

FOUNTAINGROVE II DESIGN PROGRAM

for

OPEN SPACE MANAGEMENT

April 17, 1992
Approved by City of Santa Rosa
Community Development Department
PO Box 1678
Santa Rosa, CA 95402

April 15, 2010
Amended by City of Santa Rosa
Zoning Administrator Resolution No. CUP09-083
Community Development Department
100 Santa Rosa Avenue
Santa Rosa, CA 95404

July 7, 2011
Amendment #1 to Zoning Administrator Resolution No. CUP09-083
Community Development Department
100 Santa Rosa Avenue
Santa Rosa, CA 95404

**Prepared For
Watt Homes of Northern California
Dividend Fountaingrove Partners**

April 1992

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Amended for Use Permit - Fountaingrove II Open Space

by

Zoning Administrator Resolution No. CUP09-083

April 15, 2010

and

Zoning Administrator Amendment #1 to Resolution No. CUP09-083

July 7, 2011

Exhibits added by April 15, 2010 Resolution

Exhibit 1

Composite Map of Fountaingrove II for Open Space Use Permit Area that was prepared in October 2009 for Fountaingrove II Open Space Maintenance Association by Carlile Macy

Exhibit 2

List of Fountaingrove II Open Space Parcels dated April 2, 2010 that lists the parcels applicable to the April 15, 2010 Use Permit granted per Zoning Administrator Resolution No. CUP09-083

THIS RESOLUTION IS NOT APPLICABLE TO FOUNTAINGROVE II HOMEOWNERS

FOUNTAINGROVE II DESIGN PROGRAM

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Figures 1 – 9 of the April 1992 original plan, which were planning sketches scattered from pages 20 - 44, have not been attached to this April 15, 2010 amendment of the Open Space Management Plan, nor have the sketches for water impoundment on page 41 and installation procedure for water bars on page 45. These sketches as well as the original 24” by 36” drawings for Figure 1 (Open Space Classifications), Figure 2 (Open Space Management Areas) and the Master Landscaping Plan for Fountaingrove II can be located in the original Design Program binder dated April 1992.

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Appendix C - Sequence of Development Plan Modifications to Address Sensitive Plants

Rough planning sketches included on pages 50 – 53 of the April 1992 original Design Program are not applicable to the ongoing Design Program for Open Space Management, and have been omitted from the April 15, 2010 update.

I. BACKGROUND

a. Original Plan Issued April 1992

Prior to the planning and design of Fountaingrove II, an Environmental Assessment was prepared, under contract to the City of Santa Rosa, in order to identify planning/environmental constraints and design opportunities. Among its findings, that Assessment identified the occurrence of sensitive plants, high wildlife habitat potential, and high visual values, and identified as a principal opportunity, the potential to create a multifunctional open space system. Such a system should provide for native plant and wildlife habitat conservation, preservation of visual quality, preservation of natural drainage, erosion control, and recreation. Accordingly, and in response to the Environmental Assessment, the Development Plan and Policy Statement for Fountaingrove II were prepared with an open space system in mind, setting aside more than 200 acres of the site for such a system, and specifying policies calling for retention of major topographic and major tree mass characteristics of the site.

Although the 200+ acres of open space are identified in the Development Plan, the adopted Policy Statement (Section V (B)), requires the preparation of a Design Program to further specify (1) major landscape/open space design elements, (2) design guidelines for area-wide physical design elements, and (3) open space management. Further, the Environmental Impact Report (EIR) certified for Fountaingrove II included as mitigation (mitigation measure #7, page IV-45) the provision of a project design program.

This Design Program has been prepared in response to the requirements of the Policy Statement and EIR; it establishes a framework for the preservation and maintenance of the project open space system, and establishes design guidelines for area wide landscape/streetscape elements.

b. Update of Geographic Area and Designation of Fountaingrove as a Very High Fire Hazard Severity Zone by the City of Santa Rosa

As of April 2010, the open space of Fountaingrove II is comprised (a) 201.7 acres of wildlands which is mostly steep terrain which borders residences, streets and other private or public properties and (b) about 15 or more acres of landscaped strips along the Fountaingrove Parkway or interior streets of the development. The open space is comingled and/or separated by 591 lots of developed property, and the open space is spread over more than 600 acres of the Planned Community of Fountaingrove II. Most of the wildland acreage has very poor access and it is located within a designated Wildland Urban Interface Fire Area by the City of Santa Rosa, per Fire Ordinance 3852 adopted by the Santa Rosa City Council on November 6, 2007. This designation by Santa Rosa's Ordinance created a legal requirement for OSMA to control vegetation within its boundaries per the federal and state requirements for a designated Very High Fire Severity Hazard Zone.

BACKGROUND I b. Continued

In 2004, the State of California enacted legislation to require communities such as Fountaingrove II to create fuel breaks of 100' or more as defensible space. This same 100' fuel management zone was also a requirement by the original Design Program in Section D8 below and Figure 9. The attached Map (Exhibit 1) created in October 2009 by Carlile Macy shows the current status of the fuel managed zones which, as of that date, are estimated at 64 acres; 38.4 acres of which OSMA has created. OSMA weed abates these firebreaks on an annual basis, and treats them for regrowth on a three year cycle to reduce the danger of fire.

The purpose of the April 2010 amendment to the original 1992 Design Program is to obtain a Use Permit to clarify or modify forest management procedures for: (1) changes in circumstances with regards to the legal obligations of OSMA to manage for fire safety, (2) updating the status of the fuel reduction completed by OSMA, and (3) updating the original Design Program for unplanned circumstances such as: (a) the lack of natural fires and the imbalance in plant mix resulting from this fact, (b) the inability to predict the built out condition of the wildlands and the safety issues that could occur with trees near residences, streets or other personal or public property, and (c) the fact the Douglas fir has become dominant and invasive to other native trees and plants in Fountaingrove II and other parts of California.

II. ORGANIZATION

This Design Program is divided into two major sections:

1. Design Guidelines (Section III)
2. Open Space Management Plan (Section IV)

Design Guidelines

The intent of these guidelines is to establish the major design theme/concepts for Fountaingrove II as called for in the adopted Policy Statement and certified EIR.

Open Space Management Plan

The intent of this plan is to establish a framework for the preservation and maintenance of the open space areas within Fountaingrove II including management of the "special interest plant species" and "special status habitats" identified in the Environmental Assessment and certified EIR.

III. DESIGN GUIDELINES

Recognizing that the relatively rich variety of native vegetation is one of the site's most appealing assets, the design concept for Fountaingrove II seeks to retain and enhance this natural character and to blend the development with the native landscape.

The Master Landscape Plan, that was located in a sleeve at the back of the original document, illustrates the overall landscape concept for Fountaingrove II including the native woodland, grassland, and chaparral communities, the neighborhood parks, the trail system, and conceptual landscaping of common areas and streets including Fountaingrove Parkway and project entries.

The following pages illustrate various design elements such as Fountaingrove Parkway, project entries and fencing concepts in more detail. Also included are typical details of site and street furniture.

