seasonal restrictions during the winter (Nov 15-April 1) in areas where California red legged frog occur.
4.3-D	BIO: Project construction and grading activities could pollute downstream waterways and adversely affect special-status species of fish, amphibians, and turtles.	<ul style="list-style-type: none"> • Mitigation measure for water quality impact 4.2-B, above, will adequately mitigate this impact.
4.3-E	BIO: Future mining of the project site would remove waters of the U. S.	<ul style="list-style-type: none"> • The Applicant shall prepare a formal wetland delineation in accordance with 1987 <i>Corps of Engineers Delineation Manual</i> and shall obtain a Clean Water Act Section 404 permit from the Corps • The Applicant shall compensate for the loss of wetlands at a minimum of a 2:1 ratio, as specified by permitting agencies. • The Applicant shall obtain a Streambed Alteration Agreement, as applicable, from the California Department of Fish and Wildlife.
4.5-A	NOISE: Noise from on-site operations of the proposed project would affect three noise sensitive receiving locations (residences) in the vicinity of the project.	<ul style="list-style-type: none"> • Removal of overburden shall proceed towards the west in a manner that maintains a topographic barrier between operating mobile equipment and sensitive receptors.
4.5-C	NOISE: The combined noise from operations on the project site plus aggregate haul traffic would affect noise sensitive receptors in the vicinity of the project.	<ul style="list-style-type: none"> • Mitigation measure for water quality impact 4.5-A, above, will adequately mitigate this impact.
4.5-D	NOISE: Blasting would result in noise and vibration at sensitive receptors.	<ul style="list-style-type: none"> • Limit blasting within 600 feet of residence to a maximum of 60 pounds. • Monitor vibration levels at residences to ensure save levels.
4.6-E	GHG: The proposed project could result in greenhouse emissions, either directly or indirectly, that may have a	<ul style="list-style-type: none"> • The Applicant shall offset all GHG emission above the 1,100 MT CO2e/year thresholds. Any offset of project emissions shall be demonstrated to be real, permanent, verifiable, enforceable, and additional as

	significant impact on the environment.	determined by the County.
4.7-A	VISUAL: The proposed quarry expansion would alter the visual character of the area and adversely affect views of the site from both public and private vantage points.	<ul style="list-style-type: none"> • Within the first 5 years after project approval, the Applicant shall plant Douglas fir trees or similar evergreen species to screen the solar panels and quarry area.
4.8-B	HAZ: The project would increase the risk of igniting wildland fires or being affected by a wildland fire.	<ul style="list-style-type: none"> • Prior to vegetation removal or mining of the expansion area, the Applicant shall provide the Sonoma County Fire and Emergency Services Department with an affirmative covenant that includes a vegetation management maintenance agreement approved by the County Fire Marshal.
4.9-A	HAZ: Hazardous materials transported or used on the project site during proposed mining and reclamation activities (i.e., petroleum products, blasting materials) could be spilled or otherwise released through improper handling or storage.	<ul style="list-style-type: none"> • The Applicant shall develop and implement a Spill Prevention Control and Countermeasure Plan. • If hazardous waste is generated or stored, the Applicant shall comply with all hazardous waste laws and regulations • All hazardous waste materials shall be stored, handled and managed in accordance with the approved site plan and hazardous materials plan.
4.10-A	CULT: Land alteration proposed by the project could affect existing as well as undiscovered cultural resources.	<ul style="list-style-type: none"> • If concentrations of prehistoric or historic-period materials are encountered during ground-disturbing work, all work in the immediate vicinity will be halted until a qualified archaeologist can evaluate the finds and make recommendations. • If human remains are encountered, work in the immediate vicinity will stop and the Sonoma County Coroner will be notified immediately. At the same time, a qualified archaeologist will be contacted 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.
4.10-B	CULT: Land alteration proposed by the project could affect undiscovered paleontological resources.	<ul style="list-style-type: none"> • If paleontological resources are found, all work in the vicinity of the find shall cease, and a paleontologist will be notified to develop proper mitigation measures. No earthwork in the vicinity of the find shall commence until a mitigation plan is completed and reviewed and approved by the paleontologist and the County.

Geology and Soils

The project is located in a seismically active region and in close proximity to the Maacama and the Rodgers Creek faults. The project could experience a large magnitude earthquake sometime within its operational life. The Draft EIR identifies strong ground shaking and potential slope instability as potential impacts.

Strong ground shaking could cause deformation in the fill slopes of the Overburden Stockpile Area, causing ground fissuring, fill toe bulging, and some degree of slide failure within the outer parts of the fill (west edge). Although massive failure of the fill is not anticipated, these deformations, particularly if not immediately corrected could result in slope failure.

When a strong earthquake occurs, there is a potential for structural or equipment damage that could result in worker injury. However, that possibly is reduced due to the relatively low number of daily on-site

workers at the quarry (eight during the peak season and two during off season) and due to required safety training of personnel. The quarry operator has submitted a geotechnical report (Miller Pacific 2003) as part of the project application that states that after an earthquake, mine personnel will inspect all structures, equipment, and slope faces to determine whether mining can safely resume in compliance with applicable MSHA (Mine Safety and Health Administration) and Cal OSHA (Occupational Safety and Health Administration) regulations. These inspections and existing regulations, along with the low number of personnel typically present, would reduce earthquake shaking impacts of human injury to a less-than-significant level.

Mining, reclamation and all project components will be designed and implemented in conformance with the best standards for earthquake resistant construction in accordance with all State and local requirements. Compliance with the County Surface Mining and Reclamation Ordinance (SMARO), and proper engineering of cuts and fills, engineered on-site drainage and storm water management facilities, replanting of disturbed areas, and periodic inspections by the project geotechnical engineer are required to reduce impacts to a less than significant level.

A comment was made that the Draft EIR was incorrect in stating that Sonoma Volcanics do not include fossils. A correction was made in the Final EIR to state "A portion of the site contains Sonoma Volcanics, which again is a rock type that is known to contain fossils at some locations. For example, fossils have been found in this rock type at the Petrified Forest located to the east of the site. However, it is unlikely this volcanic material would be mined as part of the proposed project given that the Sonoma Volcanics lie north of and outside of the proposed mining expansion area."

Hydrology and Water Quality

The project straddles a ridge that divides the Franz Creek and Porter Creek watersheds and is located on relatively steep terrain with typical slopes ranging between 25 and 40 percent. Elevations at the site range from 865 feet above sea level at the quarry floor to 1,300 feet along the reclaimed slopes on the eastern side of the quarry. Because the project site straddles the Franz Creek and Porter Creek watersheds, surface water drainage patterns at the project site are complex with several receiving water-bodies. The existing active quarry drains south to Porter Creek. The northwest portion of the project site encompassing the Overburden Stockpile Area drains both westerly to a tributary of Porter Creek and southerly to Porter Creek (see Figure 4.2-1). The remainder of the north side of the property drains to Franz Creek, and then Maacama Creek, a major tributary to the Russian River.

Quarry expansion, removal of overburden material, and subsequent exposure of bedrock would increase the amount of storm water runoff leaving the site and increase peak flows in Porter Creek. The additional flows caused by the project, if not mitigated, could lead to downstream flooding, bank erosion, sedimentation and channel instability in Porter Creek.

Mitigation Measure 4.2-A.1 requires that stormwater increases be managed so that flow from the project site does not exceed pre-project rates and volumes. The applicant shall prepare, for review and approval by the Sonoma County Permit and Resource Management Department (PRMD), a final Stormwater/Water Quality Protection Program (including appropriate hydrologic and hydraulic calculations). The plan and calculations shall include sizing for all sediment retention/storm water detention facilities and shall verify the available capacity of existing conveyance facilities (culverts) exiting the project site. The storm water plan and calculations shall ensure that peak storm water flows are managed to the extent that flows entering the existing culverts crossing under Porter Creek Road do not exceed pre-project peak flow estimates for the 10-, 25-, 50, and 100-year flows. Alternative detention strategies could include additional detention basins, expanded use of the quarry floor for detention, or expanded use of infiltration areas for percolation and storage. The drainage plan and accompanying design calculations shall be prepared by a Registered Civil Engineer and in conformance with the Sonoma County Water Agency's Flood Control Design Criteria. The plan shall be approved and detention facilities constructed prior to mining the expansion area.

Biology

Plants: Six natural vegetation types are represented on the project site, including five upland types and one wetland type. Eight Federally listed species that may be affected by the proposed project have been identified including one invertebrate, four fish, two amphibians, and one bird species. None of these species has designated critical habitat within the project site.

The proposed project does not provide an opportunity to avoid or minimize direct impacts to the population of Jepson's linanthus, (an annual herb with pale pink flowers in the Phlox Family (Polemoniaceae)), that is rare and endangered in California and elsewhere because all of the area's vegetation would be cleared during mining activities. A mitigation measure has been established, in the DEIR requiring that, prior to ground-disturbing activities in any part of the expansion area, and for several years in succession, focused surveys be conducted to identify all localities of Jepson's linanthus within the project area. Each year that plants are found, voucher specimens (a voucher specimen is a pressed plant sample deposited for future reference. It supports research work and may be examined to verify the identity of the specific plant used in a study) must be collected, the locations marked in the field, and seeds collected when mature. The voucher specimens must be donated to university herbaria and cleaned seed to research institutions with facilities for long-term storage.

Animals: Project construction and grading activities within the proposed expansion area could disturb active nests of birds protected under the Migratory Bird Treaty Act, as well as roosts of special-status bats. Mitigation includes preconstruction surveys for nests and avoidance if nests are found.

Project construction and grading activities within the proposed aggregate mining area could injure or kill special-status species of frogs and turtles. Mitigation includes surveys for California red-legged frogs prior to vegetation removal or grading on the expansion site, and seasonal restrictions imposed during the winter period (November 15th – April 1st). During this time period mining and excavation operations will not be conducted during extended rain events that produce overland flow. Preconstruction surveys for foothill yellow-legged frog and northwestern pond turtle to determine if the species is present near tributaries draining the site. If these species are found near any proposed construction areas, impacts on individuals and their habitat shall be avoided.

Wetlands: Future mining of the project site would result in the removal of a portion of a small stream. At the completion of reclamation, two ponds would be constructed in the relatively flat quarry floor. These ponds (with storage capacity of 25 and 49 acre-feet, respectively) would more than compensate for the wetland loss caused by the project. However, these new wetland features would not be in place for over 20 years from the time the project begins. The loss of on-site streams for over 20 years is considered a potentially significant impact. The applicant must compensate for the loss of wetlands currently found on-site.

Transportation and Traffic

According to County Department of Transportation and Public Works (DTPW) staff, the current haul routes on Mark West Springs Road and Porter Creek Road include road segments that currently do not meet County design standards (AASHTO and Caltrans) in terms of pavement width, sight distance, and other safety standards. The roads follow creeks and have very steep cuts on one side and steep drops down to the creeks on the other side. The project would cause a substantial increase in truck traffic on the Mark West Springs – Porter Creek Road haul corridor, and could increase the risk of collisions due to potential conflicts between quarry truck traffic and bicyclists and/or pedestrians. The mitigation to these impacts includes a requirement that the applicant pay their fair share to improve haul route roads to meet County road standards:

4.4-D.1: The applicant shall pay its fair share to improve haul route roads to meet County road standards. The applicant will be responsible for paying their fair share of these improvements. The following roadway segments have minimal shoulders that currently do not meet County roadway

standards and would require shoulder and/or lane widening to meet County standards on the Mark West Springs/ – Porter Creek Road haul corridor:

1. An approximately one-mile segment of Mark West Springs Road between Riebli Road and Mark West Lodge;
- 1.2. A 1.6-mile Porter Creek Road segment between Mark West Lodge and Franz Valley Road; and
- 1.3. Approximately 2.9 of 3.2 miles of Porter Creek Road between Franz Valley Road and Petrified Forest Road.

The Sonoma County Department of Transportation and Public Works developed a rough estimate of \$30,000,000-35,000,000 to construct minimum bike lanes over the segments of Mark West Springs Road and Porter Creek Road as listed in the mitigation measure. The total length of retaining walls needed is estimated to be 15,000 linear feet for the pavement widening away from the creeks. Cost of the walls would be around \$15,000,000. The cost to excavate the hillsides (119,000 cubic yards) is approximately \$9 million.

Pavement widening varies from 10 feet in the unimproved sections to only 2 feet in the reconstructed segments. Cost of the widening (no overlay) is estimated \$1.5 million, and an additional 25% of the total to cover clearing, tree removal, traffic and erosion control and drainage improvements. The estimated costs to improve the three road segments and the applicant's fair share are summarized below:

Segment	The Applicant's Fair Share Percentage	Estimated Current Total Cost	Applicant Cost
1	20%	\$14,408,750	\$2,881,750
2	26%	\$5,417,000	\$1,408,420
3	27%	\$16,017,000	\$4,324,590

Total applicant contribution = \$8,614,760 (excludes the Riebli signal which is another \$255,000)

(Note: These are 2013 dollars. If the determination is made that an agreement for future payment is acceptable, it should be indexed for inflation.)

The County has no plans to initiate these improvements, they are not currently planned or funded. Due to their high cost their implementation is uncertain. Without a foreseeable time frame, and knowing that the costs would increase every year, it is unlikely that the road improvement projects would occur during the life of the project. A Statement of Overriding Considerations is necessary on this mitigation measure. The Board of Supervisors will have to determine if it is appropriate to adopt a Statement of Overriding Considerations on this item.

A condition has been developed for the Use Permit requiring that the quarry establish a truck driver education program which would include bicycle safety related to safe passing distances and when it is appropriate to use horns.

Collision data shows that despite general traffic increases over the last decade on Mark West Springs Road/Porter Creek Road, the annual collision total for the overall corridor has stayed relatively constant, ranging from 23 collisions in 2008 to 32 collisions in 2001. By comparison, the 1997 County study reported a high of 45 collisions in 1986, suggesting a general downward trend in collisions since then despite an expected increase in traffic along this route.

Noise

Noise from quarry operations that would be generated by the proposed project would affect three noise sensitive receptors (residences) in the vicinity of the project. The most affected receptor is a residence (R4), about 1,000 feet southwest of the quarry. Because the residence is owned by the applicant and

under the control of the operator during the mining period, the Draft EIR determined that the impact was insignificant. A condition of the Use Permit requires that, prior to expanding the mining operation onto APN 120-210-031, the applicant must submit a recorded document that would be part of any title report with an offer to put double pane windows in that residence at the time of sale.

Another receptor (R5) approximately 1,500 feet south of the primary mining activities has potential to be affected by noise. The Sonoma County General Plan's Noise Element Table NE2 was adjusted to a 54 dBA Leq ambient noise level for this residence. The projected future noise levels at this site are not considered significant.

The other two residences are located to the west of the quarry, at 4512 Porter Creek Road. Use of mobile equipment to remove overburden near the west side of the storage area would create noise at these two residences. In order to mitigate impacts from increased noise on these sensitive receptors, the applicant is required to remove the overburden starting in the east and retain a slope between the mobile equipment and the residences to the west.

Noise levels would be lower than General Plan standards at all other residential receptors that have been identified in the study area.

The project includes detonating explosive charges in the rock. Detonating charges create rock movement and release of high-pressure gas, which in turn induce air-overpressure (blast noise), airborne dust and audible blast noise and vibration. Blasting would result in noise and vibration at sensitive receptors. The mitigation for this impact includes a requirement that, when blasting within 600 feet of a residence the charge weight per delay must be limited to a maximum of 60 pounds. Vibration levels must be monitored at the residence to confirm that the vibration level is less than 0.5 inch/sec Peak Particle Velocity.

Air Quality

The main issues of concern for air quality at the project site are air emissions, such as particulates and exhaust gases from mining equipment, haul trucks, and processing operations. Processing equipment includes a feeder, primary jaw crusher, vertical impact and cone crushers, vibrating screens, conveyors and stackers, a wash plant, and a portable screening plant. Emissions from these sources are minimized by use of water/foam spray systems on the crushers, screens, and at stacker conveyor discharge points to reduce any dust generated.

Air emissions were estimated and compared with applicable local, state, and federal standards and thresholds. Depending on the pollutant and its associated effects, the standards may be short term, from one to twenty-four hours, or an annual average. In general, short-term standards represent the maximum acceptable concentrations that may be reached but not exceeded more than once per year. Annual standards are the maximum acceptable concentrations that may be reached but not exceeded.

Greenhouse Gases

The Mark West Quarry is the first quarry in the U.S. to be entirely reliant on solar power for all processing operations. In May of 2011 an 809.34 kW photovoltaic system became operational at the quarry. The system consists of 3,444 solar panels (235 W per panel) which are interconnected to the utility grid at the site. The system is designed to produce 1,026,096 kWh annually. Electricity from the solar system provides all the electrical energy requirements processing at the current quarry production levels. Since the solar power system was installed after the publication of the Notice of Preparation for the project, to be conservative the GHG emissions from use of utility-based power (PG&E) are included as part of the quarry's baseline GHG emissions.

The EIR Greenhouse Gas Emission (GHG) analysis estimates that the Project would result in a maximum net increase of GHG emission of 1,243 MT CO₂/year which is 143 MT CO₂/year above the BAAQMD threshold of 1,100 MT CO₂/year. The largest source of GHG emissions from quarry operation is from fuel

combustion by heavy equipment and vehicles (both on-site and off-site). Existing quarry electricity use generates zero GHG emission because the facility is powered by solar panels. The EIR establishes the following mitigation for greenhouse gases: "The applicant shall offset all remaining GHG emissions above the threshold of 1,100 MT CO₂e/year. Any offset of project emissions shall be demonstrated to be real, permanent, verifiable, enforceable, and additional as determined by PRMD at its sole discretion. To the maximum extent feasible, as determined by PRMD, offsets shall be implemented locally."