IV. OPEN SPACE MANAGEMENT PLAN

A. OBJECTIVES

The objectives of open space management for Fountaingrove II include the following:

- 1) To retain a maximum of the natural values embodied in the site's existing vegetation and associated wildlife.
- 2) To preserve existing resource features of concern and restore or enhance selected communities and habitats.
- 3) To preserve the visual quality of the natural landscape in open space areas considering views from offsite as well as onsite.
- 4) To minimize the potential fire hazard associated with the open space/development interface.
- 5) To control erosion in areas where it occurs currently and to minimize the potential for future erosion.
- 6) To provide for certain recreational uses such as hiking consistent with the other natural resource protection and management objectives.

IV. OPEN SPACE MANAGEMENT PLAN (continued)

B. OPEN SPACE CLASSIFICATIONS

There will be four classifications of open space at Fountaingrove II:

1. Neighborhood Parks
2. Common Open Space
3. Private Open Space
4. Open Space Easement

These classifications define the ownership, responsibility for maintenance, and permitted uses for these areas and are shown in Figure 1.

Neighborhood Parks

The two proposed neighborhood parks will be owned and maintained by the City of Santa Rosa. Permitted uses will be determined by the City of Santa Rosa Recreation and Parks Department.

Common Open Space

Common Open Space shall be those open space areas owned and maintained by a Master Homeowners Association or a public entity such as a Lighting and Landscape Maintenance District. The majority of the open space at Fountaingrove II will be Common Open Space. Passive recreational uses including, but not limited to, hiking trails, picnic areas, and other uses which do not significantly injure or scar vegetation, promote erosion, or interfere with wildlife use of the area will be permitted.

Private Open Space

Private Open Space shall be those open space areas designated on private residential lots which will be owned and maintained by the owner. Passive recreational uses which do not substantially alter significant existing native vegetation will be permitted.

Open Space Easement

Open Space Easement shall be those easement areas designated over private residential lots which will be owned by the lot owner and maintained by the entity (Master Homeowners Association or Lighting and Landscape Maintenance District), which maintains the Common Open Space areas. Open Space Easements will typically be designated for specific purposes such as to provide landscape planting areas adjacent to streets and to provide wildlife corridors linking major open space areas. Passive recreational uses which do not significantly injure or scar vegetation, promote erosion, or otherwise interfere with the purpose of the Open Space Easement will be permitted.

IV. OPEN SPACE MANAGEMENT PLAN (continued)

C. APPROACH

Addressing the various objectives of open space management for Fountaingrove II primarily involves vegetation management actions designed to serve multiple purposes. For this reason, the plant communities currently existing within the open space areas form the basis for the plan. The plan acknowledges the northern oak woodland, mixed evergreen woodland, chaparral, and grassland plant communities. Within the chaparral plant community, the Rincon ceanothus (*Ceanothus confusus*) and Rincon manzanita, (*Arctostaphylos stanfordiana* var. *repens*) identified as "special interest" plant species in the Fountaingrove II EIR, exist in several areas. These plants have been addressed in project planning since 1989 resulting in project design modifications to enlarge preserve areas as well as a continuing propagation, taxonomic, and cultural research program. (See Appendix C) A major part of the Open Space Management Plan involves the protection and enhancement of habitat for these sensitive species.

The major open space management areas are shown in Figure 2. These include the following:

1. Sensitive Plant Management Area - includes existing low/medium and high density sensitive plant preserve areas and chaparral areas where sensitive plant habitat enhancement is proposed
2. Woodland Management Area - includes northern oak woodland and mixed evergreen woodland recognizing that these two typically occur in a complex combination and have similar management needs
3. Grassland Management Area - includes existing grasslands and areas to be converted to grassland
4. Chaparral Management Area - includes chaparral areas not suitable as habitat for the sensitive plants

While vegetation management is the primary emphasis of the plan and incorporates provisions to address other important open space management topics, these topics are discussed separately in the sections on Exotic and Noxious Vegetation, Wildlife Management, Fire and Fuel Management, and Erosion and Sedimentation Control. Additionally, a list of native plants encouraged for use by homeowners and a list of unsuitable and/or invasive plants to be prohibited are included in Appendices A and B respectively.

IV. OPEN SPACE MANAGEMENT PLAN – Section D - PLAN ELEMENTS

1. SENSITIVE PLANT MANAGEMENT

Pursuant to mitigation measures recommended in the EIR, a detailed rare plant mitigation program has been initiated and is a major component of this Open Space Management Plan. The extent and significance of the locally endemic chaparral community are discussed in an appendix to the Fountaingrove II EIR, and are the focus of a major preservation and propagation effort. The goals of the rare plant mitigation effort are to avoid as much of the existing populations and their preferred habitat as possible, maintain a full genetic spectrum within the project area, and to compensate through propagation, planting, and habitat enhancement for the losses that cannot be avoided. Unfortunately, the endemic species present in the project area favor the gentler ridgetops and mesas, the most usable sites for development. Because of this, achieving adequate mitigation through avoidance alone is extremely difficult. There are, however, several factors which indicate that a reasonably high degree of success could be expected for a detailed habitat management and enhancement program, supplemented by significant propagation and planting.

The following are the specific actions being undertaken as part of this effort:

Preservation

Five separate preserves, protecting about 15 acres of the current total extent of the manzanita and ceanothus have been designed into the Open Space Management Plan. These cover the full range of geographic and site conditions found in the area. They have been selected as the highest quality sites (habitats and populations) in the overall project area. In addition, the overall open space designation totals over 200 acres, much of which is also potentially suitable habitat for the sensitive plants. This potential habitat contains soils similar to those in the existing communities, but currently supports tall mature chaparral of scrub oak, chamise, chaparral pea, and other manzanitas, plus a few areas of annual grassland and oak woodland. Preservation of existing high quality sites (the northernmost in particular) forms the primary basis of the project's sensitive plant mitigation efforts. The initial project design was substantially modified in response to comments by and meetings with local representatives from the California Department of Fish and Game (CDFG), the California Native Plant Society (CNPS), and other botanical experts. The main goal of this was to include as much of the existing high quality habitat as possible in the open space designations, to include the full geographic and microclimatic conditions, and to maximize the benefits to be gained at each preserve, such as striving for a larger area-to-perimeter ratio and utilizing local features and opportunities. Preserved areas will be closely managed to provide physical protection, colony monitoring, supplemental thinning and planting, and any other remedial work as is needed to assure the continued survival of the endemic shrubs.

IV. D1 OPEN SPACE MANAGEMENT PLAN; Sensitive Plant Management (continued)

Propagation and Salvage

Over 1000 cuttings of the Rincon Ridge ceanothus and manzanita have been successfully propagated and potted and are showing vigorous new growth. Test plantings will be made this winter as weather permits and additional cuttings will continue to be taken to provide adequate planting stock for future open space restoration and landscaping. The goal in propagation is to assure that the numbers of plants that cannot be avoided by the development are replaced by new young plants taken from the full spectrum of sub-forms and habitats. Since there is an abundance of potentially suitable habitat conditions in the open space areas (as well as in certain parts of the landscape and revegetation areas), there is the potential to increase substantially the number of each species in the final project configuration. With perhaps 2000 ceanothus currently in the study area and roughly 4000 to 5000 manzanita, a significant start has been made to assure no net loss in the numbers and general extent of these species.