Assuming an 8 percent annual increase per year from their 2012 production level as determined "usual and gradual increase" under the ARM Plan policies full capacity would not be achieved until the ninth year (2022). Due to incremental increases in fuel efficiency projected over that same period, there is only a remote chance that greenhouse gas emission will exceed the BAAQMD threshold or that mitigation measure 4.6-E.1 will be required. This measure states, "Applicant funding of local projects, subject to review and approval by PRMD that will result in real, permanent, verifiable, and enforceable, and additional reduction in GHG emissions shall be required in 2022 or when the threshold of 1,100 MT CO₂/year is exceeded. If the BAAQMD or Sonoma County develops a GHG mitigation fund, the applicant may instead pay into this fund to offset GHG emissions in excess of the significance threshold."

Monitoring of this will occur by PRMD staff verifying that the applicant has met the funding or carbon credit purchase requirement prior to mining of the expansion area. If in the future, the quarry emission levels can be shown (to PRMD's satisfaction) that they are less than 1,100 MT CO₂e/year or whatever State or BAAQMD threshold is adopted in the future, then offsets will no longer be required.

Visual

The project site is visible from two public vantage points (roadways) and from private property. Depending on the vantage point and distance from project site, the views from public roadways and private property are primarily of the upper portions of the site, though at least four residences have distant views of the active mining face. The site is visible from Porter Creek Road and Mountain Home Ranch Road.

The proposed quarry expansion would alter the visual character of the site and adversely affect views of the site from both public and private vantage points. The site is developed with a large solar array, and the DEIR finds that any expansion to the array would have a visual impact. The mitigation measure recommended in the DEIR requires that the applicant plant Douglas fir trees or alternative evergreen species acceptable to the County in an area near the road to aid in screening the site from public view.

Hazards and Hazardous Materials

Hazardous materials are substances that have physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous materials transported or used on the project site during proposed mining and reclamation activities (i.e., petroleum products, blasting materials) could be spilled or otherwise released through improper handling or storage.

Mitigation measures in the DEIR include preparation of a revised Spill Prevention, Control and Counter Measure Plan (SPCCMP) in conformance with the requirements of the Code of Federal Regulations 40CFR112. In addition, if hazardous waste is generated or stored, then the applicant shall comply with hazardous waste generator laws and AB2185 requirements and obtain a permit or approval from the Certified Unified Program Agency (C.U.P.A.) or the participating agency. The applicant shall submit a copy of a current permit to the PRMD Health Specialist to verify compliance. All hazardous waste materials shall be stored, handled and managed in accordance with the approved site plan and hazardous materials plan so as to reduce the potential for any spillage. No soil or other material containing hazardous or toxic waste shall be imported to the quarry.

Cumulative Impacts

The Draft EIR included an analysis of cumulative effects for the project based in part on a summary of projections in the Sonoma County General Plan 2020. A list of 10 projects, primarily in the Larkfield Area of the County were included, with impacts primarily related to projected traffic. During testimony on the Draft EIR, a neighbor spoke about his proposed subdivision in the project area. The 4-lot subdivision has been approved, but the Final Map has not recorded. The Final EIR addressed his concerns, finding the nearest possible homesites on the commenter's property are about ½ mile from the westernmost expansion of the quarry. The future builders of homes on the two easternmost subdivision parcels have the option to select a building site that is buffered from views of the quarry by site topography.

Issue #3: Final Environmental Impact Report

PRMD received 7 comment letters on the Draft EIR during the review period that was up July 5, 2013. After the close of the comment period, one letter and one petition signed by 16 people were received. Below is a summary of the comments:

Table 2

Summary of Comments Received on the Mark West Quarry DEIR Expansion Project

Number	Commenter	Area of Impact	Date Comment Received	Comments
1	Caltrans	Traffic and Circulation	July 5, 2013	Fix technical data.
2	Anita Salas	Non specific Traffic , noise hazards	May 29, 2013	Very broad comments.
3	BoDean, the applicant	Vested Rights, Timber Conversion, PV system, Traffic and Circulation	July 5, 2013	Clarification
4	Janet Angell Petrified Forrest LLC (sent 2 letters)	Plan consistency and paleontological resources	July 5, 2013 and an undated letter	Concerned about impact to petrified paleontological resources and consistency with the Franz Valley Specific Plan. Indirect Impacts to the Petrified Forrest.
5	OURADA Engineering (Steven Ourada)	Traffic and Circulation. Water Quality, Well water draw down , Visual Aesthetics , Noise Economic impacts	July 5, 2013	Commenter has a subdivision that was approved in 2006 and is concerned about the projects affects on the development potential on that land.
6	Citizens Advocating Rational Development (CARD)	GHG's, Air Quality, and Alternatives Analysis	July 5, 2013	Concerns about air quality/GHG's

A response to each comment was made in the Final EIR. If a comment resulted in an explanation or change need in the Draft EIR, revisions were made in Chapter 4 of the Final EIR.

Issue #4: Timberland Resources

The Draft EIR delineates 21.15 acres of Mixed Evergreen Forest in the proposed mining area. However, the Mixed Evergreen Forest at the site was determined by a Registered Professional Forester to be unsuitable for sustained commercial timber production due to poor soils and slow growth of evergreen trees. Calfire concurs with this determination. Therefore, a timber conversion permit or timber harvest plan is not required for the project.

Issue #5: Alternatives

As required by the CEQA Guidelines (Section 15126.6), alternatives to the proposed project were developed and analyzed in the EIR. The Guidelines stipulate that a range of “reasonable” alternatives should be evaluated. The alternatives were selected for their potential to lessen the project’s significant effects while providing the applicant with a viable project. The Guidelines specifically state that the alternatives may be a significantly reduced version of the proposal. The three criteria for selection are:

- 1) It meets many of the project objectives;
- 2) It is a feasible alternative; and,
- 3) It avoids or reduces significant environmental impacts of the project.

Alternatives should be well enough developed to allow for “meaningful evaluation, analysis and comparison.” The merits of the alternatives are then compared to the proposed project and each other. This comparison is summarized in the EIR following the description of each alternative. CEQA requires that one of the alternatives be a “No Project” alternative. The analyzed alternatives are:

No Project: Under the No Project Alternative, the applicant could continue mining up to 500,000 cubic yards in the area currently zoned MR and allowed with their vested rights and the Reclamation Plan. An additional area that could be mined within the existing vested rights parcel is north of the existing mined area. The proposed project is to mine an area to the west. Mining the area to the north would result in a new significant unavoidable visual impact and have greater impacts with respect to traffic, public services, cultural resources, and land use and could have greater geologic, and hydrologic and water quality impacts.

Reduced Production Alternative: Under the Reduced Production Alternative, the maximum allowable production on the proposed expansion and vested rights area would be reduced to the production level that is used as the baseline for the EIR, namely 305,000 cubic yards (457,500 tons) per year. The Reduced Production Alternative would eliminate the two significant project traffic impacts from increased truck traffic and bicycle safety and the project’s contribution to significant cumulative traffic impacts. Although there would be no increase in truck traffic, the roadways would still be deficient, as far as safety impacts for bicycles and pedestrians on the primary haul routes. Project air quality, climate change, noise, and visual resources impacts would also be reduced. Otherwise, the reduced production alternative would have similar impacts, as the proposed project and all of these impacts (except for the temporary significant project and cumulative visual impact on eastbound drivers on Porter Creek Road) can be reduced to a less-than-significant level for both the project and this alternative. Given the reduction in impacts, this alternative is environmentally superior to the proposed project.

The Reduced Production Alternative (no expansion beyond the average of the production of the last 5 years) would be the environmentally superior alternative because it eliminates the two significant traffic impacts, the project’s contributions to two significant cumulative traffic impacts, and its contribution to the significant cumulative biological impact. It also reduces other impacts, including impacts regarding traffic, noise, and emissions of air pollutants and greenhouse gas.

Reduced Mining Footprint Alternative: Under the Reduced Mining Footprint Alternative, the quarry expansion would be reduced to preserve certain sensitive resources and natural habitat. The MR zoning

would be placed on a smaller area than proposed in four areas: the western portion of the proposed expansion area; the area containing the population of Jepson's linanthus; the 0.7 acres in the Franz Creek watershed at the north end of the expansion area and an area next to the overburden stockpile. The requested annual production rate of 500,000 cubic yards would be maintained as part of this alternative, but less rock would be available over the 20-year life of the Use Permit. The Reduced Mining Footprint Alternative would reduce on-site impacts of the proposed project on geology, hydrology, and particularly biological and wetland resources, and it could reduce the duration of off-site impacts associated with traffic. The alternative would not eliminate the three significant unavoidable project impacts or the cumulatively-considerable contributions to significant unavoidable cumulative impacts.

Issue #6: Overriding Considerations

The Sonoma County General Plan 2020, states that approximately 75 to 112 million tons of construction aggregate are likely to be needed over the next 20 years to meet local needs and a share of the North Bay regional needs. Sonoma County's construction industry depends on a good quality, local source of construction grade aggregates.

Through the adoption of the ARM Plan, the Board of Supervisors declared that it is the policy of the County of Sonoma to prohibit mining in the river terraces and limit in-stream mining to bar skimming. The Board of Supervisors further declared that in order to comply with the County's adopted goal to provide for the production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region, a growing share of aggregate demand would be produced from hard rock quarries. With the adoption the 1994 Aggregate Resources Management (ARM) Plan, a Statement of Overriding Considerations was adopted for noise and aesthetics impacts. These findings apply to this project.

There are a number of positive economic benefits in permitting rock quarries in proximity to the work needed to be performed. With a reduction in truck travel miles for hauling aggregate there is a reduction in emissions, cost, pavement deterioration, project delays, traffic congestion and accidents. Local sources of aggregate production also provide jobs for local residents and reduce costs of construction for housing, commercial and industrial development, as well as for public construction projects, particularly road projects. Reduced costs provide additional public benefits in stretching limited public funds.

In determining whether these benefits of the project outweigh the impacts, staff considered the fact that the identified traffic impacts related to pedestrian and bicycle safety and truck traffic on haul routes will continue under baseline conditions. The lack of shoulders on portions of these haul routes is an existing deficiency.

Staff also considers the General Plan policies and ARM Plan in supporting hard rock quarries to displace impacts on the river and adjoining agricultural lands.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution recommending that the Board of Supervisors:

1. Certify the Final Environmental Impact Report (Final EIR).
2. Approve a rezoning of a 33 acre portion of an 99-acre parcel adjacent to the existing quarry property to add the Mineral Resource Combining District (see Figure 3-4 in the Draft EIR);
3. Approve a Use Permit and Mining and Reclamation Plan with a production limit of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and adopt a Statement of Overriding

Considerations after making findings provided in the draft resolution and subject to the conditions provided in Exhibit A.

FINDINGS

General Plan, ARM Plan, Zoning, and SMARO Compliance.

1. The Proposed Project as approved herein is found to be consistent with the Sonoma County General Plan ("the General Plan"), the Aggregate Resources Management Plan ("the ARM Plan") Plan, the RRD (Resource and Rural Development) zoning district, and the Surface Mining And Reclamation Ordinance ("SMARO") for the following reasons:
 - (a) The Project Site has a Resource and Rural Development land use designation. This land use category permits surface mining operations provided they are consistent with the 1994 ARM Plan, the Sonoma County SMARO. Mining operations are required to have a surface mining use permit, reclamation plan, and financial assurance approved prior to commencing mining operations. The conditions of approval imposed herein ensure that the Proposed Project is in compliance with the General Plan, the ARM Plan, the RRD MR zoning, and the operational and reclamation standards of SMARO.
 - (b) The Project site is designated as a priority aggregate resource site since the adoption of the 1994 ARM plan. The 1994 ARM Plan recognized the need to increase quarry production to meet local needs due to the intentional phase out of terrace pit mining in the County. The Proposed Project has been designed and conditioned to be consistent with the ARM Plan standards and mitigation measures contained within the ARM Plan Program EIR and Project EIR.
 - (c) The Project Site is zoned RRD (Resource and Rural Development) B6-100 acre density, SR (Scenic Resources), with the MR (Mineral Resources) district to be added. The RRD zoning district permits surface mining operations if they are conducted in accordance with the requirements of the ARM Plan and SMARO and the site is zoned to include the MR (Mineral Resource) Combining District. The ARM Plan requires specific standards to be met by the proposed mining and reclamation plan, and that a Mineral Resource combining zone be added to the property to identify lands with potential mineral resources and to minimize potential conflicts/impacts. The Project Applicant has proposed to meet all ARM Plan standards with this request, and has filed the appropriate application to have the Mineral Resource combining zone added to the property. SMARO allows a 20 year term for mining, contains operational restrictions, and requires that a reclamation plan and financial assurances be approved prior to commencing mining operations. The Conditions of Approval in Exhibit A of this Resolution require compliance with the ARM Plan and the operational, financial assurance, and reclamation standards of SMARO.
2. The proposed project is found to be in harmony with applicable goals, objectives, and policies of the General Plan and therefore, consistent with the General Plan.
3. The proposed addition of the MR (Mineral Resource) overlay to the Zoning Map on APN 120-210-031 is found to be consistent with the ARM Plan and purpose of the MR designation by providing for the development of lands as mineral resources in the LEA (Land Extensive Agriculture) zoning district.
4. The development of aggregate resources on the site over the 20 year term of the Use Permit implements the General Plan and ARM Plan.
5. The Planning Commission, in consideration of the whole record relating to the Mark West Quarry project, finds that the establishment, maintenance and operation of the uses and as conditioned, will not, under the circumstances of this particular case, be detrimental to the health, safety, peace,

comfort, or general welfare of persons residing or working in the neighborhood or to the general welfare of the area. The circumstances of this particular case are:

- a. The uses proposed by this project were anticipated by the ARM Plan and General Plan, and policy and land use designations allow mining in this area.
 - b. The Use Permit requested for this project, as conditioned, will provide for comprehensive control of the uses of the property and incorporate all of the mitigation measures identified in the Final EIR in order to ensure that environmental quality is maintained. These conditions include hours of operation, production limits, limits on blasting and noise generation, groundwater and surface water monitoring and treatment, a comprehensive dust control program, traffic mitigation measures, mitigation of air quality and biological impacts, and landscape screening.
6. Mitigation measures identified in the EIR to avoid or substantially reduce significant impacts, to the extent feasible, and a mitigation monitoring program have been incorporated as Conditions of Approval.

STATEMENT OF OVERRIDING CONSIDERATIONS

Impacts to land use, transportation, air quality, biological and aesthetics (temporarily until vegetative screening grows to block views) were found to be significant and unavoidable despite the implementation of mitigation measures to reduce impacts to the extent feasible. A Statement of Overriding Considerations was adopted for noise and aesthetics impacts with the approval of the 1994 Aggregate Resources Management (ARM) Plan, and apply with this project.

Impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology & Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use & Planning, Noise, Transportation/Traffic, Utilities/Service Systems and Cumulative Impacts were found to be potentially significant but can be reduced to less than significant levels with the implementation of mitigation measures.

Findings for the Statement of Overriding Considerations:

1. According to the Sonoma County General Plan 2020, approximately 75 to 112 million tons of construction aggregate are likely to be needed over the next 20 years to meet local needs and a share of the North Bay regional needs.

The State Geologist has classified certain mineral resource areas within Sonoma County as mineral bearing areas of regional significance. As a result, Sonoma County is required, by state law, to adopt mineral management policies that:

- Recognize mineral information provided by the State,
- Assist in the management of land use that affect areas of statewide and regional significance, and
- Emphasizes the conservation and development of identified mineral deposits.

In response to the state's mandate, Sonoma County adopted resource management goals and policies in the General Plan and the Aggregate Resources Management (ARM) Plan.

General Plan Goal OSRC-13 requires the County to "provide for production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region." An implementing General Plan objective is to "use the ARM Plan to establish priority areas for aggregate production and to establish detailed policies, procedures, and standards for mineral extraction." (OSRC-13.1). General Plan Policy OSRC-13a was adopted to achieve this objective. The policy states:

Policy OSRC-13a: Consider lands designated in the ARM Plan as priority sites for aggregate production and mineral extraction and review requests for additional designations for conformity with the General Plan and the ARM Plan. Mark West Quarry is listed and described in the ARM Plan.

Through the adoption of the ARM Plan, the Board of Supervisors declared that it is the policy of the County of Sonoma to prohibit mining in the river terraces and limit in-stream mining to bar skimming. The Board of Supervisors further declared that in order to comply with the County's adopted goal to provide for the production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region, aggregates would be produced from hard rock quarries.

Sonoma County's residential, business and industrial construction, particularly road construction and re-construction, depends on a good quality, local source of construction grade aggregates. Mark West Quarry will help fulfill the demand.

2. According to an economic assessment of aggregate supply entitled "Construction Aggregate Supply Limitations: Some Estimates of Economic Impact" prepared by the Division of Transportation Planning's Office of Transportation Economics, September 2008, there are a number of positive economic benefits in permitting rock quarries in proximity to the work needed to be performed. They include:
 - A reduction in emissions from trucks with a reduction in truck miles of travel for hauling aggregates.
 - A shorter hauling distance, which would reduce aggregate-truck miles of travel and the cost of the materials.
 - A reduction of pavement deterioration from fewer truck miles traveled, which would allow rehabilitation resources to be available for other critical maintenance improvements.
 - A reduction in project delays due to lack of aggregate supply in the area, which leads to increased project costs.
 - A reduction in aggregate-related truck miles of travel would also reduce traffic congestion and traffic accidents on roads.
3. There will be economic benefits to Sonoma County from the project including, but not limited to, job creation, increased property taxes, sales taxes, vehicle license fees, and employee income taxes.
4. The Board of Supervisors adopted a Statement of Overriding Considerations for the ARM Plan indicating that the benefits of the aggregate industry outweigh the adverse unavoidable noise and visual impacts. These findings are contained in Resolution No. 94-1569 and are incorporated herein by reference.

If the Planning Commission determines that these benefits outweigh the significant and unavoidable impacts of the project, the Commission could forward a recommendation of approval to the Board of Supervisors, subject to the attached Conditions of Approval in Exhibit A and adoption of a Statement of Overriding Considerations.

LIST OF ATTACHMENTS

- | | |
|------------|-------------------------------|
| EXHIBIT A: | Conditions of Approval |
| EXHIBIT B: | Proposal Statement |
| EXHIBIT C: | Vicinity Map |
| EXHIBIT D: | Existing Site Characteristics |
| EXHIBIT E: | Existing Land Use |

EXHIBIT F: Proposed MR Zone
EXHIBIT G: Mining and Reclamation Sequence Steps 1, 2 and 3
EXHIBIT H: Noise Contours
EXHIBIT I: Draft Planning Commission Resolution

The Final and Draft Environmental Impact Reports were previously provided to the Commissioners and are available on the PRMD website.

**Draft Conditions of Approval
Exhibit A-1**

Date: September 26, 2013
Applicant: BoDean Co. Inc.
Address: 4411 Porter Creek Rd.,
Santa Rosa

File No.: PLP09-0035
APN: 120-210-048, -031, -006

Project Description: Request to rezone a 33-acre portion of an 99-acre parcel to add the MR (Mineral Resource) Combining District to allow for future mining, a Use Permit to expand the existing Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approval of a revised Reclamation Plan that directs how the area mined on the site would be reclaimed.

Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.

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, and \$2,995.25 (or latest fee in effect at time of payment) because an Environmental Impact Report was prepared, for a total of \$3,045.25 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.
2. Prior to any clearing activities in the expansion area, the applicant shall submit to PRMD a Condition Compliance Review fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.

BUILDING:

"The conditions below have been satisfied BY _____ DATE _____

3. The applicant shall apply for, obtain and finalize permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to site review and drainage review permits.
4. The use shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division.

HEALTH:

"The conditions below have been satisfied BY _____ DATE _____

PRIOR TO VESTING THE USE PERMIT :

Water:

5. Prior to vesting the Use Permit, the applicant shall provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of the well water that serves the office and shop, tested by a California State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County requirements and re-test the well. If the contamination cannot be cleared from the well, destruction under permit of this Department may be required. Copies of all laboratory results must be submitted to the Project Review Health Specialist.

6. Prior to vesting the Use Permit, an easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 AM to 5:00 p.m. Due to safety issues, quarry staff shall accept appointments to accompany County personnel on all site visits and the standard easement shall be revised to reflect this need. All easement language is subject to review and approval by PRMD-Project Review and County Counsel prior to recordation.
7. Prior to vesting the Use Permit, a water well serving this project shall be fitted with a groundwater level measuring tube and port, or electronic groundwater level measuring device. A water meter (or meters) to measure all groundwater extracted for the permitted use shall be installed on the water system. A site plan showing the location of the well with the groundwater level measuring device and the location of the water meter(s) shall be submitted to the Project Review Health Specialist at PRMD.

Septic:

8. Prior to vesting the Use Permit, the applicant shall obtain a permit for a replacement or up-graded sewage disposal system meeting the Re-utilization Policy (Policy 9-2-15 on PRMDs web site) for the residence, office and shop areas on Assessor Parcel Number 120-210-048 (address 4611 Porter Creek on the 1966 septic system permit). The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis, percolation and wet weather testing may be required. Wet weather groundwater testing may also be required. The sewage system shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit (except for the portable toilets described herein) and any additional sources from the parcel plumbed to the disposal system, and shall include the required reserve area. If a permit for a standard, innovative or Experimental Sewage Disposal System sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. Quarry areas not served by the residence, office and shop septic system(s) shall use portable toilets consistent with the portions of PRMD Policy 9-2-31 as listed below. The Project Review Health Specialist shall receive a final clearance from the Well and Septic Division that all required septic system testing and design elements have been met.

(a) The use of portable toilets shall meet the following minimum requirements:

1. An adequate number of portable toilets shall be provided.
2. Portable hand washing facilities shall be provided with all portable toilets.
3. Portable toilets shall be serviced as needed, but in no case less than once every seven days.
4. The applicant shall provide an accessible portable restroom on the job site where required by Federal, State or local law, including but not limited to, requirements imposed under OSHA, the Americans with Disabilities Act or Fair Employment and Housing Act.
5. If complaints are received that PRMD believes are valid complaints, the applicant or current operator of the Use Permit shall increase the number of portable toilets and/or increase the frequency of maintenance of the portable toilets. The property owner and his agent(s) are expected to maintain portable toilets and hand washing units so that:
 - (a) The holding tank does not leak or overflow.
 - (b) Toilet paper is promptly replaced when the dispenser runs out.
 - (c) Water, paper towels and soap is promptly replaced when the hand washing units run out.
 - (d) The wait to use a portable toilet shall not be so long that people relieve themselves at other impromptu locations.
 - (e) Reliance upon portable toilets shall not create a public nuisance.

Vector Control:

9. A mosquito and vector control plan acceptable to the Marin-Sonoma Mosquito and Vector Control District (telephone 707-285-2200) shall be submitted prior to the construction or operation of any ponds and prior to vesting the Use Permit. The Project Review Health Specialist shall receive a copy of the vector control plan and an acceptance letter from the Marin-Sonoma Mosquito and Vector Control District.

OPERATIONAL REQUIREMENTS:

Water:

10. A safe, potable water supply shall be provided and maintained.
11. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored quarterly and reported to PRMD in January of the following year pursuant to section WR-2d of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance.
12. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD-project review at least once every five years.
13. With the permission of the property owner, the applicant shall monitor the domestic water supply well located on Assessor's Parcel 120-021-032 for significant changes due to quarry expansion and regrading of recharge areas. Monitoring shall include monthly observations of groundwater levels in the well and shall commence before quarry expansion. Well monitoring shall continue through the length of the project. If it is determined that well levels have deviated statistically from the baseline annual cycle at any time during the expansion and reclamation of the quarry (accounting for rainfall totals), or within five-years following the completion of the expansion and reclamation, and the owner of the property requests, the applicant shall be financially responsible for providing a reliable supply of water to the impacted property, which may include deepening of the existing well and/or drilling a new well. (Mitigation4.2-F.1, EIR).

Septic:

14. Maintain the annual operating permit for any package treatment plant, Alternative (mound or pressure distribution) or Experimental Sewage Disposal System installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.
15. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
16. All future sewage disposal system repairs shall be completed in the designated reserve areas and at a minimum shall meet the standard agreed upon under the Re-utilization Policy. 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. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required.

Hazardous Materials Program:

17. Comply with applicable hazardous waste generator, underground storage tank, above ground storage tank and AB2185 (hazardous materials handling) requirements and maintain any applicable permits for these programs from the Hazardous Materials Division of Sonoma County Department of Emergency Services.

Noise:

18. Noise shall be controlled in accordance with the following as measured at the exterior property line of any affected residential or sensitive land use.

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric ¹ , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.		

The EIR determined that the only Table NE-2 descriptor that is potentially significant for this project is the Daytime L₅₀, which has been adjusted for ambient conditions [General Plan Policy NE-1c (1) and (3)] at each receptor as follows:

Receptor	Adjusted County Daytime Limit (7a.m. to 10 p.m.) (L ₅₀ dBA)
R1- Northwest Residence	53
R2 - West Residence	50
R4 (LT-1) - Southwest Residence	53
R5 - South Residence	54
R6 – (LT-3) - Mountain Home Ranch Resort/ Mayacamas Ranch	45

If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall conduct a noise study to determine if the current operations meet noise standards and identify any additional noise mitigation measures if necessary. A copy of the noise study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a valid noise complaint has been received. The owner/operator shall implement any additional mitigation measures needed to meet noise standards.

Solid Waste:

19. All garbage and refuse on this site shall be accumulated or stored in non-absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on this site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of to a County Transfer Station or County Landfill before the end of the seventh day.

TRANSPORTATION AND PUBLIC WORKS:

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

- 20. A Traffic Mitigation Fee shall be paid to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code, prior to clearing or mining activities in the expansion area. This fee is for indirect cumulative traffic impacts throughout the county and shall be based on the Average Daily Traffic (adt) of 178 (increase in peak daily truck trips + new employees) as identified in the EIR. This permit shall not be vested until the traffic mitigation fees are paid in full.
- 21. The applicant shall report annually to PRMD all aggregate materials sold from the facility, including recycled aggregate materials. This information shall be deemed proprietary for a 5 year period. The applicant shall pay the Aggregate Road Mitigation Fee as adjusted annually, for all aggregate materials, including recycled aggregate materials. PRMD staff will review annual reports submitted by the operator and shall invoice the applicant annually. If the operator does not make payment, the account will be sent to collections and the operator may be issued a Notice of Violation and subject to revocation or modification of this permit.
- 22. Prior to the expansion of clearing or mining activities onto the adjacent parcels the Applicant shall pay, to the DTPW, a fair share of the cost of the future signalization of the Mark West Springs Road-Riebli Road intersection. The fair share for the signalization improvement is 17%. (Mitigation Measure 4.4-G.1) The permit shall not be vested until the traffic fair share contributions are paid in full. The method for calculating equitable fair share is based on the Caltrans Guide for the Preparation of Traffic Impact Studies, Appendix "B", Methodology for Calculating Equitable Mitigation Measures. The Sonoma County Department of Transportation and Public Works (DTPW) will provide a cost estimate for each improvement.

Mitigation Monitoring: Prior to the expansion of clearing or mining activities onto the adjacent parcels the Applicant shall pay, to the Sonoma County Department of Transportation and Public Works, a fair share (as calculated by the County) of the cost of the future signalization of the Mark West Springs Road-Riebli Road intersection.

GRADING AND STORM WATER:

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

- 23. Tracking of soil or construction debris into the public right-of-way shall be prohibited.
- 24. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands.
- 25. Except for stream crossings, no grading or land disturbance shall occur within 50 feet of the top of banks of the waterways. A construction fence must be placed along the waterway setback to prevent land disturbance adjacent to the waterways.
- 26. 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 ARM Staff at PRMD.
- 27. The applicant shall develop and implement a Water Quality Protection Program (WQPP) to control sediment and pollutant runoff from the quarry during its operational life and beyond through post reclamation. All structural elements and processes shall be designed and approved by a professional civil engineer experienced in stormwater management and sediment control. The design shall meet the standards of the Sonoma County SMARO. All hydrologic and engineering calculations, including sediment trap efficiency, shall be submitted to the County and the RWQCB for review and approval prior to clearing or mining in the expansion area.

The applicant shall submit a copy of the WQPP that adequately addresses control and reduction of stormwater laden with sediment or other pollutants to the County PRMD. The applicant shall comply with requirements set forth by the RWQCB in the WQPP for annual reporting and water quality sampling, which typically includes annual reports and reports of failed best management practices (BMPs). The WQPP shall be regularly updated as BMPs are updated and new BMPs are constructed and/or the quarry operation changes. The WQPP shall be implemented during the initial stage of quarry construction and stay in effect through the completion of reclamation.

- Reclamation or stabilization of all quarry slopes and the quarry floor (excluding the working/processing/stockpile/loading/access areas) shall be completed by October 1 of each year. Stabilization measures include hydraulic application of surface stabilizing compounds, hydroseeding, mulching, or other measures to prevent erosion. To insure accurate compliance with this condition, the applicant shall submit to the Sonoma County PRMD, a site plan or aerial photograph clearly depicting the extent of mining and reclamation on the site every five years during mining and reclamation and at the completion of reclamation;
- In areas not being actively mined, bare soil shall be protected from erosion with the application of hydraulic mulch or hydroseeded;
- In areas requiring temporary protection until a permanent vegetative cover can be established, bare soil shall be protected by the application of straw mulch, wood mulch, or mats;
- To the extent practical, benches should be back-sloped or provided with rock or straw bale checks so that sediment is trapped on the benches rather than washed into the sediment ponds; and
- Benches shall drain into adequately sized pipes or rock-lined channels that convey the runoff to the quarry floor. Outlets of pipes shall have appropriate energy dissipaters to prevent erosion at the outfall.

Sediment Retention Measures. The WQPP shall include specific measures to trap eroded sediment on site to prevent a discharge to receiving waters. Specific measures cited below shall be adapted from the most current edition of the CASQA Stormwater BMP handbook for construction. The applicant shall install sediment retention measures prior to winter (on or about October 15) or in areas receiving surface water runoff in the dry season (e.g. the areas receiving seepage from the quarry walls). Sediment retention measures shall be regularly inspected by quarry personnel and corrective action shall be conducted in the event that the measures fail. Inspection and performance of the sediment retention measures shall be included in the SWPPP and included in the required annual report. Equivalent measures deemed more effective by the North Coast RWQCB may be substituted.

- Silt fences, fiber rolls, and straw bale barriers shall be used on bare slopes not being actively mined to intercept and trap sediment carried by sheet flow;
- The program shall include a description of the construction method for the sediment ponds, including the design storm and spillways;
- The applicant shall design the proposed sediment ponds to the maximum size practical for the available space. The sediment control basin shall include a forebay to trap coarse soil particles. Recognizing that the sediment ponds may not be large enough to trap very fine particles such as clay, the design shall include supplemental treatment that can be used as needed to meet the water quality discharge criteria for this project. Supplemental treatment may be chemical treatment that promotes fine particle settlement, mechanical filters to remove fine particles, or other measures approved and required by the North

Coast RWCQB for this particular project;

- All runoff from actively mined or reclaimed areas shall be directed through the sediment control basins.

Implement Contaminant-Control BMPs. The applicant shall implement BMPs to reduce the potential for discharge of contaminants to storm water runoff. These BMPs shall be designed by a civil engineer and the design engineer shall oversee BMP installation. To minimize the introduction of contaminants which may degrade the quality of water discharged from the site, the following measures shall be taken:

- Fueling and maintenance of all rubber-tired loading, grading and support equipment shall be prohibited within 100 feet of drainage ways. Fueling and maintenance activities associated with other less mobile equipment shall be conducted with proper safeguards to prevent hazardous material releases. All refueling and maintenance of mobile vehicles and equipment shall take place in a designated area with an impervious surface and berms to contain any potential spills;
 - The site shall be controlled by maintaining security fencing and locking gates and posted trespass signs at all vehicular access points to the site to prevent unauthorized entry;
 - Runoff from the access roads shall be captured, retained and conveyed to the sediment control pond; and
 - All chemical dust suppressants and slope stabilization chemicals or polymers, and sediment pond enhancement chemicals or polymers shall be EPA approved and shall be used strictly according with the manufacturer's directions. An accurate accounting of the kinds and quantities of these materials used on the site shall be maintained by the operator.
28. Maintain and repair storm damage to conveyance and water quality control systems, as necessary. The applicant shall maintain procedures to ensure prompt identification and repair of damage to the drainage and water quality control systems, especially after large storm events. The applicant shall conduct routine inspection and maintenance of the stormwater and sediment control facilities. Stormwater drainage conveyance and outfalls shall be inspected monthly during the dry season and after each rain storm between October and March. If inspections reveal that stormwater conveyance or water quality control facilities (e.g. sediment ponds, energy dissipation structures) are damaged, corrective actions shall be implemented immediately.

PLANNING:

"The conditions below have been satisfied BY _____ DATE _____

29. This Use Permit provides a 20 year surface mining permit for Mark West Quarry to include expansion of mining to a 33 acre leasehold area excluding the northern mining area (for a total mining area of 90 acres) and Reclamation Plan for the entire mining area as shown in Exhibit E; APNs:120-210-048, -031, and -006. The maximum allowable production level is 500,000 cubic yards (750,000 tons) per year. The permitted hours of operation are Monday through Friday: 6:00 a.m. through 10:00 p.m., Saturday 6:00 a.m. until 4:30 p.m., and closed on Sundays and national holidays, consistent with SMARO (Surface Mining and Reclamation Ordinance). A maximum of 17 employees are permitted. The use shall be operated in accordance with the proposal statement, technical reports, and site plan located in File No. PLP09-0035, as modified by these conditions.