Habitat Enhancement

Selected areas of mature chaparral will be mechanically cleared to create new habitat for the rare ceanothus and manzanita. No areas currently supporting the sensitive plants are being cleared. Some of these areas will be seeded or planted with propagated stock, while others will be untreated and monitored for natural seed dispersal and establishment. Other areas of tall mature brush will be hand thinned to open the canopy in an attempt to stimulate ceanothus and manzanita seed germination. Limited brush burning may be explored as an additional management tool, but permission from the Fire Department and Air Quality Control District must be obtained to ensure that this is a safe and allowable procedure to follow. Eventually, clearing of currently mature brush will be conducted in a number of areas to create considerable new openings on suitable soil for the manzanita and ceanothus. This will both reduce the existing fuel load and provide for new habitat for the rare shrubs. Since these shrubs are low and generally quite green, their establishment will also contribute toward lower overall fire hazard and will be useful in creating fuelbreaks adjacent to development areas.

Revegetation and Landscaping

Landscaping within the residential development will emphasize the use of native trees (oaks, madrone, redwood, Douglas fir) and shrubs (indigenous ceanothus and manzanitas, coffeeberry, monkeyflower, toyon, and many others). Planting on open space parcels, including revegetation of roadsides, cuts, fills, etc. will utilize the local endemic ceanothus and manzanita in combination with other native plantings. The two rare sub-shrubs prefer open disturbed (bare) soil, form low spreading mats and mounds, are extremely drought tolerant, and are presumably somewhat fire-resistant (because of their low habit, bare surroundings, and high ratio of live growth to total volume).

IV. D1 OPEN SPACE MANAGEMENT PLAN; Sensitive Plant Management (continued)

Management, Monitoring and Funding

The sensitive plant management areas will be managed conservatively, with low level recreational use that is compatible with natural resource protection and enhancement. Specific management guidelines and techniques will be refined during the implementation stages. Long term management will involve ongoing commitment by the administrative entity to actively monitor and protect the sensitive plant management areas. The open space areas, including the sensitive plant management areas, will be owned and managed by a local homeowner's association or some public entity such as a Lighting and Landscape District administered by the City of Santa Rosa.

D 2. TREE PRESERVATION/VISUAL SCREENING FROM VALLEY FLOOR

The EIR identified that the east-facing, tree-covered slope, along the easterly portion of the property provides a visual "backdrop" to Rincon Valley. Subsequent visual analysis confirmed that, but in addition, demonstrated that about 2/3 of the backdrop -- the lower portion of the hillside -- is off the Fountaingrove II site (see Fig. 3). That lower, dominant portion of the hillside currently contains developed, developing, and underdeveloped parcels, and would not be affected in any way by development of Fountaingrove II.

Existing trees to be removed are indicated on the Tentative Map; it is clear that only a very few of the existing trees would be removed. The tree masses to remain on the Fountaingrove II site were plotted from aerial photographs onto the site plan (see Fig. 4). That demonstrates that nearly all of the existing (and remaining) tree masses are outside of the proposed lots and building site areas. The primary tree types are fir and oak, with the fir trees creating a dense tree cover at least 70 feet tall.

Two partial site sections -- through the easterly slope area -- were drawn from the Badger Road/Wallace Road area (EIR vantage point - photo 4) (see Figs. 5-7). These sections demonstrate that retention of the dominant tree mass would screen potential development and would protect existing viewsheds from the valley floor into the project area.

In order to insure tree preservation, all portions of the east-facing slope, outside of the (SF1) lots, are included within the common open space area, which would prohibit development/tree removal, and which would be maintained/preserved in perpetuity by a Master Homeowners Association, Lighting and Landscape Maintenance District, or other legal entity.

IV. OPEN SPACE MANAGEMENT PLAN (continued)

D 3. WOODLAND MANAGEMENT

The woodland management areas shown on Figure 2 include areas of the northern oak woodland and mixed evergreen woodland communities. The primary species within these areas are Oregon oak, California black oak, Coast live oak, Douglas fir, California bay, and Madrone. The woodland areas are the most vegetatively complex of the site's plant communities with a greater variety of plant species and vegetative layers providing habitat for a greater variety of wildlife species. The woodland areas are also important visually, especially the east facing slopes which are visually prominent from Rincon Valley.

The goals with respect to woodland management include retaining the existing woodland to the greatest extent possible, improving overall conditions by thinning the understory and removing invasive exotics, and restoring certain sites to woodland cover. Tree management will comprise a balance of maintaining a healthy sustainable forest environment for plants and habitat, as well as ensuring the open space is maintained in a safe manner to reduce the possibility of injury or death to people or pets, or damage to property from fire or unsafe circumstances.

Dead trees should be removed from common area open space landscaped areas (shaded in blue on the attached Map) for fire safety and liability reasons.

Dead trees should also be managed for fire safety and liability reasons in the designated fuel management zones (shaded in red on the attached Map). Managing fire safety in these fuel management zones was originally mandated herein per Section D8, and is now also a requirement due to changes in state and local laws. In these fuel management zones, dead trees and their branches may be cut and removed, or their trunks can be left on-site if properly embedded into the soil in a safe manner. Branches removed from cut trees in fuel managed areas can be removed off-site or left onsite in small piles, if the area is too inaccessible to transport the cut material to a chipper or truck to transport the material offsite. Dead trees in fuel management zones with habitat will not be cut, unless they are a safety hazard to people and property.

If a dead tree has habitat, but is also a risk of falling on persons or property, the tree can be cut and disposed of as noted above. In such instances, work will be done when the animals or birds are not nesting, unless a Qualified Authority has considered the dead tree a high risk liability. In instances where the tree is considered a safety/liability risk, consideration should be given to removing the top portion of the dead tree, and leaving the lower portion for habitat and reduce/eliminate any safety issue with people or property. This partial removal procedure would be beneficial where the work will remove the safety issues, but leave a snag for habitat purposes.

Dead, injured, diseased or dying trees may be removed from open space parcels for safety reasons, or to maintain a healthy forest environment, if such action has the written recommendation of a "Qualified Authority".

IV. D 3 OPEN SPACE MANAGEMENT - WOODLAND MANAGEMENT (continued)

“Qualified Authority” is herein defined as a (1) certified arborist, or (2) qualified forest management or pre-fire wildfire professional herein defined as: (i) an affiliate of the California Licensed Foresters Association (CLFA) licensed as a Registered Professional Forester (RPF) or (ii) a Pre-fire, Vegetation Management, or Defensible Space Specialist, licensed or certified by the State Fire Marshall or other state or local fire agency. To ensure there is ample habitat, no standing dead trees will be removed from the open space outside the boundaries of the landscaped and fuel managed zones, unless such action has the written recommendation of a Qualified Authority as defined herein; that there is a minimum average of two dead trees per acre remaining in such open space acreage, with at least one of the two dead trees being in excess of 16” in diameter. Existing trees, including snags, will be preserved to the extent they are not deemed a fire or safety hazard by a Qualified Authority as defined herein. Some areas will be supplementally planted, primarily with oaks in northern oak woodland areas and Douglas fir in mixed-evergreen woodland areas, although California bay and madrone will also be used. Protection for new plantings from wildlife browsing will be provided and may include the use of fencing, screening, or cages.

Woodland understory will be actively managed by periodically removing dense understory seedlings and brush, at least to the extent needed to provide a more fire-safe environment adjacent to residential development areas. The more remote woodland stands may be allowed to become more heavily vegetated to foster higher overall productivity and to benefit wildlife. Understory thinning will be conducted largely through hand methods, but some prescribed burning may be pursued in coordination with, and approval from, appropriate local and regional agencies. Specific hazard areas will be identified and subject to hand thinning with the thinned material being removed offsite, or chipped on-site. If chipped on-site, the chipped material will be spread to a depth of no more than 3”, and will be kept away from native plants that should not be mulched, such as the sensitive Rincon Manzanita and Rincon Ceanothus. Some material may be left in piles in strategic places as cover for wildlife (quail, etc.). The thinning operations will improve fire safety by reducing the fuel volume, will improve visual quality by eliminating unsightly thickets and by opening up new views, and will improve wildlife habitat by providing better groundcover growth and creating new edge habitats.

To protect the communities of Santa Rosa from a large wildfire, live Douglas firs less than 24” in diameter when measured 4 ½ feet from the ground may be cut, removed and properly disposed of from any part of open space if there will not be adequate crown separation from other trees or large chaparral or bushes, such as the Sonoma Manzanita or Toyon bush, as measured when such trees or bushes reach maturity. Such measurements and recommended action shall be confirmed by a written recommendation by a Qualified Authority as defined herein and will be documented before OSMA cuts or removes such trees. No more than ten (10) live Douglas fir trees exceeding twelve inches (12”) in diameter can be removed per acre on an annual basis, without preapproval of the planned action by the Community Development Department of Santa Rosa. No other species of healthy trees, that have heritage status designated by the City of Santa Rosa, will be removed if their diameter exceeds six inches (6”), without the written recommendation by a Qualified Authority and preapproval of the Community Development Department except *Umbellularia californica* (California Bay) which are within fifteen feet (15’) of the foliage of native oaks susceptible to death from *Phytophthora ramorum* (sudden oak death syndrome or “SOD”). California Bays have been identified as the most prolific foliar vector host to *Phytophthora ramorum*, and authorities recommend such removal to preserve oaks. No live trees will be cut or altered for the sole purpose of enhancing views.

IV. D 3 OPEN SPACE MANAGEMENT - WOODLAND MANAGEMENT (continued)

Maintenance work performed on open space will consider the impact of erosion, will be timed around the weather and soil conditions, and the Qualified Authority will certify that his/her recommendation for the removal of trees is not anticipated to create any erosion issues.

Habitat Counsel

The removal of trees in excess of six inches (6") in diameter, exclusive of invasive species as defined herein, will be reviewed by a biologist or ornithologist ("Habitat Counsel") for issues with birds, bats and other animals that might be nesting in or near the trees to be cut or removed. The opinion of the Habitat Counsel will be submitted with the Annual Report submitted per Section 10. Such Habitat Counsel will have graduated with a Bachelor's or Master's Degree in Biology or Ornithology from an accredited four-year or higher degreed college or university.

Nesting Birds

Tree removal activities should ideally be scheduled outside of the nesting season of protected raptors and migratory birds (February 15 to August 15). Pre-removal surveys are required within 1 week prior to beginning work during the nesting season. If work has not begun within 2 weeks of the survey, additional surveys will be necessary.

If an active nest is found, a 50 foot buffer (150 foot buffer for raptor nests) in each direction needs to be delineated with colored flagging. Work may not be conducted within this buffer until nesting activity has ended. An active nest is any nest structure that is being used by adult birds or is at least half completed, or contains eggs or nestlings. Permanent nest structures used by herons, egrets, or raptors are considered active nests.

If surveys indicate that nests are inactive or potential habitat is unoccupied, no further mitigation measures are required. Raptor or other bird nests initiated during tree removal activities are presumed to be unaffected and no buffer is necessary. However, the 'take' of any individuals is prohibited.

Special-status Bat Species

Prior to tree removal activity, a qualified bat biologist will survey for special-status bats on site. If no evidence of such bats is present, no further mitigation is required. If evidence of such bats is observed a no-disturbance buffer acceptable in size to the CDFG will be created around any hibernaculum and/or maternity roosts. Bat roosts initiated during tree removal activity are presumed to be unaffected, and no buffer is necessary. However, 'take' of individuals is prohibited.

In addition, removal of trees showing evidence of bat activity will occur during the period least likely to impact bats, as determined by a qualified bat biologist, generally between September 15 and October 15 before the formation of the winter hibernacula, and between February 15 and March 1 before the formation of maternity roosts. If exclusion is necessary to prevent indirect impacts to bats from tree removal-related noise and human activity adjacent to trees showing evidence of bat activity, these activities shall be conducted during this period as well.

IV. D 3 OPEN SPACE MANAGEMENT - WOODLAND MANAGEMENT (continued)

All recommendations, reports, bids, or proposals of such Qualified Authority or Habitat Counsel will state that he/she has read and understands the governing documents of Fountaingrove II, and that he/she certifies under perjury that his/her recommendations are in compliance with the prescribed management practices for the open space of Fountaingrove II, and that his/her recommendation complies with all requirements of the most recent approved Design Program for Open Space Management and Use Permits. Copies of these recommendations and certifications will be submitted to the Community Development Department with the Annual Report provided each year as per Section 10 below.

Trees with Safety Hazards Needing Emergency Action for Safety Reasons

A removal or alteration of any tree necessitated by a hazardous or dangerous condition of, or caused by the tree, or a portion thereof, which requires immediate action to protect life or property, shall be allowed consistent with Santa Rosa City Code Section 17-24.030. Such a tree, including a street, protected, or heritage tree, may be altered or removed by City personnel without a permit, or by the property owner with the prior written permission given by the head of any one of the following City departments: the Police Department, Fire Department, Public Works Department, Utilities Department, Recreation and Parks, Community Development, or City Manager. Decision making authority in such situations may be delegated to field personnel by the head of each such Department or by the City Manager.

Heritage Tree Removal Notice to Fountaingrove II Homeowners

OSMA will have administrative procedures in place to notify and respond to Fountaingrove II homeowners of tree work that will occur within 20' of their property line on Heritage trees, as designated by the City of Santa Rosa per Chapter 17-24.020 of its Ordinances. Except for necessary emergency work, such notification will be made a minimum of 10 days before work will commence. Once planned work has been noticed, re-notification will not be required if work is done at a later date for any reasons such as weather, habitat clearance or possible financial issues. Notice can be made by regular mail, fax, e-mail, courier, express mail, or hand delivery.

Notice of tree removal will not be necessary for trees which are not designated as Heritage, or where any party has planted trees, including Heritage trees, on Open Space without written permission from OSMA. This notification does not preclude OSMA from removing trees that are considered a fire or safety hazard by a Qualified Authority, or if a Department of the City recommends tree removal for emergency safety reasons as provided herein.

IV. D OPEN SPACE MANAGEMENT Plan (continued)

4. GRASSLAND MANAGEMENT

The grassland management areas shown on Figure 2 include current grasslands and suitable adjacent areas proposed to be converted to grassland. The existing grasslands include both the non-native annual type (*Avena*, *Bromus*, *Cynosurus*, *Brassica*, *Centaurea*) and scattered pockets of native perennials (*Stipa pulchra* and *lepida*, *Elymus*, *Mara*, *Sitanion*, *Festuca*). The native needlegrass grassland (*Stipa*) is of special interest because it has experienced a severe reduction in both distribution and abundance statewide.