30. Prior to expanding the mining operation onto APN 120-210-031, the applicant must submit a recorded document that would be part of any title report with an offer to reimburse the owner/tenant for installation of double pane windows in the residence at 4500 Porter Creek Road (APN120-210-009).
31. Prior to expanding the mining operation onto APN 120-210-031, the applicant must submit a copy of the truck driver education program which would include bicycle safety especially related to safe passing distances and when it is appropriate to use horns.
32. This Use Permit and Reclamation Plan does not include mining in the northern area shown as outside the "active mining area" on Exhibit D. All conditions imposed herein shall apply and remain in effect for the vested rights area as well as the 33 acre expansion area as long as this use permit remains in effect. The applicant shall record a deed restriction, in a form acceptable to County Counsel, stating this. This use permit shall not supersede, alter or waive any of the applicant's existing vested rights on the original leased area except during the term of the use permit as described herein. The original vested rights leased area may require a revised Reclamation Plan after the use permit has expired. No mining in the northern mining area under vested rights may occur unless and until a revised Reclamation Plan is approved.
33. The Use Permit and revised Reclamation Plan shall be effective for 20 years from the date of clearing the site in preparation for mining on APN120-210-031. The applicant shall notify PRMD the specific date of commencement.
34. Prior to commencement of clearing the site in preparation for mining, the applicant shall submit a final Reclamation Plan document or addendum reflecting the "As Approved" mining and reclamation plan. The final Reclamation Plan shall incorporate all conditions of approval and or revisions included in the approved project.
35. Prior to commencement of clearing or mining in the expansion area, a "Notice of Reclamation Plan Approval" shall be filed with the County Recorder per State law. Each notice must include a description of the real property subject to the reclamation plan approval.
36. Prior to clearing or mining in the expansion area, the applicant/operator shall submit to PRMD financial assurance(s) payable to the County of Sonoma and, in the alternative, the State Department of Conservation, in an amount and format to be reviewed and approved by PRMD and State Department of Conservation Office of Mine Reclamation, to assure compliance with the approved Reclamation Plan and conditions thereof for the entire area of the quarry. A valid financial assurance shall be maintained on file until PRMD determines that all reclamation has been successfully carried out in compliance with the reclamation and final conditions. Financial assurance shall renew automatically and shall not expire without 90-days advance written notice being provided to PRMD. A Continuation Certificate or other proof of extended coverage shall be forwarded to PRMD no less than 30 days prior to the expiration date of the financial assurance. PRMD may adjust the amount of the security on an annual basis to account for additional lands disturbed or reclaimed, inflation, or revised cost estimates. The financial assurance shall reference the name of the mining site, the resolution number of the County approval, and PRMD file number.
 - a. The County may pursue redemption of the securities if: 1) reclamation activities do not meet the performance standards; 2) satisfactory progress is not made towards completing the reclamation in a timely manner; or, 3) the operator is financially incapable of carrying out the reclamation.
37. The applicant/operator and subsequent owners or operators of the above-referenced project shall complete mining and reclamation activities in accordance with the approved Mark West Quarry surface mining Use Permit and final Reclamation Plan as modified by these conditions. The applicant/operator shall maintain the site in accordance with the Reclamation Plan, including but not limited to the drainage improvements, slopes and vegetation. Prior to the lease, sale or other

conveyance of any portion of the real property subject to this approval, the applicant/operator shall provide a copy of the Use Permit and Reclamation Plan approval along with all technical reports, site plans, proposal statement and this exhibit to the prospective lessee, buyer or other recipient of such conveyance. The County has the power to modify or revoke a permit, entitlement, or project approval if the conditions are not met. The mining operator must also notify the State Office of Mine Reclamation and PRMD of any changes in ownership/operator.

38. The operator shall contribute to ARM Plan Monitoring and Administration funds established by the County pursuant to the ARM Plan and shall otherwise mitigate identified impacts as follows: Inspection, enforcement and monitoring fees shall be paid by the operator in order to cover all actual costs incurred by the County for the inspection, monitoring, and enforcement of the applicable Use Permit and reclamation plan conditions in accordance with the ARM Plan. Where the monitoring service of a qualified professional is required by the Mitigation Monitoring Program, additional monitoring fees may be levied on the operator to cover such costs.

Monitoring: PRMD ARM staff shall be responsible for determining compliance with this condition. PRMD staff shall also be responsible for billing the operator for all monitoring work done in compliance with ARM Plan and County ordinance requirements. Violations of the condition may result in proceedings to revoke the Use Permit for mining.

39. All mining and reclamation activities shall comply with the provisions of the 1994 ARM Plan, Chapter 26A of the Sonoma County Code, and other County ordinances, local, state and federal regulations, rules, orders, permits and requirements regulating surface mining and reclamation in existence or hereafter adopted. Any violation of applicable regulations is a violation of this permit.
40. To the extent required by applicable law, the operator and all successors in interest shall obtain any and all permits or approvals required by other agencies having jurisdiction over the project and shall provide copies of same to PRMD prior to clearing or mining in the expansion area. This Use Permit is subject to the conditions of said permits and any violation of other such permits shall constitute a violation of this Use Permit. If there are conflicts between the conditions of any permits, the more restrictive shall apply. Such agencies may include, but are not limited to:
- a. North Coast Regional Water Quality Control Board (RWQCB)
 - b. Department of Fish and Wildlife (CDFW)
 - c. California Department of Forestry and Fire Protection (CAL FIRE)
 - d. Department of Conservation
 - e. Department of Toxic Substances Control
 - f. Bay Area Air Quality Management District
 - g. Army Corps of Engineers
 - h. U.S. Fish and Wildlife Service
 - i. National Marine Fisheries Service
 - j. Mountain Volunteer Fire Department
 - k. Occupational Safety and Health Administration (OSHA)
 - l. Mine Safety and Health Administration (MHSA)
41. The operator shall continue to provide the California Department of Conservation and PRMD, in the manner specified by said agencies, annual reports on mining and reclamation activities on the site until the project site is fully reclaimed and the site is taken off the state's mining site list.
42. 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 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.

43. This permit shall be subject to revocation or modification by the Planning Commission if: (a) the Commission finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) year after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.

Mitigation Measures and Monitoring Program:

Prior to issuance of any permits (grading, septic, building, etc.) or commencement of clearing or mining activity in the expansion area or adjacent parcels defined as APN 120-210-031, all of the pre-operational conditions must be met and verified by PRMD staff pursuant to this Use Permit.

Geology and Soils

44. Following discernible seismic shaking at the quarry project, a visual inspection shall be made by experienced, onsite mining personnel of all quarry slopes and slopes above Porter Creek Road. The intent shall be to identify any failure or incipient failures that require correction for safety or ongoing mining. In the event of failures causing substantial damage, or an identified incipient failure that could cause such damage, a Certified Engineering Geologist and/or licensed Geotechnical Engineer shall be immediately retained to characterize the failure(s) and recommend repair procedures. All slope repairs within the active mining area posing a risk to workers shall be completed prior to resuming routine mining activities in the affected area. All slopes above Porter Creek Road posing a risk to road traffic shall be immediately protected or stabilized prior to reopening the road to traffic.

Mitigation Monitoring: The applicant shall implement after seismic shaking event and report findings and/or repair procedures to PRMD. Applicant's geotechnical expert shall report completion of repairs to PRMD. Operations will not be allowed to re-commence until authorized by PRMD.

45. Mining slopes will be graded to meet the following guidelines:
- a. in order to reduce the damage created by rock failures, benching is required on active mining slopes over 60 vertical feet in height.
 - b. The width of the benches shall be no less than half the height of the slope face that is directly above it.
 - c. Inter-bench mining cuts shall have an average steepness of no more than 0.25 to 0.5:1 (horizontal to vertical) and generally be kept to 60 feet in height or less, and 90-foot cuts shall only be excavated if the rock appears highly stable and shows no signs of failure, such as incipient wedge failures, substantial raveling or sloughing.
 - d. Overburden at the top of working slopes consisting of soil and severely weathered rock shall

be sloped no steeper than 2:1.

- e. Minimum 10-foot wide benches shall be constructed every 30 vertical feet or at the middle of the soil/overburden slopes, whichever is less.

Mitigation Monitoring: PRMD ARM staff shall verify that these conditions have been met during scheduled quarry inspections. Applicant will remediate any identified inadequacies.

- 46. For the first five years of production, the applicant shall be responsible for annual monitoring and assessment of the mining production slope stability. After 5 years, the monitoring will be done every 3 years; after 10 years the monitoring interval will be extended to every 5 years. This work will be done by a qualified engineering geologist. The geologist shall prepare a written report describing the results of the monitoring and any related subsurface investigations, and will specifically note any observed changes in the properties of newly exposed rock that might indicate that large, or otherwise damaging slope failures could occur. In the event that such changes in rock properties are observed, the geologist will make recommendations for revisions to the Final Reclamation Plan that may be required to improve slope stability and protect adjacent properties. The geologist's report will be submitted to the Sonoma County Permit and Resource Management Department by June 30th of each year. If the geologist recommends changes to the Final Grading Plan in any area of the quarry, the quarry operator will revise that plan and submit it to the County. Once the County has approved the changes, the Reclamation Plan will be also be revised accordingly. This must be done prior to making further excavations in the area requiring grading.

Mitigation Monitoring: PRMD ARM staff shall verify that these conditions have been met during scheduled quarry inspections. Applicant will remediate any identified inadequacies.

- 47. Before production slopes are developed in the quarry expansion area, the large landslide above the quarry driveway (the "Potential Rockfall" on Figure 4.1-2) shall be removed or stabilized. An engineering geologist shall confirm that subsequent mining would not cause additional sliding or rockfall off the site that cannot be contained by the proposed rockfall barrier system.

Mitigation Monitoring: The applicant shall implement slope stabilization measures prior to mining the expansion area. PRMD shall review and approve the engineering geologist's findings before authorizing mining of the expansion area. PRMD ARM staff shall verify that the condition has been complied with during quarterly inspections of mining in the expansion area.

- 48. Prior to the initiation of mining on the slopes above Porter Creek Road, the applicant shall develop a blasting program to reduce blasting vibrations on these slopes and minimize the potential for blasting-triggered instability above the road. The blasting program shall be developed in consultation with a blasting engineer to assist in selecting, calibrating, and installing a vibration monitoring system. The purpose of the system would be to determine if recommended vibration limits are being exceeded on the slopes and, if necessary, to reduce them to acceptable levels through modification of blasting practices.

Mitigation Monitoring: PRMD will review and approve the blasting program prior to mining of the expansion area. PRMD ARM staff shall verify that the condition has been complied with during quarterly inspections of mining in the expansion area.

- 49. The applicant shall prepare a final design for the rockfall barrier system. The final design and supporting geotechnical data shall be submitted to the County for review. The applicant shall pay for any technical review required by the County. The final design shall include the following:
 - a. The barrier system will be designed to capture rocks that could be dislodged from Landslide A on Figure 4.1-2 as well as from all other sources above Porter Creek Road on the project site.
 - b. The barrier shall capture rocks of a size that currently exist on the slopes as well as rocks that

could be expected (as predicted by an engineering geologist) to be exposed or dislodged given future blasting, seismic ground shaking, and mining activities.

- c. The height of the barriers shall be sufficient to accommodate the predicted bounce height of dislodged rocks.
- d. Details specifying when and how to shift the upper temporary removable fence downslope, remove debris, and maintain the fence, shall be included.
- e. No road or trail shall be constructed on the slopes above Porter Creek Road to install the rockfall barriers.

Mitigation Monitoring: PRMD will review and approve the rockfall barrier design prior to allowing mining of the expansion area. PRMD ARM staff shall visually verify that the installation of the rockfall barrier system is consistent with the approved final design during field inspection of the site.

- 50. During the duration of mining the slope above Porter Creek Road, visual inspections shall be made at least once a month by mining personnel to confirm the slopes and slope protection facilities are performing satisfactorily. Any necessary slope maintenance or repairs shall be promptly completed.

Mitigation Monitoring: Applicant shall inform PRMD in writing of any repairs required, and PRMD ARM staff will review for compliance during scheduled quarry inspections.

- 51. The temporary fence will be removed once mining of the section of slope being protected ends.

Mitigation Monitoring: PRMD ARM staff will review for compliance during scheduled quarry inspections.

- 52. The final highwall slopes shall be developed to include the following measures:

- a. Final reclaimed cuts in rock slopes shall average no steeper than 1.5:1 from the toe of the overall highwall cut to the top.
- b. Fifteen-foot wide drainage/catchment benches shall be constructed every 30 vertical feet and intervening cut slopes shall have a maximum inclination of 1:1.
- c. Benches shall be cut to dip into the slope at an angle of no less than 2%.
- d. If a zone of weathered rock (overburden) or soil remains at the top of the highwall cut, it shall be sloped no steeper than 2:1.
- e. At least 10-foot wide benches shall be constructed every 30 vertical feet or at the middle of the weathered rock zone, whichever is less.
- f. A permanent earthen berm (compacted to a minimum of 85% relative compaction) or rock containment fence shall be installed along the outside perimeter of the wide bench that will be constructed beyond the base of the completed highwall.
- g. The top of the throughcut backslope facing the base of the completed highwall shall be rounded off to prevent a sharp edge that will be susceptible to accelerated erosion or rock fall.
- h. Prior to construction of the final highwall, a Certified Engineering Geologist or licensed Geotechnical Engineer and a blasting engineer shall review the geologic conditions exposed at that time and develop a blasting program appropriate for the construction of the finished

highwall slopes.

- i. Once final highwall construction starts, the project applicant shall annually survey the highwall benches and maintain them free of loose rock and debris and maintain interbench drainage ditches and culverts in good operating order. This shall be done prior to the onset of the rainy season and following intense rainfall events (3 inches or more in 24-hour period). The engineering geologist conducting monitoring of slopes will determine if the frequency of inspections and maintenance by mine personnel is adequate, will identify incipient failures that require repair, and develop recommendations for their repair. Recommended repairs shall be made, documented, and submitted to County PRMD.
- j. Any portions of the final highwall or the proposed location of Detention Basin A that are found to include unstable/compressible landslide material shall be corrected by either removing the debris and/or stabilizing the wall and ground beneath the basin. Stabilization can include one of several geotechnically acceptable methods, and depending on conditions encountered, could include placement of rip rap, gabion structures, reinforced fills, or retaining walls. Additionally, surface runoff from the highwall or nearby areas shall be directed away from the surface of the slide. The monitoring engineering geologist and geotechnical engineer will determine whether additional measures are needed to ensure that the landslide is not reactivated. Alternatively the highwall corner and basin site can be shifted to the east to eliminate intrusion by the landslide.
- k. The final highwall shall be inspected on an annual basis for a period of 5 years after final reclamation by an engineering geologist. If more than two damaging failures occur within the five year inspection period, inspections shall be extended in increments of two years until the slopes are free of all but minor failures that constitute routine maintenance. Maintenance and repairs shall be done prior to the following rainy season. Documentation of monitoring and any maintenance/repair shall be submitted to County PRMD.

Mitigation Monitoring: PRMD staff shall review and approve the blasting program and recommended geotechnical measures before final highwall construction. PRMD ARM staff shall verify that the conditions have been complied with during scheduled inspections of mining and for at least the first five years of the reclamation stage.

53. All rock slopes to be capped with fill shall be developed to include the following measures:
- a. Fill will be placed on completed rock benches as described in Mitigation Measure 4.1-B.8 (subsections 1-4).
 - b. The slope ratio of the overall final fill slope shall be no steeper 2.4:1 (H:V).
 - c. Permanent interbench fill slopes shall be no steeper than 2:1 (H:V), as shown on Figure 8 of Miller Pacific 2003 report (part of the project application).
 - d. Minimum 10-foot wide benches shall be constructed no more than 30 vertical feet apart.
 - e. Keyways and subdrains for the fill shall be placed as shown on Figure 8, referenced above.
 - f. Once it has been determined what the maximum thickness will be of the fill to be placed on constructed rock slopes of the highwall, the project applicant shall retain a geotechnical engineer to provide additional design-level mitigations to insure fill performance. One of the most important of these will be the degree of compaction required for long term stability of the high (300 feet) filled slopes. Other design guidelines to be developed by the geotechnical engineer include guidelines for the placement of fill keyways and installation of subdrains and their outlets.

Mitigation Monitoring: PRMD ARM staff shall verify that the conditions have been complied with

during scheduled inspections of mining and for at least the first five years of the reclamation stage.

54. The applicant shall have a Final Grading Plan for the final reclamation phase prepared by geotechnical and civil engineers. That plan shall include the following requirements regarding fill operations. The final plan shall be submitted to County PRMD for review and comment prior to implementation:
- a. Fill with a plasticity index (PI) of less than 30 (non-expansive) may be placed at slopes no steeper than 3:1.
 - b. Fill with a PI of greater than 30 (moderately to highly expansive) may be placed at slopes no steeper than 4:1.
 - c. All quarry floor fills shall be moisture conditioned to near optimum and track-walked in lifts to provide initial compaction that will decrease the erosion potential.
 - d. Any fills that are steeper than described in requirements 1 and 2, above, shall be constructed based on the recommendations for final reclaimed fill slopes presented above.
 - e. Where catchment dams, ponds, subdrains, or other structures used for drainage or water retention are either buried in or rest on top of reclaimed fill on the quarry floor, the compaction of the fill under and around these structures shall be designed to minimize the settlement of the fill to limit damage or decreased performance over the long term.
 - f. Gravity flow storm drains, open channels, or other improvements with minimal slopes toward outfalls shall be designed to accommodate settlement of loosely compacted fill.
 - g. The entire reclaimed area is to be stable and not transport sediment across property lines.
 - h. Final geotechnical report to address site stability for entire reclaimed area.
 - i. An Erosion Prevention and Sediment Control Plan

Mitigation Monitoring: PRMD staff shall review and approve the Final Grading Plan before the onset of the final reclamation phase. PRMD ARM staff shall verify that the conditions have been complied with during scheduled inspections for at least the first five years of the reclamation stage.

55. Overburden that was placed in the Overburden Storage Area prior to the initiation of project operations shall not be removed until a geotechnical engineer and a hydrologic engineer prepare a removal plan that identifies what and how materials should be removed to maintain slope stability and control erosion. This plan shall be submitted to the County for review and approval. At final reclamation, any remaining fill will be assessed by a geotechnical engineer to determine what, if any, additional treatment is required to maintain slope stability and erosion control per the requirements of the Reclamation Plan.