The goals with respect to grassland management are to restore the existing grassland areas to dominance by the native perennial bunchgrasses (including the needlegrasses in particular), to improve conditions for the native grasses by removing invasive exotics, to expand existing grasslands by converting suitable adjacent areas currently dominated by coyote brush, and to prevent future encroachments into the grassland.

Areas of disturbed ground and sparse grassland will be restored to more natural bunchgrass stands and meadow. The large open valley in the north-central part of the site at the head of Paulin Creek is a prime area for grassland restoration since this area now supports extensive coyote brush and the exotic Harding grass. This area will be restored to bunchgrasses and scattered oaks. Other small areas of meadow and bunchgrass prairie will be supplementally planted with additional native grasses. Selected areas will be subject to intense local weed removal and grass planting from locally collected seed and live plugs.

Scattered oak planting within the grassland will be made utilizing locally collected materials and will be protected from wildlife browsing through the use of fencing, screening, or cages. Long term maintenance will involve periodic monitoring and spot problem corrections (erosion, weeds, browse damage).

IV. D OPEN SPACE MANAGEMENT Plan (continued)

5. CHAPARRAL MANAGEMENT

The chaparral management areas shown on Figure 2 include chaparral areas not suitable as habitat for the sensitive plants (Rincon ceanothus and Rincon manzanita). The primary species within these areas are Eastwood manzanita, common manzanita, coyote brush, toyon, chaparral-pea, coffeeberry, sticky monkeyflower, chamise, and wavy leaf ceanothus. The chaparral community tends to occupy hot and dry south and east facing slopes of the site. Chaparral areas considered as potentially suitable habitat for the sensitive plants are designated sensitive plant management areas and are discussed under the section of this plan entitled "Sensitive Plant Management."

The goals with respect to chaparral management include maintaining the ecological integrity of the chaparral areas for their wildlife habitat value while managing the potential fire hazard they represent.

Chaparral areas will be actively monitored and periodically thinned out to improve fire safety by reducing fuel volume, improve visual quality by eliminating unsightly thickets, and improve wildlife habitat by providing better groundcover growth and new edge habitats. Thinning will be conducted largely by hand methods, but some prescribed burning may be pursued in coordination with, and approval of, the appropriate local and regional agencies. Specific hazard areas will be identified through annual monitoring and subject to hand thinning. Material removed will be taken away and disposed of offsite, if possible, or chipped and spread over the ground surface to a depth not to exceed three (3) inches, nor in a way that will harm native plants that should not be mulched.

IV. D OPEN SPACE MANAGEMENT Plan (continued)

6. EXOTIC AND NOXIOUS VEGETATION

Exotic vegetation used as landscaping may impact the native vegetation through hybridizing with the native flora or through direct competition for available water and nutrients. Some exotic plants are extremely invasive and may take over large areas to the exclusion of the native flora. While overall a relatively minor influence currently, some exotic vegetation already exists on the site. Harding grass has made significant inroads into the grassland. French and Scotch broom and Pampas grass are also present.

The goal with respect to exotic and noxious vegetation is to minimize the impacts of this vegetation on the native flora.

The principal means to minimize the impacts associated with exotic vegetation will be to prevent such from spreading by prohibiting the use of plants included in Appendix B - Unsuitable/Invasive Plant List. This list includes known invasive plants and plants with the potential to hybridize with the Rincon ceanothus or the Rincon manzanita. Additionally, use of plants included in Appendix A - Native Plant List will be encouraged.

Control of existing exotics will involve removal utilizing both mechanical and chemical methods. It is anticipated that the majority of this effort will be directed initially at disturbed grassland areas to prepare them for restoration planting. Annual monitoring will assess the presence and/or spread of exotics and will provide recommendations for treatment.

IV. D OPEN SPACE MANAGEMENT Plan (continued)

7. WILDLIFE MANAGEMENT

Many wildlife species depend on more than one plant community or vegetation type. Thus, the edge between two communities is considered valuable for wildlife habitat. The complex intermixing of the site's plant communities creates a significant amount of edge, and therefore, the potential for high wildlife habitat value. A number of reptiles, amphibians, birds, and mammals are found on the site. Also found on the site are snags and rock outcrops identified in the EIR as "special interest habitats". A number of these are included within the common open space area for preservation as shown on Figure 8.

The goal with respect to wildlife management is to provide a meaningful environment for a relatively natural wildlife community by creating and maintaining a rich mosaic of native vegetation including features of benefit to wildlife.

Vegetation management actions will be designed with consideration for wildlife values by seeking to maintain a large amount of edge and timing such actions to avoid conflicts with nesting wildlife to the greatest extent possible. Snags and rock outcrops will be preserved. Efforts will be made to control domestic animals by enforcing leash laws and educating residents regarding protection of wildlife. Minor water impoundments will be created in the Paulin Creek ravine to enhance this seasonal water source for wildlife. Corridors linking major open space areas will be provided to facilitate wildlife circulation.

IV. D OPEN SPACE MANAGEMENT Plan (continued)

8. FIRE AND FUEL MANAGEMENT

A significant concern regarding open space management involves managing the fire hazard associated with the residential development/open space interface. The site's vegetation types are all capable of carrying a fire. The woodland and chaparral areas in particular are capable of carrying a significant fire due to their fuel loading structure. Additionally, topography contributes to the potential fire hazard. The open space areas include steep slopes which can assist in rapidly spreading a fire uphill.

The goal with respect to fire and fuel management is to provide a reasonably fire-safe environment along the residential development/open space interface to insure that residential structures can be protected from a fire originating in the open space area.

The principal means to achieve this goal will involve the creation and maintenance of the 100 foot minimum fuel management zone along the residential development/open space interface as shown on Figure 9. Within this fuel management zone, vegetation in woodland areas will be kept thinned out using primarily hand methods with the removed material being disposed of offsite, piled and burned locally if considered a safe measure and approval is obtained by the appropriate local and regional agencies, or chipped and spread over the ground surface to a depth of no more than three (3) inches, and kept away from native plants that should not be mulched. Chaparral areas within the fuel management zone will be extensively thinned and cleared using a combination of mechanical and hand methods and will be converted to a low growing fuelbreak dominated by the sensitive subshrubs (Rincon ceanothus and Rincon manzanita) and supplemented with native grasses. Tall mature chaparral will not be maintained within or immediately adjacent to the fuel management zone except as small, isolated islands for wildlife. The open space trail system will be maintained for accessibility by four wheel drive vehicles for both open space maintenance and fire access. The entire fire safety situation including open space fuel loading, fuelbreaks, and access will be reviewed annually prior to the fire season to determine the need for any remedial actions. The annual review of the fuel loading of vegetation in the fuel management zones will include the fire threat of all plant species, dead or alive, including trees. As noted above in section D1 - Habitat Enhancement, the small sensitive indigenous Rincon Ceanothus and Rincon Manzanita plants are considered acceptable in the fuel management zones.

IV. D OPEN SPACE MANAGEMENT Plan (continued)

9. EROSION AND SEDIMENTATION CONTROL

Erosion is a potential problem for the open space area in the absence of an adequate plan for prevention and control. The source of potential erosion is primarily the construction activities associated with development which removes the existing vegetative cover and allows the exposed soil to be transported by rainfall and the resultant drainage. However, limited areas of the site consisting primarily of the existing unpaved roads are currently experiencing erosion in their undeveloped state.

The goals with respect to erosion and sedimentation control are to take remedial action to restore currently eroding areas and to prevent future erosion.

The Erosion Control Plan for Fountaingrove II specifies measures to be taken to control erosion and sedimentation which could be caused by construction. Specified measures include energy dissipaters at drainage outfalls, temporary and permanent silt traps, and seeding and mulching of exposed slopes. Details of these measures are shown on the Erosion Control Plan. Erosion of existing unpaved roads will be controlled by installing water bars. A water bar detail is provided on the following page.

IV. D OPEN SPACE MANAGEMENT Plan (continued)

10. ANNUAL REPORTING and ANNUAL FEE

Annual Progress Reports

Annual progress reports will be prepared detailing the open space management efforts' yearly results with regards to meeting its obligations for managing open space as outlined herein, including those for sensitive plants, fire safety, removal of trees and environmental and habitat concerns of plants and animals. These reports will discuss the efforts undertaken, and their results, any problems encountered and how they are to be resolved, and projected tasks for the next year. Opportunities for research will be encouraged. These reports shall be submitted to the Department of Community Development by February 1st of each year, commencing in 2011. The Annual Report will be accompanied by a certification, under perjury, by an authorized Director of OSMA that the Annual Report represents a complete and accurate report of all major issues required to be disclosed since the previous year's report, including attachments of all reports from Qualified Authorities (including Habitat Counsel) regarding the cutting, removal or alteration of any standing trees.

OSMA will make its Annual Report to the Community Development Department of Santa Rosa available on its website for viewing at no cost. Hard copies of the report will be provided at a cost which will be the prevailing rate that OSMA, or its Property Management Company, establishes to recover the material, labor and overhead costs associated to supply copies by this means. It is the intent of OSMA to be paperless to coincide with its Charter to protect the environment.

Annual Fee

The Use Permit granted in April 2010 will remain in continuing force for the Open Space Maintenance Association of Fountaingrove II (OSMA), unless the Community Development Department has notified OSMA in writing that there has been a breach of the governing terms of it by the OSMA. Submittal of the Annual Report shall be accompanied by the multiple tree (three or more trees) permit fee in effect at the time the Annual Report is submitted.

Communication between the parties can be by regular mail, fax, e-mail, courier, express mail, hand delivery, or any other generally accepted method that may exist at the time.

APPENDIX A - NATIVE PLANT LIST

The following plants are recommended for use by homeowners at Fountaingrove II but are not required.

TREES

Acer macrophyllum (Big-Leaf Maple)
Aesculus californica (California Buckeye)
Alnus rhombifolia (White Alder)
Arbutus menziesii (Madrone)
Fraxinus latifolia (Oregon Ash)
Pinus ponderosa (Ponderosa Pine)
Pseudotsuga menziesii (Douglas Fir)
Quercus agrifolia (Coast Live Oak)
Quercus douglasii (Blue Oak)
Quercus dumosa (Scrub Oak)
Quercus garryana (Oregon White Oak)
Quercus kelloggii (California Black Oak)
Quercus lobata (Valley Oak)
Quercus wislizenii (Interior Live Oak)
Salix laevigata (Red Willow)
Sequoia sempervirens 'Aptos Blue' (Redwood)
Sequoia sempervirens 'Los Altos' (Redwood)
Sequoia sempervirens 'Soquel' (Redwood)
Umbellularia californica (California Bay)

SHRUBS

Adenostoma fasciculatum (Chamise)
Aesculus californica (California Buckeye)
Arctostaphylos conescens var. *sonomensis* (Sonoma Manzanita)
Arctostaphylos glandulosa (Eastwood Manzanita)
Arctostaphylos stanfordiana [var. *repens* a.k.a. *ssp. decumbens*] (Rincon Manzanita)
Baccharis pilularis spp. *consanguinea* (Coyote Brush)
Calycanthus occidentalis (Spice Bush)
Ceanothus confusus (Rincon Ceanothus)
Ceanothus foliosus (Wavy Leaf Ceanothus)
Ceanothus 'Frosty Blue' (N.C.N.)
Ceanothus griseus 'Louis Edmunds' (N.C.N.)
Ceanothus thrysiflorus 'Skylark' (N.C.N.)
Cercis occidentalis (Western Redbud)
Dendromecon rigida (Bush Poppy)
Eriogonum fasciculatum (Common Buckwheat)
Garrya elliptica (Silktassel)
Heteromeles arbutifolia (Toyon)
Holodiscus discolor (Creambush)

APPENDIX A - NATIVE PLANT LIST (Continued)

Lonicera hispidula (California honeysuckle)
Mahonia aquifolium (Oregon Grape)
Mahonia nervosa (Longleaf Mahonia)
Mahonia pinnata (California Holly Grape)
Mimulus aurantiacus (Sticky Monkey Flower)
Myrica californica (Wax Myrtle)
Rhamnus californica (Coffeeberry)
Rhamnus californica 'Eve Case' (Eve Case Coffeeberry)
Rhamnus crocea (Redberry)
Rhododendron occidentale (Western azalea)
Ribes sanguineum (Red Flowering Currant)
Rosa californica (California Rose)
Smilacina racemosa (False Solomon's Seal)
Symphoricarpos albus (Snowberry)

GROUND COVERS

Baccharis pilularis ssp. *pilularis* and cultivars (Dwarf Coyote Brush)
Dentaria californica (Toothwart or Milk Maids)
Epilobium californica – formerly *Zauschneria californica* (California Fuchsia)
Lupinus nanus (Sky Lupine)
Mahonia repens (Creeping Mahonia)
Monardella villosa (Coyote Mint)
Polygala californica (Milkwort)

VINES

Vitis californica (Wild Grape)

ANNUALS. HERBACEOUS PERENNIALS AND BULBS

Artemesia douglasiana (California Mugwort)
Cynoglossum grande (Hounds Tongue)
Dryopteris arguta (Coastal Woodfern)
Eriophyllum lanatum (Wooly Sunflower)
Eschscholzia californica (California Poppy)
Festuca californica (California Fescue)
Fritillaria recurva (Scarlet Fritillary)
Helianthella californica (California Sunflower)
Iris macrosyphon (Slender tubed Iris)
Iris douglasiana (Mountain Iris)
Pityrogramma triangularis (Goldenback Fern)
Polypodium californium (California Polypody)
Polystichum munitum (Western Sword Fern)
Pteridium aquilinum (Bracken Fern)
Sisyrinchium bellum (Blue-Eyed Grass)
Stipa lepida (Needlegrass)
Stipa pulchra (Valley Needlegrass)
Woodwardia fimbriata (Giant Chain Fern)

APPENDIX B - UNSUITABLE/INVASIVE PLANT LIST

Part A: The following plants are prohibited within Fountaingrove II due to their invasive nature. They tend to spread rapidly, out compete native vegetation, degrade wildlife habitat, and create weed problems on other properties.