Mitigation Monitoring: PRMD staff shall review and approve the removal plan for material that was placed prior to project operations began. PRMD ARM staff shall verify that the conditions have been complied with during scheduled quarry inspections.

Hydrology and Water Quality

56. The applicant shall prepare, for the review and approval by the Sonoma County Permit and Resource Management Department, a final Stormwater/Water Quality Protection Program (including appropriate hydrologic and hydraulic calculations). The plan and calculations shall include sizing for all sediment retention/storm water detention facilities (see Mitigation Measure

4.2-B.4) and shall verify the available capacity of existing conveyance facilities (culverts) exiting the project site. The storm water plan and calculations shall ensure that peak storm water flows are managed to the extent that flows entering the existing culverts crossing under Porter Creek Road do not exceed pre-project peak flow estimates for the 10-, 25-, 50, and 100-year flows. Alternative detention strategies could include additional detention basins, expanded use of the quarry floor for detention, or expanded use of infiltration areas for percolation and storage. The drainage plan and accompanying design calculations shall be prepared by a Registered Civil Engineer and in conformance with the Sonoma County Water Agency's Flood Control Design Criteria. The plan shall be approved and detention facilities constructed prior to the onset of mining the expansion area.

Mitigation Monitoring: PRMD ARM staff shall review and approve the final Stormwater/Water Quality Protection Program prior to site clearing for mining of the expansion area. PRMD ARM staff shall verify that the conditions established in the Program have been complied with during scheduled quarry inspections.

57. All on-site drainage facilities shall be constructed and maintained according to Sonoma County Water Agency's Flood Control Design Criteria and the County of Sonoma Permit and Resource Management Department standards and requirements, and shall be operated in accordance with the prepared drainage plan in the Reclamation Plan.

Mitigation Monitoring: PRMD ARM staff shall verify that these have been complied with during scheduled quarry inspections.

58. All detention basins and other drainage features shall be maintained (e.g., accumulated sediment shall be removed) pursuant to the standards stated in the approved sediment/erosion control and drainage plan. The sediments shall be stockpiled for use as topsoil in the reclamation process. All detention basins and drainage features shall be cleaned out by October 15 each year. If upon inspection by the County or RWQCB, the basins and drainage system have not been adequately maintained by October 15, the owner of the quarry would be notified that the maintenance must be completed within 30 days or all crushing, screen, grading, and sales of material on site shall immediately cease until the basins and drainage system have been sufficiently maintained.

Mitigation Monitoring: PRMD ARM staff or RWQCB staff shall verify that these conditions have been complied with during scheduled quarry inspections.

59. All detention basins and other drainage features shall be monitored and maintained for 5 years after completion of site reclamation. At the end of this 5-year period, the applicant shall engage a qualified civil engineer to determine whether the site drainage system can operate without further maintenance. If further maintenance is warranted, it will be done. A new review will be done each year until the engineer determines that the system is self-sustaining for a period of an additional 5 years.

Mitigation Monitoring: PRMD ARM staff or RWQCB staff shall review and approve the findings of the civil engineer. PRMD ARM staff or RWQCB staff shall verify that these conditions have been complied with during scheduled quarry inspections.

60. The applicant shall develop and implement a final Stormwater/Water Quality Protection Program (the Program) to control sediment and pollutant runoff from the quarry expansion for both interim mining operations and after final reclamation. All erosion control measures listed in the proposed Reclamation Plan shall become conditions of approval for the project. In addition, the following measures are required:

- a. All structural elements and drainage features shall be designed and approved by a professional civil engineer experienced in storm water management and sediment control. The design shall meet the standards of the Sonoma County SMARO. All hydrologic and engineering calculations, including sediment retention pond trap efficiency, shall be submitted

to the County for review and approval prior to commencement of quarry expansion activities.

- b. The existing 2001 Storm Water Pollution Prevention Plan (SWPPP) shall be updated to include the proposed quarry expansion. The SWPPP shall be regularly updated to reflect current conditions at the quarry. The following recommendations supplement the proposed actions:
- c. The applicant shall update the Spill Prevention Control and Countermeasures Plan (SPCCP), which identifies and evaluates sources of pollutants associated with industrial activities at the quarry including the use, storage, and quantity of potential contaminants. The SPCCP shall also include emergency response and notification procedures.
- d. As specified by SMARA, sediment retention ponds will be reconstructed or, if needed, new ones constructed so that particles of medium silt (0.32 mm) will be settled out for no less than the 20-year, 1-hour rainfall event before runoff leaves the site. Flocculents and/or filters can be used to enhance the settling process in order to meet this standard. Sediment retention design shall include emergency spillways sized to accommodate larger less frequent storm events (25-, 50-, and 100-year) and concomitant overtopping. Prior to each construction season (May 1), the applicant shall quantify the total proposed drainage area contributing to each sediment retention pond at the beginning of the next winter season (October 15) and verify the ponds provide adequate residence time and design capacity to meet both water quality and flow detention goals. All design and annual pond sizing verification shall be completed by a professional civil engineer experienced in sediment detention basin design and the regulations of SMARA. All hydrologic and engineering calculations, including sediment trap efficiency, shall be submitted to the County for review and approval prior to any additional quarry expansion.
- e. If any semi-annual monitoring indicates that the mining of that year exceeded the water quality performance criteria, the applicant shall confer with the Regional Board and propose changes to the sediment control program that will improve its performance sufficiently to meet the performance criteria of the Reclamation Plan and the general permit. The proposed changes shall be submitted to the Regional Board for comment, revised as needed to address their comments, and then implemented by the applicant. If the performance criteria are not met for two consecutive years, the County will confer with the applicant and the Regional Board to determine what additional changes in the sediment control plan are needed to result in compliance, and these changes shall be made until compliance is reached.
- f. Chemical dust suppressants and sediment detention basin enhancement chemicals or polymers shall be used strictly according to the manufacturer's specifications as well as any additional restrictions required by the RWQCB. An accurate accounting of all these materials purchased and used on the site shall be maintained, including kinds and quantities of material.
- g. The Basin Plan allows storm water from a project site to increase turbidity in a receiving stream by no more than 20%. However in the case of this project, because of the sensitivity of Porter Creek, the storm water from the project would not be allowed to increase turbidity any more than the runoff from the existing quarry does for an overall no net increase as a result of quarry expansion. The RWQCB shall review the water quality monitoring data and determine the turbidity baseline to be used in the final Stormwater/Water Quality Protection Program.
- h. The applicant shall monitor all storms that generate discharge from the active mining portion and overburden stockpiling area of the project site to Porter Creek. However, as a practical measure, it shall not be required that monitoring events occur more frequently than once every two weeks or pursuant to the criteria developed by the RWQCB. The discharge end of each outfall shall be made easily accessible for inspection and water sampling during storm events by the applicant.

Mitigation Monitoring: PRMD ARM staff and RWQCB staff shall review and approve the final

Stormwater/Water Quality Protection Program, the updated SWPPP, and the updated SPCCP prior to mining of the expansion area. If required, the RWQCB shall review and approve changes to the sediment control plan. PRMD ARM staff and/or RWQCB staff shall verify that these conditions have been complied with during scheduled quarry inspections.

61. With the permission of the property owner, the applicant shall monitor the domestic water supply well located on Assessor's Parcel 120-021-032 for significant changes due to quarry expansion and regrading of recharge areas. Monitoring shall include quarterly observations of groundwater levels in the well and shall commence before quarry expansion. Well monitoring shall continue through the length of the project. If it is determined that well levels have deviated statistically from the baseline condition at any time during the expansion and reclamation of the quarry (accounting for rainfall totals), or within five-years following the completion of the expansion and reclamation, and the owner of the property requests, the applicant shall be financially responsible for providing a reliable supply of water to the impacted property, which may include deepening of the existing well and/or drilling a new well.

Mitigation Monitoring: Well monitoring results will be submitted to PRMD. If warranted, PRMD staff will verify that the applicant has met the conditions for supplying a reliable water source.

Biological Resources

62. Prior to ground-disturbing activities in any part of the expansion area, and for several years in succession, conduct annual focused surveys until ground clearing removes all potential habitat to identify all localities of Jepson's linanthus within the project area. Each year that plants are found, collect voucher specimens, mark the locations in the field, and collect seed when mature. Donate voucher specimens to university herbaria and donate cleaned seed to research institutions with facilities for long-term storage. Required methods and procedures are provided below:
 - a. A qualified botanist familiar with Jepson's linanthus and its habitat in Sonoma County shall conduct the focused surveys.
 - b. Each annual survey shall cover 100% of the California annual grassland found within the project area.
 - c. For each locality of Jepson's linanthus that is found, the surveyor shall record the location with a Global Positioning System (GPS) unit; record habitat information (soil type, slope position, elevation, vegetation type, associated species, etc.), and phenology (vegetative, early flowering, etc.); collect herbarium-quality voucher specimens of Jepson's linanthus and its associated species; mark the location in the field using a durable and visible marking system; and photograph Jepson's linanthus and its habitat.
 - d. Voucher specimens shall be collected, dried, stored and distributed according to the requirements of the receiving institution.
 - e. The surveyor shall make a return visit to each Jepson's linanthus locality during the time period when seeds are mature, and shall collect as much mature, dry seed as possible. Several visits each year may be needed. Seed shall be stored in paper envelopes labeled with the date, location and species name.
 - f. Cleaned seed shall be donated to a university or other research institution located in California that has modern cold-storage or other state-of-the-art facilities for keeping plant seed in good condition over the long term. Any required storage fees shall be paid by the project applicant.
 - g. Location and habitat information for all localities of Jepson's linanthus found during pre-ground-clearing surveys shall be provided to CNDDDB during the calendar year that the

locality is found.

- h. Results of each annual survey shall be provided in memo format, and shall include a figure showing the location of all Jepson's linanthus localities found to date within the project site.

Mitigation Monitoring: PRMD will review the annual survey memo and PRMD ARM staff shall verify that annual surveys of the expansion area are completed, voucher specimens and seed collected, locations marked, and that voucher specimens and cleaned seed are donated to a suitable research facility.

- 63. Avoid disturbing active nests of raptors and other special-status birds through clearing surveys and creation of no-disturbance buffers during ground-clearing and grading activities associated with initiation of each mining phase. If site preparation activities are scheduled to occur during the general breeding season (February 1 through August 31), the following measures shall be implemented to avoid potential adverse effects to nesting raptors, other special-status birds, and bats:
 - a. A qualified wildlife biologist shall conduct preconstruction surveys of all potential nesting habitat for raptors and other special-status birds within 300 feet of construction activities where access is available.
 - b. If active nests of raptors or other special-status birds are found during preconstruction surveys, a no-disturbance buffer acceptable in size to CDFW shall be created around active raptor nests and nests of other special-status birds during the breeding season or until it is determined that all young have fledged. Buffers include 300 feet for raptors and 75 feet for other nesting special-status birds. The size of these buffer zones and types of construction activities restricted in these areas may be further modified through coordination with CDFW and will be based on existing noise and human disturbance levels at each project site. Nests initiated during construction are presumed to be unaffected and no buffer is necessary. However, the "take" of any individual is prohibited.

Mitigation Monitoring: If site preparation activities are scheduled to occur during the breeding season (February 1 through August 31), PRMD will verify that preconstruction surveys are completed and buffer areas established through consultation with the CDFW, as necessary. PRMD ARM staff shall verify compliance at scheduled quarry inspections.

- 64. Prior to clearing activities, surveys for special status bats shall be conducted. If evidence of special-status bats in trees on the property is observed by the wildlife biologist, the following measure is required. Removal of trees or other suitable habitat showing evidence of special-status bat activity will occur during the period least likely to impact the bats as determined by a qualified bat biologist (generally between February 15 and October 15 if winter hibernacula are observed or between August 15 and April 15 if maternity roosts are present). If known bat roosting habitat is destroyed during tree or other suitable habitat removal activities, artificial bat roosts shall be constructed in an undisturbed area of the property, at least 200 feet from any project activities. The design and location of the artificial bat roost(s) shall be determined by a qualified bat biologist.

Mitigation Monitoring: PRMD will verify that pre-clearing surveys are completed, avoidance times established, and habitat created, as necessary, prior to tree removal. PRMD ARM staff shall verify compliance with the project biologist's requirements at scheduled quarry inspections.

- 65. Prior to vegetation removal or grading on the expansion site, a survey of the site for California red-legged frog shall be conducted per the protocol established by the United States Fish and Wildlife Service (USFWS). If red-legged frogs are found, a work plan shall be developed addressing how to avoid impacts to this species. This plan shall be submitted to the USFWS and CDFW for review and comment.

Until such time that protocol surveys can be completed in their entirety, it is assumed the California red-legged frog inhabits the Wetland A area. Therefore, to protect the potential habitat until such time as the protocol study has been done and, if frogs are present, a work plan has been submitted, a protective buffer and continuing seasonal restrictions will be implemented. A buffer area as shown on Figure 4.3-5 will be maintained and no vegetation or grading will occur there.

Seasonal restrictions will be imposed during the winter period (November 15 – April 1). During this time period mining and excavation operations will not be conducted during extended rain events that produce overland flow. California red-legged frog dispersal typically occurs during these rainy periods and therefore, these seasonal restrictions of operations will provide another source of protection to any potentially occurring California red-legged frogs.

Mitigation Monitoring: The applicant shall avoid mining the protective buffer area until protocol surveys have been completed and a work plan approved by USFWS and CDFW. Prior to mining the protective buffer area, PRMD Project Review staff will verify that the applicant has obtained necessary clearances from USFWS for relocation of any red-legged frogs and an adaptive management plan. Ongoing monitoring and reporting to PRMD and USFWS shall be accomplished in compliance with the project biologist's and USFWS requirements

66. The project shall not injure or destroy habitat used by foothill yellow-legged frogs (on Porter Creek near the confluences with Tributaries D and E), and/or northwestern pond turtle (at Wetland A on the project property and on the Less pond west of the project site). To accomplish this, a qualified biologist, capable of monitoring projects with potential habitat for these species, shall conduct a pre-clearing survey for these species no more than 14 days prior to grading or construction in suitable aquatic habitats within the project site, including stream crossings, drainage ditches, settling ponds, and culverts. The confluence of project site tributaries with Porter Creek shall also be surveyed for foothill yellow-legged frog and northwestern pond turtle to determine if the species is present near tributaries draining the site. If these species are found near any proposed construction areas, impacts on individuals and their habitat shall be avoided. In addition, if any species are found during pre-clearing surveys, a work plan addressing how to avoid impacts to these species shall be submitted to USFWS and CDFW for approval prior to construction. If occupied habitat can be avoided, an exclusion zone shall be established around the habitat and temporary plastic exclusion fencing shall be installed around the buffer area with "Sensitive Habitat Area" signs posted and clearly visible on the outside of the fence. If avoidance is not possible and the species is determined to be present in work areas, a qualified biologist with appropriate permits from USFWS and CDFW may capture frogs and turtles prior to construction activities and relocate them to nearby, suitable habitat out of harm's way (e.g., downstream from the work area or as designated by the agency). Exclusion fencing shall then be installed to prevent these animals from re-entering the work area. For the duration of work in these areas the biologist shall conduct monthly follow-up visits to monitor effectiveness of the mitigations.

Mitigation Monitoring: Prior to mining aquatic habitats on the site, PRMD will verify that the applicant has conducted the pre-clearing surveys and, if northwestern pond turtles or foothill yellow-legged frogs are found, that a work plan has been approved by USFWS and CDFW. USFWS and CDFW will be responsible for monitoring for compliance with the work plan. Ongoing monitoring and reporting to PRMD ARM staff, CDFW, and USFWS shall be done in compliance with the project biologist's, CDFW, and USFWS requirements.

67. The project applicant shall prepare a formal wetland delineation in accordance with 1987 Corps of Engineers Wetlands Delineation Manual and have it verified by the U.S. Army Corps of Engineers (Corps). If the Corps and/or CDFW determine that the potentially affected water-associated feature is jurisdictional, then the applicant shall obtain appropriate wetland permits and implement all conditions contained in the Section 404 Clean Water Act permit (possibly a Nationwide permit) from the Corps, Section 1603 Streambed Alteration Agreement from CDFW, and/or Section 401 water quality certification from the Regional Water Quality Control Board.

Mitigation Monitoring: Prior to mining the expansion area, PRMD staff will verify that wetlands have been formally delineated and verified by the U.S. Army Corps of Engineers and conditions established in required permits are complied with.

68. The applicant shall compensate for the loss of jurisdictional wetlands at a 2:1 ratio (or as agreed to by the permitting agencies) within the project site boundary, or at a 3:1 ratio (or as agreed to by the permitting agencies) off-site within the local watershed, by creating, restoring or enhancing waters of the U.S., contributing in-lieu funds to an existing or new restoration project preserved in perpetuity, or purchasing wetland creation credits at an approved wetland mitigation bank. The restoration effort shall require implementation of a five-year monitoring program with applicable performance standards (as agreed to by the permitting agencies), including but not limited to: 80 percent survival rate of restoration plantings; restoration species that are native to the local watershed; absence of invasive plant species; erosion features will be remediated; and a functioning, and self-sustainable wetland system will be maintained.

Mitigation Monitoring: Prior to mining the expansion area, PRMD staff will verify that wetlands have been formally delineated and wetlands are created and/or mitigation fees paid in accordance with resource agency approvals.

69. Obtain a Streambed Alteration Agreement from CDFW pursuant to Section 1603 of the California Fish and Game Code for removing on-site ephemeral drainages. Mitigation measures designed to offset streambed-related impacts may include on-site creation of drainage habitats (unlikely) and/or enhancement of existing drainage habitats. Off-site mitigation may also be an option. Mitigations could include conducting stream and riparian enhancement projects identified by CDFW, Sonoma Resource Conservation District, or Friends of the Mark West, as approved by CDFW. Mitigation measures will be finalized in coordination with the CDFW through the Streambed Alteration Agreement process.

Mitigation Monitoring: The Streambed Alteration Agreement shall be obtained by the applicant prior to removal of on-site ephemeral drainage. CDFW shall be responsible for monitoring to ensure compliance with the Agreement. The applicant shall provide PRMD a copy of the Agreement.

Noise

70. If overburden is removed in areas that have a clear path to the two residences to the west of the quarry (Residences R1 and R2 on Figure 4.5-5) for longer than a single construction period (an 8-month period), the applicant shall shield the mobile equipment from the two residences. This can be accomplished by removing overburden starting in the east and retaining a slope between the mobile equipment and the residences to the west. The detailed mining plan required by Mitigation Measure 4.1-D.1 shall delineate the methodology that will be used to maintain a topographical barrier between operating mobile equipment in the overburden area and the receptors to the west.

Mitigation Monitoring: PRMD ARM Staff will periodically monitor compliance with blasting mitigations during scheduled quarry inspections. PRMD Code Enforcement will investigate all noise complaints and shall ensure compliance from the permit holder.

71. When blasting within 600 feet of a residence limit the charge weight per delay to a maximum of 60 pounds. Monitor vibration levels at the residence to confirm that the vibration level is less than 0.5 inch/sec PPV. If not, further limit the charge weight per delay until that target vibration level is achieved.

Mitigation Monitoring: PRMD ARM staff shall monitor for compliance during scheduled quarry inspections or more frequently if it receives complaints from neighboring property owners.

Climate Change

72. The applicant shall offset all remaining GHG emissions above the threshold of 1,100 MT CO₂e/year. Any offset of project emissions shall be demonstrated to be real, permanent, verifiable, enforceable, and additional as determined by PRMD at its sole discretion. To the maximum extent feasible, as determined by PRMD, offsets shall be implemented locally. Offsets may include but are not limited to the following (in order of preference):
- a. Applicant funding of local projects, subject to review and approval by PRMD, that will result in real, permanent, verifiable, and enforceable, and additional reduction in GHG emissions. If the BAAQMD or Sonoma County develops a GHG mitigation fund, the applicant may instead pay into this fund to offset GHG emissions in excess of the significance threshold.
 - b. Purchase of carbon credits to offset emissions below the significance threshold for the 20-year mining period. Only State Air Resource Board carbon offset credits, credits verified and registered with the Climate Action reserve, or available through a County-approved local GHG mitigation bank or fund may be used to offset project emissions.

Mitigation Monitoring: PRMD staff will verify that the applicant has met the funding or carbon credit purchase requirement prior to mining of the expansion area. If in the future, the quarry emission levels can be shown (to PRMD's satisfaction) that they are less than 1,100 MT CO₂e/year or whatever State or BAAQMD threshold is adopted in the future, then offsets will no longer be required.

Visual Resources

73. Within the first year after project approval, Douglas fir trees or alternative evergreen species acceptable to the County shall be planted in the area where the trees are shown screening some of the solar panels in Figure 4.7-4. A certified arborist or landscape architect shall develop a final tree plan for this area. The plan shall meet at least the following requirements unless the arborist can demonstrate that substitute measures would meet the success criteria listed at the end of this mitigation. At least 30 trees shall be planted. The trees shall be fertilized, irrigated, protected, and maintained until they are five years old. Any trees dying within that period shall be replanted until there are 30 new live trees that have been alive for at least seven years. Compacted ground shall be broken to an area three times the diameter of the root ball prior to planting to allow root growth. Trees shall be watered weekly by the property owner in weeks with no natural precipitation (usually April 15 through October 15 of each year), and for the first three years after planting they shall be watered three times per week when temperatures exceed 100 F. The planting shall meet the following success criteria: 1) the trees being at least 20 feet tall after seven years; and 2) sufficient trees shall be planted to provide the screening shown on Figure 4.7-4. Trees are self-sustaining for a period of 5 years. The plan will be reviewed and approved by the County prior to expansion of mining.

Mitigation Monitoring: The applicant shall implement and PRMD ARM staff shall review and approve the plan prior to expansion of mining onto the expansion parcel. PRMD ARM staff shall review for ongoing compliance during its scheduled quarry inspections.

Public Services

74. Prior to vegetation removal or mining of the expansion area, the project applicant shall provide to the Sonoma County Fire and Emergency Services Department an affirmative covenant, that includes a vegetation management maintenance agreement approved by the County Fire Marshal, which shall run with the land in perpetuity.

Mitigation Monitoring: PRMD staff shall confirm the covenant has been successfully completed prior to expansion of mining onto the expansion parcel.

Hazards and Hazardous Materials

75. Prior to clearing or mining in the expansion area, the applicant shall prepare a revised Spill Prevention, Control and Counter Measure Plan (SPCCMP) in conformance with the requirements of the Code of Federal Regulations 40CFR112. A copy of the SPCCMP shall be submitted to the Sonoma County Department of Emergency Services to demonstrate completion of the mitigation.

Mitigation Monitoring: Prior to the handling and storage of hazardous waste, PRMD will verify that appropriate approval has been obtained for the generation or storage of hazardous waste.

76. If hazardous waste is generated or stored, then the operator shall comply with hazardous waste generator laws and AB2185 requirements and obtain a permit or approval from the C.U.P.A. or the participating agency. The applicant shall submit a copy of a current permit to the Permit and Resource Management Department Health Specialist to verify compliance.

Mitigation Monitoring: Prior to the handling and storage of hazardous waste, PRMD will verify that appropriate approval has been obtained for the generation or storage of hazardous waste.

77. All hazardous waste materials shall be stored, handled and managed in accordance with the approved site plan and hazardous materials plan so as to reduce the potential for any spillage. No soil or other material containing hazardous or toxic waste shall be imported to the quarry.

Mitigation Monitoring: In conjunction with ongoing quarry inspections, PRMD ARM staff and Fire and Emergency Services staff will verify compliance with the hazardous materials management plan.

Cultural Resources

78. If concentrations of prehistoric or historic-period materials (other than the GANDA-571-01H resource) are encountered during ground-disturbing work at the project location, all work in the immediate vicinity will be halted until a qualified archaeologist can evaluate the finds and make recommendations. The applicant/operator must immediately notify PRMD of the find. Historic-period features that may be present include backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse. Prehistoric cultural remains might include 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), and/or stone milling equipment, such as mortars and pestles. The operator shall provide training to all personnel in cultural resource protection from a qualified cultural resource specialist prior to expansion. Evidence of the training plan shall be provided to PRMD.

Mitigation Monitoring: The archaeologist, if required, will submit a report to PRMD ARM staff. No mining will be allowed in the area where the cultural resource was found until authorized by PRMD. PRMD staff will verify that cultural resource training has been provided.

79. If human remains are encountered, work in the immediate vicinity will stop and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall hire a qualified archaeologist will be contacted 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.

Mitigation Monitoring: PRMD will coordinate with the qualified archaeologist, the Sonoma County Coroner, the California Native American Heritage Commission and local Native American Heritage Commission should Native American burials be discovered. No mining of the area where the remains were found will be allowed until authorized by PRMD.

80. If paleontological resources are found, all work in the vicinity of the find must cease, and a

paleontologist and PRMD staff must be notified to develop proper mitigation measures required for the discovery. No earthwork in the vicinity of the find shall commence until a mitigation plan is approved and completed subject to the review and approval of the paleontologist and Project Review staff. This condition shall be noted on all grading and construction plans and provided to all contractors and superintendents on the job site. Paleontological resource protection shall be included in the staff training program.

Mitigation Monitoring: PRMD ARM staff will coordinate with the qualified paleontologist and ensure that a monitoring plan is developed in accordance with the above condition.

This request updates materials submitted previously by the BoDean Co. in an Application for a Use Permit and Rezoning that included a Mining and Reclamation Plan for the Mark West Quarry Expansion Project. This package updates and revises the December, 2003 and June, 2004 materials previously provided to the Sonoma County for a 20-year mining permit period that would end in 2030. The reasons for this update and revision are that over the past three years site conditions have changed as vested rights mining at the existing quarry has continued, emergency grading repairs necessitated by the 2004 - 2005 winter storms, and new lands have been acquired by BoDean which alter the boundaries of the area proposed to be mined. For ease of reference, the appendixes contained in the original application are included in this document and should be considered as they might pertain to a 20-year mining permit period.

MINING PLAN

Area

Currently, the Mark West Quarry operation including reclamation work already completed at the site covers about 58 acres of an 87-acre parcel. An additional area of approximately 15.1 acres on adjacent leased lands is used for placement of fill associated with emergency grading repairs from 2004-2005 winter season and stockpiling overburden. The planned mining expansion area is primarily to the west with a small section to the north of the current operation. Over a 20-year period, the area to be mined would be increased by approximately 32.4 acres above what is now actively being mined. The expanded area would be on land that is leased from a private landowner and/or owned by BoDean.

Depth, Quantity, and Type of Minerals to be Mined

The target resource of the quarry is Franciscan greenstone. The processed rock is sold as high quality aggregate in various forms. Based on logs from four water wells drilled onsite, the greenstone exists to a bottom elevation of at least 650 feet above sea level just east of the expansion area. The bottom elevation proposed for the quarry expansion is 945 feet with an option of mining to a depth of 905 feet above sea level. Thus, greenstone persists for at least 260 feet below the maximum depth of proposed mining. Observations of continuously exposed greenstone along Porter Creek Road lend support to the conclusion that the greenstone also extends to at least this depth beneath the expansion area.

BoDean reports that, on average, they sell about 20 percent of the greenstone overburden material as general fill. This equates to approximately 291,000 cubic yards for the proposed expansion area. Assuming that this quantity of greenstone overburden were sold, approximately 1,163,000 cubic yards of topsoil and overburden materials would be available for reclamation in addition to that already stockpiled as shown on Exhibit 3B. It is estimated that 1,000,000 cubic yards of fill would be needed to reclaim the site.

Mining Methods and Operations

Mining Methods. Mining in the expansion area is expected to utilize the same methods as the current quarry operation. Mining operations consist of blasting approximately twice per week on the average, and up to 3 times a week during peak production. Following blasting, the broken rock is dropped over the operational face to a lower bench and then transported a short distance to the crusher. Track or wheel-mounted mining equipment consists of bulldozers, front-end loaders, backhoes, and a blast hole drill rig. A pad-foot compactor is used for ongoing reclamation of fill slopes.

Processing Operation. Processing consists of reducing the rock size to the required diameter

using primary, secondary, & tertiary crushers, and by screening. Conveyor belt systems transport partially processed materials and stockpile final products. The rock is dry-processed and water is used only for dust suppression and to moisture-condition products prior to sale. Additional processing is done using water to classify sand and other aggregate products. During peak usage in the summer, approximately 10,000 gallons of water per day are used. The water is supplied by four onsite wells. Ground seepage occurs at locations in the quarry face year-round, but primarily during the winter months. The seepage plus storm runoff is directed into siltation ponds and containment structures to prevent off-site erosion and siltation impacts.

Aggregate Products. Both fresh and moderately weathered greenstone is sold. The weathered rock is primarily sold as general fill and the fresh rock is sold as aggregate base rock, aggregate subbase, permeable rock, open graded crushed rock, construction grade rock, asphaltic grade rock and concrete grade (PCC) washed aggregates.

Overburden Stockpiles. Overburden is currently stockpiled to the north of the quarry and on lease lands to the northwest. This material is currently being used for reclamation occurring on the eastern slopes of the quarry. These materials, as necessary, will continue to be used for fill slopes and for backfill within the mined basin floor.

Access and Haul Routes. One existing access road to the site is located off of Porter Creek Road for all vehicular traffic. Trucks loaded with product enter Porter Creek Road and travel either west toward US Highway 101 or east to the Calistoga Road / Petrified Forest Road intersection. The existing access road would continue to be used with no new or additional access roads required for the proposed expansion. Truck travel route percentages are not expected to change as a result of the proposed expansion.

Truck Traffic. A traffic study has been conducted to determine current and projected truck-trips and travel route suitability along Porter Creek Road. Currently, an average of about 100 trucks are loaded at Mark West Quarry per operating day. Daily numbers vary depending on market and seasonal demand. Production levels and truck traffic are expected to remain at current levels under the proposed expansion. The proposed expansion would extend the life of the quarry by about 20 years, assuming a production level of 750,000 tons per year and marketable reserves in the expansion area of about 15,000,000 million tons. Assuming a start date of 2010 for mining in the expansion area, the life of the quarry would be extended to approximately the year 2030. Actual life could extend 5 or more years beyond that date depending on market demand. It should also be noted that this projection is for mining activities; reclamation activities are projected to be completed within 3 years following termination of mining. Monitoring may be conducted for 3 to 5 years following completion of reclamation.

Mine Waste Disposal. Due to the nature of the mining operation, no waste material would be generated. Overburden would be stripped, stockpiled onsite, and used in reclamation. The greenstone resource would be sold. Volcanic rock that would be removed as the quarry expands to the north would be treated as overburden and stockpiled accordingly for use in continuous reclamation processes.

Operational Standards

Noise Control. In adopting the ARM Plan, Sonoma County also adopted a "Statement of Overriding Considerations" for the unavoidable cumulative impacts of gravel truck noise. Noise levels generated by blasting, onsite mining and hauling equipment, and processing operations do not currently exceed limits established in the Noise Element of the Sonoma County General

Plan. Similar activities in the proposed expansion area are also expected to be in compliance with County standards because of surrounding topography, screening vegetation, and distance to nearest residences.

Dust Suppression. The County's SMARO establishes a fugitive dust emission standard. BoDean has a dust control plan for Mark West Quarry that is reviewed periodically with the Bay Area Air Quality Management District. The expanded mining area would be incorporated into the plan, and application of water to mining sites, haul roads, and the processing operation would be consistent with the standard and the air districts rules and regulations. Water is applied to onsite haul roads and working areas by water truck as frequently as necessary to prevent dust emissions. The number of daily applications of water varies depending on factors such as temperature and wind conditions. The amount of water applied would be sufficient to prevent visible dust emissions. As stated earlier, Mark West Quarry currently uses about 10,000 gallons of water per operating day for dust control.

Hazardous Materials Management. Explosives are used in the quarrying process to break up or open areas of rock for extraction. Licensed and trained personnel use explosives an average of 2 - 3 times per week, depending on market conditions and the type of rock encountered. To assure safety, blasting takes place under the strict control of these explosives personnel. Explosives are transported to the site by a licensed explosives hauler. All explosives are stored in an approved magazine on the quarry site. Explosives are transported from the magazine to the blasting location and used at the blasting location by licensed blasting personnel. Transport, storage, and use of all explosives are in conformance with the requirements set forth in the California Code of Regulations.

Control of Contaminants. In addition to the Spill Prevention Plan, the mining and reclamation plan includes provisions for siltation ponds and sediment control / storm water discharge separation tank systems to prevent sediments from reaching natural drainages.

Hours of Operation. Hours of operation are in compliance with ARM Plan standards for quarries. Current and proposed hours of operation are 6:00 AM to 10:00 PM Monday through Friday, and 6:00 AM to 4:30 PM on Saturday.

Water Supply and Use. Four wells are currently located on the quarry processing area and used for quarry operations See Appendix B: Surface and Ground Water Hydrology for more information on the location and characteristics of these wells. The wells all draw ground water from the fractured greenstone aquifer underlying the site and are utilized on days the quarry processes rock. Water use by quarry operations is about 10,000 gallons per day from July through September, corresponding to pumping about 20 gallons per minute per 8-hour operating day. This volume is equivalent to about 3 acre-feet per year. Water is used onsite for increasing aggregate saturation, dust control, equipment rinse, and office use. Daily water use is expected to remain about the same with the proposed expansion.

Sanitation. Sewage disposal is provided by an onsite septic system and portable chemical toilets. These same facilities would continue to be used under proposed quarry expansion.

Fencing, Posting, and Security. The existing and proposed mining areas would be protected with security fencing, and/or natural terrain, and posted with "No Trespassing" signs according to County standards. In addition, safety barriers / fencing will be installed along a portion of Porter Creek Road.

Topsoil and Overburden. As mining proceeds through completion of the project, topsoil and overburden will concurrently be removed and used directly in areas being reclaimed. Additional overburden that may be needed for the reclamation of fill slopes or within the mined basin floor will be relocated from the temporary stockpile storage area.

Reclamation Plan The significant difference between a 20-year project and that identified in the Permit Application is a reduction in the total area to be mined and reclaimed.