- 1) Eucalyptus globulus (Blue Gum)
- 2) Cortaderia jubata (Pampas Grass)
- 3) Vinca (Periwinkle)
- 4) Cytissus scoparius (Scotch Broom)
- 5) Allium paniculatum (Panicled Onion)
- 6) Arctotheca calendula (Capeweed)
- 7) Carduus nutans (Musk Thistle)
- 8) Centaurea maculosa (Spotted Knapweed)
- 9) Onopordum acanthium (Scotch Thistle)
- 10) Onopordum arabicum (Silver Thistle)
- 11) Onopordum illyricum (Illyrian Thistle)
- 12) Onopordum tauricum (Taurian Thistle)
- 13) Tagetes minuta (Wild Marigold)
- 14) Acacia armata (Kangaroothorn)
- 15) Acacia decurrens (Acacia)
- 16) Cytisus monspessulanus (French Broom)
- 17) Cytisus scoparius (Scotch Broom)
- 18) Nymphoides peltata (Yellow Floatingheart)
- 19) Viscum album (European Mistletoe)
- 20) Lythrum salicaria (Purple Loosestrife)
- 21) Nymphaea mexicana (Banana Waterlily)
- 22) Cortaderia jubata (Andean Pampas Grass)
- 23) Pennisetum setaceum (Fountain Grass)
- 24) Stipa brachychaeta (Punagrass)
- 25) Polygonum cuspidatum (Japanese Knotweed)
- 26) Polygonum multiflorum (Chinese Knotweed)
- 27) Polygonum polystachium (Himalayan Knotweed)
- 28) Polygonum sachalinense (Giant Knotweed)
- 29) Acaena anserinifolia (Biddy Biddy)
- 30) Acaena novae-zelandiae (Biddy Biddy)
- 31) Acaena pallida (Biddy Biddy)
- 32) Salvinia (Auriculata)
- 33) Linaria dalmatica (Dalmatian Toadflax)
- 34) Solanum marginatum (White-margined Nightshade)
- 35) Tamarix ramosissima (Tamarisk)
- 36) Peganum harmala (Harmel)
- 37) Anthemus fuscata (Asti Daisy)

APPENDIX B - UNSUITABLE/INVASIVE PLANT LIST – (continued)

The following plants and their varieties and cultivars should not be planted in Fountaingrove II in order to eliminate any possibility of cross-pollination and contamination of the sensitive plant Ceanothus confusus:

- 1) Ceanothus gloriosus
- 2) Ceanothus gloriosus var. porrectus
- 3) Ceanothus rigidus
- 4) Ceanothus purpureus
- 5) Ceanothus prostratus occidentalis
- 6) Ceanothus jepsonii
- 7) Ceanothus jepsonii var. albiflorus
- 8) Ceanothus verrucosus
- 9) Ceanothus greggii
- 10) Ceanothus greggii perplexans
- 11) Ceanothus crassifolius
- 12) Ceanothus cuneatus
- 13) Ceanothus ramulosus
- 14) Ceanothus masonii
- 15) Ceanothus gloriosus var. exaltatus
- 16) Ceanothus prostratus var. prostratus
- 17) Ceanothus sonomensis
- 18) Ceanothus divergens
- 19) Ceanothus insularis
- 20) Ceanothus megocarpus
- 21) Ceanothus ferrisae
- 22) Ceanothus fresnensis
- 23) Ceanothus pinetorium
- 24) Ceanothus pumilis
- 25) Ceanothus maritimus

In order to eliminate any possibility of cross-pollination and contamination of the sensitive plant Arctostaphylos stanfordiana var. repens a.k.a. Arctostaphylos stanfordiana ssp. decumbens (Rincon Manzanita), no plantings of Arctostaphylos (Manzanita) should be made in Fountaingrove II. The only exceptions are the following three species indigenous to the site:

- 1) Arctostaphylos stanfordiana var. repens a.k.a. Arctostaphylos stanfordiana ssp. decumbens (Rincon Manzanita)
- 2) Arctostaphylos canescens var. sonomensis (Sonoma Manzanita)
- 3) Arctostaphylos glandulosa var. cushingiana (Eastwood Manzanita)

RESOLUTION NO. CUP09-083

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A CONDITIONAL USE PERMIT TO ALLOW PROPOSED WORDING CHANGES TO THE DESIGN PROGRAM FOR MANAGING OPEN SPACE – FOUNTAINGROVE II OPEN SPACE - ASSORTED PARCELS SANTA ROSA

The Santa Rosa Zoning Administrator has completed its review of your application. Please be advised that your Minor Conditional Use Permit has been granted based on your project description and official approved exhibit dated received May 12, 2011. The Santa Rosa Zoning Administrator has based its action on the following findings:

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code. The matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received.
- The proposed use is consistent with the General Plan in that a comprehensive open space management plan is appropriate in the Very Low Density Land Use category and it supports the following General Plan policy:

OSC-A Maximize the benefits of open space.

- The design, location, size and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity in that the prescribed open space management practices are supportive of the open space areas of the subject properties and the very low density land uses in the vicinity.
- The site is physically suited for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 15301 exemption.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intents of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

1. A building permit is required for all on site demolition, construction, and/or change of use.

2. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
3. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
4. Compliance with the amended Fountaingrove II Design Program for Open Space Management, dated July 7, 2011.
5. The boundaries of this Conditional Use Permit include the parcels indicated on the Fountaingrove II Open Space Maintenance Association Parcel list dated April 2, 2010 (attached).
6. Annual progress reports will be prepared detailing the open space management efforts' yearly results with regards to meeting its obligations for managing open space as outlined herein, including those for sensitive plants, fire safety, removal of trees and environmental and habitat concerns of plants and animals. These reports will discuss the efforts undertaken, and their results, any problems encountered and how they are to be resolved, and projected tasks for the next year. Opportunities for research will be encouraged. These reports shall be submitted to the Department of Community Development by February 1st of each year. The Annual Report will be accompanied by a certification, under perjury, by an authorized Director of OSMA that the Annual Report represents a complete and accurate report of all major issues required to be disclosed since the previous year's report, including attachments of all reports from Qualified Authorities (including Habitat Counsel) regarding the cutting, removal or alteration of any standing trees.
7. OSMA will have administrative procedures in place to notify and respond to Fountaingrove II homeowners of tree work that will occur within 20' of their property line on Heritage trees, as designated by the City of Santa Rosa per Chapter 17.24.020 of its Ordinances. Except for necessary emergency work, such notification will be made a minimum of 10 days before work will commence. Once planned work has been noticed, re-notification will not be required if work is done at a later date for any reasons such as weather, habitat clearance or possible financial issues. Notice can be made by regular mail, fax, e-mail, courier, express mail, and hand delivery.
8. Notice of tree removal will not be necessary for trees which are not designated as Heritage, or where any party has planted trees, including Heritage trees, on Open Space without written permission from OSMA. This notification does not preclude OSMA from removing trees that are considered a fire or safety hazard by a Qualified Authority, or if a Department of the City recommends tree removal for emergency safety reasons as provided herein.
9. OSMA will make its Annual Report to the Community Development Department of Santa Rosa available on its website for viewing at no cost. Hard copies of the report will be provided at a cost which will be the prevailing rate that OSMA, or its Property Management Company, establishes to recover the material, labor and overhead costs associated to supply copies by this means. It is the intent of OSMA to be paperless to coincide with its Charter to protect the environment.