**PLEASE NOTE THAT EXTENSIVE ADDITIONAL
INFORMATION IS AVAILABLE IN PRMD FILE#PLP09-0035.**

Vicinity Map

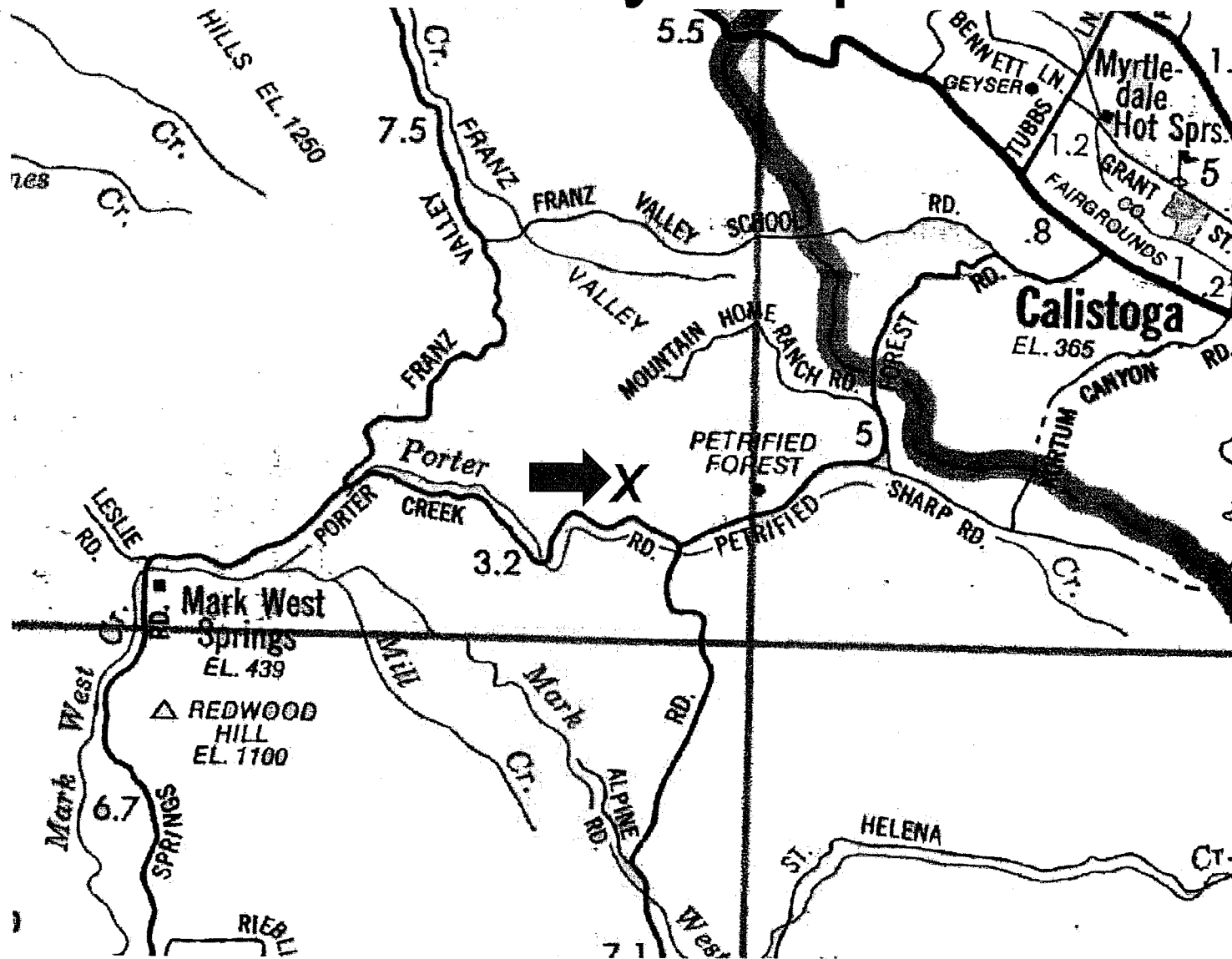


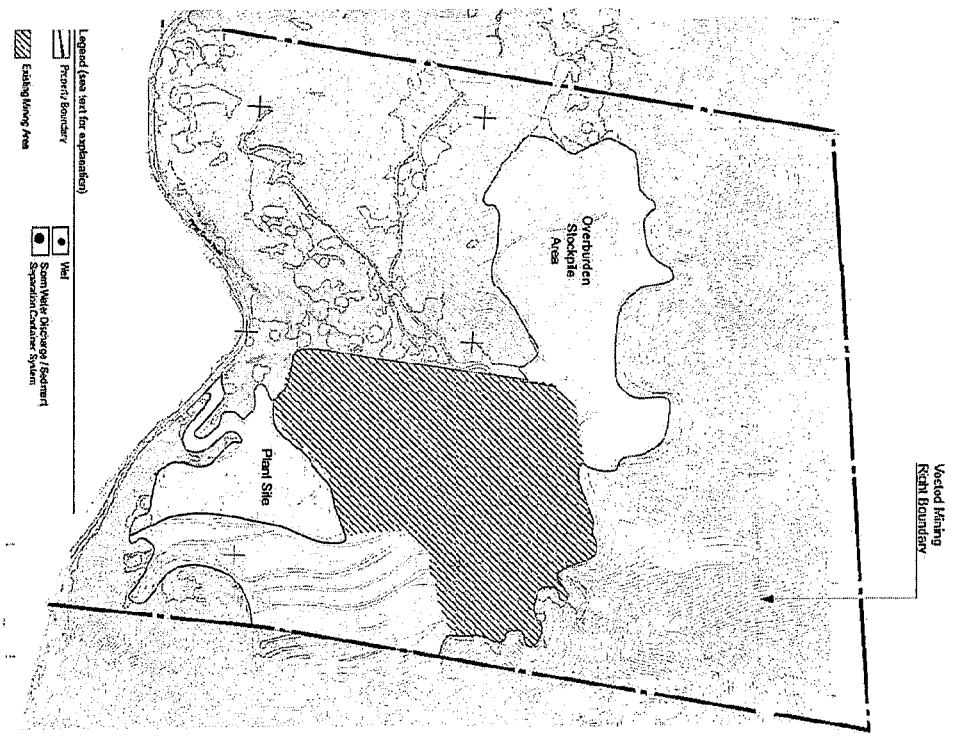
EXHIBIT C



PRMD

PLP09-0035

Existing Site Characteristics

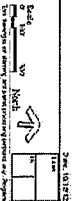


- Legend (see text for explanation)
- Parent Boundary
 - Wall
 - Storm Water Discharge / Retention
 - Separation/Containment System
 - Existing/Prop. Area

Mark West Quarry Expansion

Boston Company, Inc.
 1000 BAKERVILLE DRIVE
 SANTA ROSA, CA 95401-5038

THIS DOCUMENT IS A PRELIMINARY DESIGN AND CONSTRUCTION DOCUMENT. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR LIABILITY. THE USER OF THIS DOCUMENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREIN. THE USER OF THIS DOCUMENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREIN.



PRMD








Existing Land Use

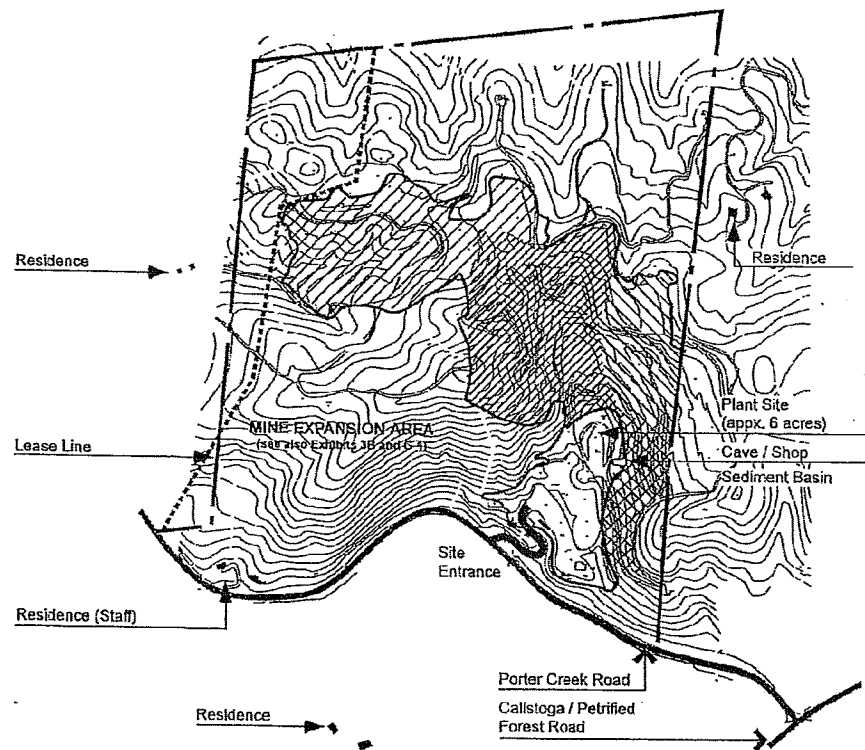
Mark West Quarry Expansion

BoDean Company, Inc.
1050 N. Dutton Avenue
Santa Rosa, CA 95401

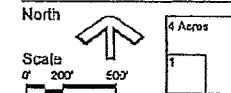
Exhibit 3A Existing Site Characteristics: Land Use

Legend (see text for explanation)

-  Property Line
-  Active Mining Area
-  Active Reclamation Area
-  Completed Reclamation Area
-  Overburden Stockpile Area
-  Structure
-  Lease Line



Date: 1/12/09



This drawing is conceptual and for planning and general reference purposes only. Final design, location, and other information shown are subject to field verification and modification.

EXHIBIT E



PRMD

PLP09-0035

Proposed MR Zone

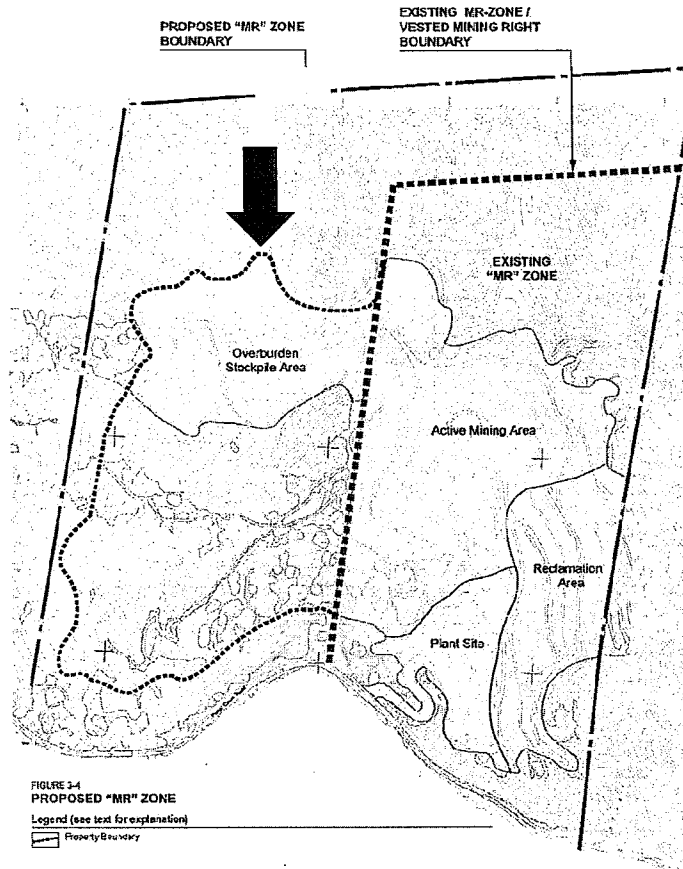


FIGURE 3-4
PROPOSED "MR" ZONE
Legend (see text for explanation)

Property Boundary

Mark West Quarry Expansion

Bodan Company, Inc.
1660 Maxwell Drive
Santa Rosa, CA 95401-5338

Information contained herein is based on the following information:
 1. Aerial Photographs, 1998, by the California Department of Conservation, Division of Geology and Land Use, prepared for the California Department of Geology and Land Use, 2000.
 2. Aerial Photographs, 1998, by the California Department of Geology and Land Use, 2000.
 3. Aerial Photographs, 1998, by the California Department of Geology and Land Use, 2000.
 4. Aerial Photographs, 1998, by the California Department of Geology and Land Use, 2000.

Scale: 1" = 200' North

Scale	1" = 200'
North	↑
Scale	1" = 200'
North	↑

EXHIBIT F



PLP09-0035

Mining and Reclamation Sequence Step 1

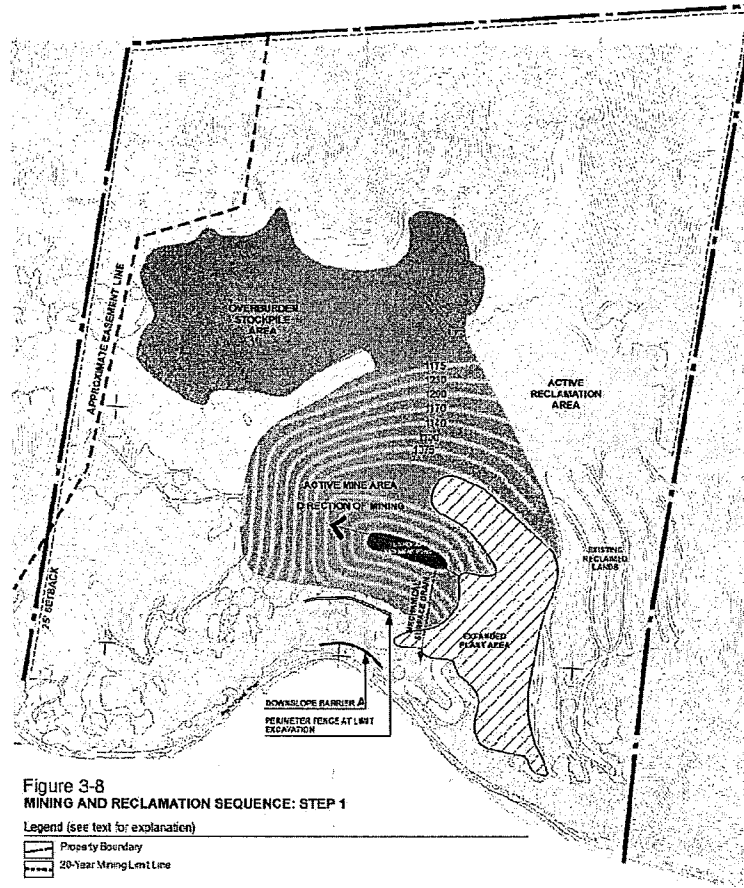


Figure 3-8
MINING AND RECLAMATION SEQUENCE: STEP 1

Legend (see text for explanation)

- Property Boundary
- 20-Year Mining Limit Line

Mark West Quarry Expansion

Boden Company, Inc.
1060 Maxwell Drive
Santa Rosa, CA 95401-5038

Date: 12/15/12

Information depicted herein is preliminary survey information.
• NOT A CONTRACT. This map shows the proposed location and extent of the proposed expansion of the quarry and is not intended to be used as a basis for any legal action.
• NORTH NORTHWEST Data Survey map of State Geologist under the authority of the State of California, Department of Geology and Mines, Division of Geological Engineering and Geophysics, Santa Rosa, California.
See also title to public law.

Scale: 1" = 100' North

This drawing is for planning and informational purposes only. It does not constitute a contract or any other legal instrument and shall not be used as such without the written consent of the author.



PRMD

PLP09-0035

Mining and Reclamation Sequence Step 2

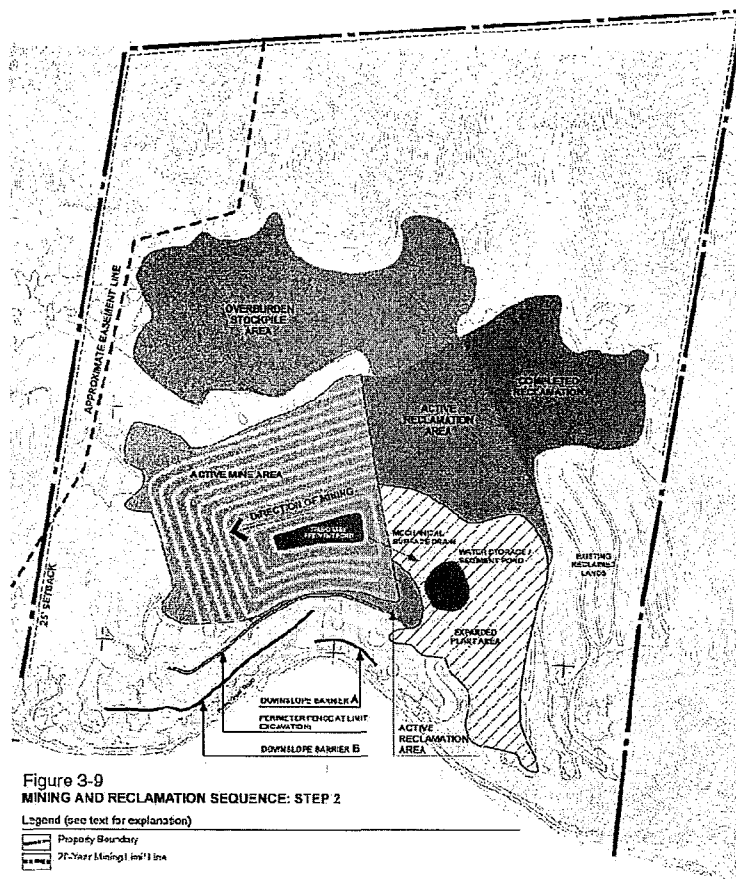


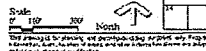
Figure 3-9
MINING AND RECLAMATION SEQUENCE: STEP 2

Legend (see text for explanation)
 Property Boundary
 75-Year Mining Imp'd Box

Mark West Quarry Expansion

Boisen Company, Inc.
 1060 Maxwell Drive
 Santa Rosa, CA 95401-5038

Intended for use as a guide for field mapping only. It is not to be used for legal purposes. This map is not to be used for any other purpose. The user is responsible for its use. The user is responsible for its use. The user is responsible for its use. The user is responsible for its use.



Date: 10/15/12



PRMD

PLP09-0035

Mining and Reclamation Sequence Step 3

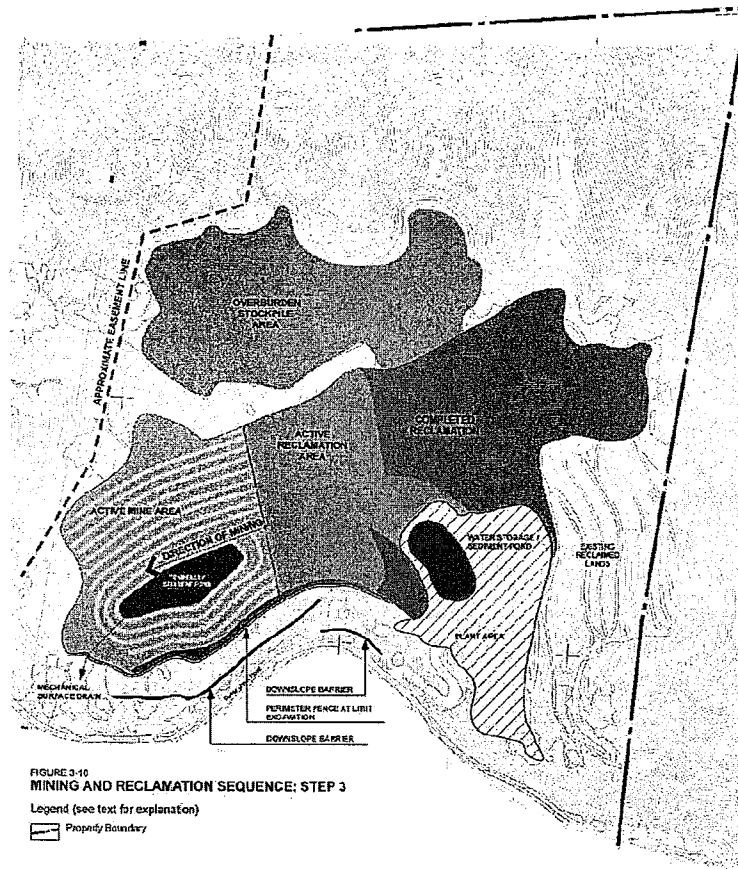


FIGURE 3-10
MINING AND RECLAMATION SEQUENCE: STEP 3

Legend (see text for explanation)

— Property Boundary

Mark West Quarry Expansion

Bodean Company, Inc.
1060 Maxwell Drive
Santa Rosa, CA 95401-5038

This plan is based on the following survey information:
1. 1978 Survey by Mark West Quarry, Inc. (Mark West Quarry) under the direction of
Geoffrey W. Bodean, Inc. and dated the 27th day of July, 1978.
2. 1978 Survey by Mark West Quarry, Inc. (Mark West Quarry) under the direction of
Geoffrey W. Bodean, Inc. and dated the 27th day of July, 1978.
3. 1978 Survey by Mark West Quarry, Inc. (Mark West Quarry) under the direction of
Geoffrey W. Bodean, Inc. and dated the 27th day of July, 1978.
4. 1978 Survey by Mark West Quarry, Inc. (Mark West Quarry) under the direction of
Geoffrey W. Bodean, Inc. and dated the 27th day of July, 1978.

Scale: 1" = 100' 1/2" = 200' 3/4" = 300' North

Date: 10/15/12

1/2" = 100'

3/4" = 150'

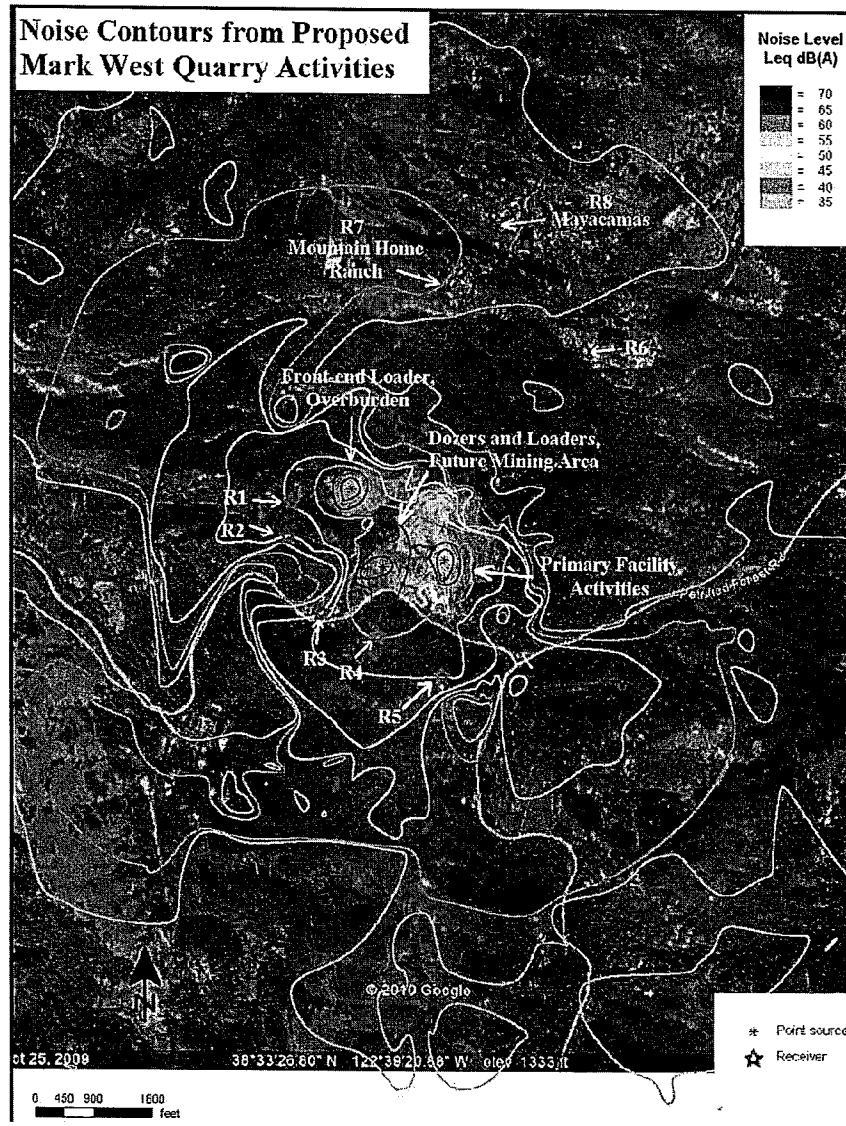
1" = 200'



PRMD

PLP09-0035

Noise Contours



PRMD

EXHIBIT H

PLP09-0035

Resolution Number

County of Sonoma

September 26, 2013

PLP09-0035 Sigrid Swedenborg

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING TO THE BOARD OF SUPERVISORS CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS AND APPROVAL OF THE REQUEST TO REZONE A 33-ACRE PORTION OF AN 99-ACRE PARCEL TO ADD THE MR (MINERAL RESOURCE) COMBINING DISTRICT TO ALLOW FOR FUTURE MINING, A USE PERMIT TO EXPAND THE EXISTING MARK WEST QUARRY TO ALLOW MINING OF 500,000 CUBIC YARDS (750,000 TONS) PER YEAR FOR A 20-YEAR PERIOD, AND APPROVAL OF A REVISED RECLAMATION PLAN THAT DIRECTS HOW THE AREA MINED ON THE SITE WOULD BE RECLAIMED. THE PROJECT SITE IS LOCATED AT 4411 PORTER CREEK ROAD, SANTA ROSA, APNs 120-210-048, -031 AND -006 SUPERVISORIAL DISTRICT NO. 1.

WHEREAS, the applicant, Dean Soiland filed application PLP09-0035 with the County and its Permit and Resource Management Department requesting approval of the request to rezone a 33-acre portion of an 99-acre parcel to add the MR (Mineral Resource) combining district to allow for future mining, a Use Permit to expand the existing Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and approval of a revised reclamation plan that directs how the area mined on the site would be reclaimed. The project site is 4411 Porter Creek Road, Santa Rosa, APNs 120-210-048, -031 and -006, Supervisorial District No. 1.

WHEREAS, on June 15, 2011, the Permit and Resource Management Department issued a Notice of Preparation that an Environmental Impact Report (EIR) would be prepared for the proposed project.

WHEREAS, on July 21, 2005 a public scoping meeting was held; and

WHEREAS, the Draft EIR was duly noticed and made available for public review and circulated to public agencies for comment from May 21, 2013; and

WHEREAS, on June 20, 2013, the Sonoma County Planning Commission conducted a public hearing to take testimony and receive evidence on the adequacy of the Draft EIR from both Planning Commissioners and the public; and

WHEREAS, on September 6, 2013, the Final Environmental Impact Report (Final EIR) for the project was made available to the public and forwarded to responsible agencies; and

WHEREAS, on September 26, 2013, the Planning Commission conducted a public hearing to receive testimony and consider the Final EIR and the project; and

WHEREAS, the Planning Commission recommended Certification of the Final EIR, adoption of a Statement of Overriding Considerations, and approval of the project; and

WHEREAS, Impacts to land use, transportation, air quality, biological and aesthetics (temporarily until vegetative screening grows to block views) were found to be significant and unavoidable despite the implementation of mitigation measures to reduce impacts to the extent feasible.

WHEREAS, the Planning Commission recommends that the Board of Supervisors makes the following Statement of Overriding Considerations:

1. According to the Sonoma County General Plan 2020, approximately 75 to 112 million tons of construction aggregate are likely to be needed over the next 20 years to meet local needs and a share of the North Bay regional needs.

The State Geologist has classified certain mineral resource areas within Sonoma County as mineral bearing areas of regional significance. As a result, Sonoma County is required, by state law, to adopt mineral management policies that:

- Recognize mineral information provided by the State,
- Assist in the management of land use that affect areas of statewide and regional significance, and
- Emphasizes the conservation and development of identified mineral deposits.

In response to the state's mandate, Sonoma County adopted resource management goals and policies in the General Plan and the Aggregate Resources Management (ARM) Plan.

General Plan Goal OSRC-13 requires the County to "provide for production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region." An implementing General Plan objective is to "use the ARM Plan to establish priority areas for aggregate production and to establish detailed policies, procedures, and standards for mineral extraction." (OSRC-13.1). General Plan Policy OSRC-13a was adopted to achieve this objective. The policy states:

Policy OSRC-13a: Consider lands designated in the ARM Plan as priority sites for aggregate production and mineral extraction and review requests for additional designations for conformity with the General Plan and the ARM Plan. Mark West Quarry is listed and described in the ARM Plan.

Through the adoption of the ARM Plan, the Board of Supervisors declared that it is the policy of the County of Sonoma to prohibit mining in the river terraces and limit in-stream mining to bar skimming. The Board of Supervisors further declared that in order to comply with the County's adopted goal to provide for the production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region, aggregates would be produced from hard rock quarries.

Sonoma County's residential, business and industrial construction, particularly road construction and re-construction, depends on a good quality, local source of construction grade aggregates. Mark West Quarry will help fulfill the demand.

2. According to an economic assessment of aggregate supply entitled "Construction Aggregate Supply Limitations: Some Estimates of Economic Impact" prepared by the Division of Transportation Planning's Office of Transportation Economics, September 2008, there are a number of positive economic benefits in permitting rock quarries in proximity to the work needed to be performed. They include:

- A reduction in emissions from trucks with a reduction in truck miles of travel for hauling aggregates.
- A shorter hauling distance, which would reduce aggregate-truck miles of travel and the cost of the materials.
- A reduction of pavement deterioration from fewer truck miles traveled, which would allow rehabilitation resources to be available for other critical maintenance improvements.
- A reduction in project delays due to lack of aggregate supply in the area, which leads to increased project costs.

- A reduction in aggregate-related truck miles of travel would also reduce traffic congestion and traffic accidents on roads.
3. There will be economic benefits to Sonoma County from the project including, but not limited to, job creation, increased property taxes, sales taxes, vehicle license fees, and employee income taxes.
 4. The Board of Supervisors adopted a Statement of Overriding Considerations for the ARM Plan indicating that the benefits of the aggregate industry outweigh the adverse unavoidable noise and visual impacts. These findings are contained in Resolution No. 94-1569 and are incorporated herein by reference.

WHEREAS, the Planning Commission made the following additional findings:

1. The Proposed Project as approved herein is found to be consistent with the Sonoma County General Plan ("the General Plan"), the Aggregate Resources Management Plan ("the ARM Plan") Plan, the RRD (Resource and Rural Development) zoning district, and the Surface Mining And Reclamation Ordinance ("SMARO") for the following reasons:
 - (a) The Project Site has a Resource and Rural Development land use designation. This land use category permits surface mining operations provided they are consistent with the 1994 ARM Plan, the Sonoma County SMARO. Mining operations are required to have a surface mining use permit, reclamation plan, and financial assurance approved prior to commencing mining operations. The conditions of approval imposed herein ensure that the Proposed Project is in compliance with the General Plan, the ARM Plan, the RRD MR zoning, and the operational and reclamation standards of SMARO.
 - (b) The Project site is designated as a priority aggregate resource site since the adoption of the 1994 ARM plan. The 1994 ARM Plan recognized the need to increase quarry production to meet local needs due to the intentional phase out of terrace pit mining in the County. The Proposed Project has been designed and conditioned to be consistent with the ARM Plan standards and mitigation measures contained within the ARM Plan Program EIR and Project EIR.
 - (c) The Project Site is zoned RRD (Resource and Rural Development) B6-100 acre density, SR (Scenic Resources), with the MR (Mineral Resources) district to be added. The RRD zoning district permits surface mining operations if they are conducted in accordance with the requirements of the ARM Plan and SMARO and the site is zoned to include the MR (Mineral Resource) Combining District. The ARM Plan requires specific standards to be met by the proposed mining and reclamation plan, and that a Mineral Resource combining zone be added to the property to identify lands with potential mineral resources and to minimize potential conflicts/impacts. The Project Applicant has proposed to meet all ARM Plan standards with this request, and has filed the appropriate application to have the Mineral Resource combining zone added to the property. SMARO allows a 20 year term for mining, contains operational restrictions, and requires that a reclamation plan and financial assurances be approved prior to commencing mining operations. The Conditions of Approval in Exhibit A of this Resolution require compliance with the ARM Plan and the operational, financial assurance, and reclamation standards of SMARO.
2. The proposed project is found to be in harmony with applicable goals, objectives, and policies of the General Plan and therefore, consistent with the General Plan.
3. The proposed addition of the MR (Mineral Resource) overlay to the Zoning Map on APN 120-210-031 is found to be consistent with the ARM Plan and purpose of the MR designation by providing

for the development of lands as mineral resources in the LEA (Land Extensive Agriculture) zoning district.

4. The development of aggregate resources on the site over the 20 year term of the Use Permit implements the General Plan and ARM Plan.
5. The Planning Commission, in consideration of the whole record relating to the Mark West Quarry project, finds that the establishment, maintenance and operation of the uses and facilities, will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the neighborhood or to the general welfare of the area. The circumstances of this particular case are:
 - a. The uses proposed by this project were anticipated by the ARM Plan and General Plan, and policy and land use designations allow mining in this area.
 - b. The Use Permit requested for this project, as conditioned, will provide for comprehensive control of the uses of the property and incorporate all of the mitigation measures identified in the Final EIR in order to ensure that environmental quality is maintained. These conditions include hours of operation, production limits, limits on blasting and noise generation, groundwater and surface water monitoring and treatment, a comprehensive dust control program, traffic mitigation measures, mitigation of air quality and biological impacts, and landscape screening.
6. Mitigation measures identified in the EIR to avoid or substantially reduce significant impacts, to the extent feasible, and a mitigation monitoring program have been incorporated as Conditions of Approval.

NOW THEREFORE BE IT RESOLVED that the Planning Commission recommends to the Board of Supervisors as follows:

1. The Board of Supervisors adopt the Final EIR.
 - a. The Final EIR has been prepared in compliance with CEQA.
 - b. The Final EIR was presented to the Planning Commission and the Planning Commission reviewed and considered the information contained in the Final EIR prior to making its recommendation on the project.
 - c. The Final EIR reflects the independent judgment and analysis of the County.
2. The Board of Supervisors adopt a Statement of Overriding Considerations for the project.
3. The Board of Supervisors approve a Use Permit for the Mark West Quarry to allow mining of 500,000 cubic yards (750,000 tons) per year for a 20-year period, and a Reclamation Plan to return the site to agriculture and open space, subject to conditions as shown in Exhibit "A."
4. The Board of Supervisors adopt the Conditions of Approval and mitigation monitoring program for the project set forth in Exhibit "A."
5. The Board of Supervisors approve a rezoning to add the MR (Mineral Resources) overlay zone to 33-acre portion of an 99-acre parcel (APN 120-210-031).

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Permit and Resource Management

Department, 2550 Ventura Avenue, Santa Rosa, California 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner who moved its adoption
seconded by Commissioner , and adopted on roll call by the following vote:

Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

Ayes:

Noes:

Absent:

Abstain:

WHEREUPON, the Chairman declared the above and foregoing resolution duly adopted; and

SO ORDERED.