This Minor Conditional Use Permit is hereby approved on this 7th day of July, 2011 for the duration of use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: 
ERIN MORRIS, Zoning Administrator

Fountaingrove II Open Space Maintenance Association Properties
4/2/2010

Exhibit 2 - July 7, 2011 Design Program Open Space Management and Use Permit

APN	Unit	Map	City Drawing #	Parcel	Acres	Subtotals		Proof to	OSMA Designation			Title
						Parcel	Acres	Firebreak	Acres	Acres	Location/Comments	
173-400-018	East 3B	570 OM 36	1997-0118-002	A	11.58				11.58	FB-1 and I-1	Parkway at Daybreak	OSMA
173-400-024	East 3B	570 OM 36	1997-0118-002	A					FB-1 and I-1		Area included in APN 173-400-024	OSMA
173-400-039	East 9	602 OM 39	1999-0117-002	O					I-2		Parkway at Kendall Hill	OSMA
173-400-041	East 9	602 OM 39	1999-0117-002	Q					I-2		Parkway at Kendall Hill	OSMA
173-400-043	East 3C	581 OM 30	1998-0072-005	A	5.64				5.64	FB-2, N-3, and I-14	Rincon Ridge between Fox Hill and Sage Hill	OSMA
173-410-033	East 3C	581 OM 30	1998-0072-005	B	30.28				FB-3 and I-5		East of Fox Hill and Sage Hill	OSMA
173-410-034	East 3C	581 OM 30	1998-0072-005	B	5.91		36.19		FB-3 and I-5		East side of Fountaingrove South of Hadley Hill	OSMA
173-420-067	East 10	583 OM 19	1998-0083-007	K	11.84				FB-8		West of Hadley Hill	OSMA
173-420-068	East 10	583 OM 19	1998-0083-007	K	2.20		14.04		FB-8		West of Hadley Hill	OSMA
173-420-069	East 10	583 OM 19	1998-0083-007	N					I-4		Rutherford	OSMA
173-420-070	East 10	583 OM 19	1998-0083-007	M	3.03				FB-9		Dafford and Beauford	OSMA
173-420-071	East 10	583 OM 19	1998-0083-007	L					I-3		West side of Parkway South of Hadley Hill	OSMA
173-420-072	East 10	583 OM 19	1998-0083-007	O					I-2		West side of Parkway South of Kendall Hill	OSMA
173-420-102	East 11	607 OM 10	2000-0029-005	A	5.37				FB-10		Newbury and Banbury	OSMA
173-430-066	West 4	643 OM 13-15	2003-0012-011/013	F					I-11		Giorno	OSMA
173-430-067	West 4	643 OM 13-15	2003-0012-011/013	E					I-12		Palazzo	OSMA
173-430-068	West 4	643 OM 13-15	2003-0012-011/013	D					I-12		Bellagio	OSMA
173-430-069	West 4	643 OM 13-15	2003-0012-011/013	C					I-12		Incantare	OSMA
173-430-070	West 4	643 OM 13-15	2003-0012-011/013	K	13.44				FB-14 and N-4		Parker Hill, Giorno, Palazzo, Bellagio, Incantare	OSMA
173-430-072	West 4	643 OM 13-15	2003-0012-011/013	U					I-13		Crown Hill South of Orbetello	OSMA
173-440-016	West 4	643 OM 13-14	2003-0012-011/012	L	42.13				FB-13		East/West Boundary	OSMA
173-450-006	East 1	527 OM 23	1994-0042-002	A	18.15				FB-7 and I-7		Boulder Point	OSMA
173-450-027	East 2	555 OM 37	1996-0118-005	A					I-7		Rocky Point	OSMA
173-450-028	East 2	555 OM 37	1996-0118-005	A					I-7		Rocky Point	OSMA
173-450-029	East 2	555 OM 37	1996-0118-005	B					I-7		Rocky Point	OSMA
173-450-030	East 2	555 OM 37	1996-0118-005	C	0.58				N-2		Rocky Point	OSMA
173-460-045	East 4	542 OM 31	1995-0103-005	B					I-6B		Rincon Ridge at Repton	OSMA
173-460-046	East 4	542 OM 31	1995-0103-005	C					I-6B		Rincon Ridge between Yorkton and Repton	OSMA
173-460-047	East 4	542 OM 31	1995-0103-005	D					I-6A		Rincon Ridge and Parkway across from Boulder Point	OSMA
173-470-024	East 5	542 OM 35	1994-0104-004	B					I-6B		Rincon Ridge at Sedgemoore	OSMA
173-480-060	East 6 & 8	567 OM 44	1997-0095-012	E					I-9		Rincon Ridge East of Park Gardens	OSMA
173-480-061	East 6 & 8	567 OM 44	1997-0095-012	E					I-9		Rincon Ridge North of Sedgemoore	OSMA
173-490-030	East 6 & 8	567 OM 45	1997-0095-013	B	5.91				FB-5		Shelter Glen to Heathfield	OSMA
173-490-031	East 6 & 8	567 OM 45	1997-0095-013	C	14.80				FB-4		East of Shelter Glen and Rincon Ridge	OSMA
173-490-032	East 6 & 8	567 OM 45	1997-0095-013	C	10.35		25.15		FB-4		East of Rincon Ridge and Sedgemoore	OSMA
173-490-057	East 7	593 OM 44	1999-0063-006	A					N-1 and I-8B		Parkway West of Heathfield	OSMA
173-500-047	Summit	598 OM 44	1999-0096-007	D					I-15		Parkway at Hansford	OSMA Prematurely
173-500-048	Summit	598 OM 44	1999-0096-007	E					I-15		Parkway at Hansford	OSMA Prematurely
173-500-049	Summit	598 OM 44	1999-0096-007	F					I-15		Parkway at Hansford	Creekbridge Homes LLC
173-500-050	Summit	598 OM 44	1999-0096-007	G					I-15		Parkway at Hansford	Creekbridge Homes LLC
173-500-051	Summit	598 OM 44	1999-0096-007	H					I-16		Parkway at Newgate	OSMA Prematurely
173-500-052	Summit	598 OM 44	1999-0096-007	I					I-16		Parkway at Newgate	OSMA Prematurely
173-500-053	Summit	598 OM 44	1999-0096-007	J					N-6		End of Hansford	Creekbridge Homes LLC
173-510-033	West 1	581 OM 10	1998-0062-0010	J					I-10		Parker Hill at Wedgewood	OSMA
173-520-024	West 1	581 OM 10	1998-0062-0010	N	8.45				FB-11 and I-10		Parker Hill at Parkway	OSMA
173-540-052	West 2	613 OM 51	2000-0086-0009	J					I-17		Parker Hill North of Crown Hill	OSMA
173-540-053	West 2	613 OM 51	2000-0086-0009	K					I-11		Parker Hill South of Darlington	OSMA
173-540-054	West 2	613 OM 51	2000-0086-0009	G					I-11		Darlington	OSMA
173-540-057	West 2	613 OM 51	2000-0086-0009	V	11.22				FB-12		West of Parker Hill at Crown Hill	OSMA
173-550-041	West 3	633 OM 26	2002-0053-0008	Q	0.83				FB-15		Crown Hill Southeast of Hanover	OSMA
Total Firebreak Acres					201.71				201.71			

