



Submittal Checklist for the Declaration of Covenant (DOC) for Maintenance of Storm Water Low-Impact Development (LID) Features

Introduction

Storm Water LID Features are permanent landscape features that treat storm water and help with flood control. Once installed, the State of California requires property owners to maintain these features in perpetuity. The Declaration of Covenant (DOC) for Maintenance, which includes a maintenance plan, is a legally binding document and serves as a guide for the property owner to comply with maintenance requirements. Detailed and accurate completion of this document is critical in helping the property owner understand their legal responsibilities. The following checklist outlines the requirements for the project engineer to draft and complete a DOC for a project in the Town of Windsor.

Write the DOC and Maintenance Plan in the present tense, as if it is already constructed and all agreements are executed, and the property owner is reading the document. Do not change any wording in the DOC Agreement, as it is a legal document that has been approved by the Town Attorney. If you need assistance or clarification, please contact the Town’s Municipal Storm Water Program Manager at 707-838-5385.

[For DOC forms and templates, visit the TOW Storm Water Program webpage.](#)

APPLICANT USE	
Draft Version Date	
Date of Draft Revision	
Date of Draft Revision	
Final Version Date	
Recorded Date	

TOWN USE ONLY	
Date Draft Received	
Date Draft Approved	
Date Final Received	
Date Final Approved	
Date Recorded	
Version Received	

Part A-Must be submitted with Improvement Plans:

DOC Legal Agreement—Overview

Reviewer/Applicant

- _____ Declaration of Covenants Agreement: Provide the required information in a numbered list that corresponds to the numbers **highlighted in yellow**.
- _____ Provide Exhibit A: Legal Property Description (See below for details)
- _____ Provide Exhibit B: Operation & Maintenance Plan (See below for details)
(Town template is REQUIRED)
- _____ Send Numbered List and Draft Exhibits to the Town for review.

Exhibit A: Legal Property Description

Reviewer/Applicant

- _____ Provide a legal description of each property and place it behind “Exhibit A” Coversheet.

Exhibit B: Maintenance Plan

Reviewer/Applicant

- _____ Fill out the Operation & Maintenance Plan template provided by the Town.
Town template is REQUIRED.
- _____ Delete instructions and notes highlighted in yellow.
- _____ Replace all information in [brackets] with your project-specific information.
- _____ If your project does not contain LID features in Common Areas OR is not on land with a single owner, remove all references to the ownership type that does not apply.
- _____ Provide a Legal Plat (Site Map) which includes:
 - Overview of entire site.
 - Drainage Maintenance Areas (DMAs) as expected at project completion.
 - LID features, labeled and color-coded by type. (See naming convention in Table description.)
 - Table of LID features
 - Sizing (length, width, depth)
 - Feature names that correspond to Drainage Maintenance area numbers and reflect feature types. (Follow naming convention on page 7 of the Maintenance Plan Template.) Ex: DMA-1 has BR-1A, BR-1B (Bioretention) and TF-1 (Tree Filter)
- _____ Place completed Maintenance Plan with Plat behind “Exhibit B” Coversheet.

Important! Please Note: A building permit will not be issued until drafts of the DOC and corresponding Exhibits are approved by Town personnel. Incomplete drafts will not be accepted.



Submission Checklist for the Declaration of Covenant (DOC) for Maintenance of Storm Water Low-Impact Development (LID) Features

Part B-Must be submitted prior to Construction completion AND following completion of all LID features:

Reviewer/Applicant

- Update plat, LID details and figures to reflect changes in sizing and placement of LID features that may have occurred during construction.
- Create and submit to the Town an ESRI GIS shape file OR CAD drawing that includes the following:
 - Drainage Maintenance Areas at finished grade
 - Polygons of bioretention/infiltration features (and any other long or irregular-shaped features) AS BUILT
 - Vectors (points) for all other feature types AS BUILT (ie. tree pods, trash capture, etc.)
 - Coordinate system NAD 1983 StatePlane California II FIPS 0402 (US Feet)
- Submit DOC for Final Town Approval.
- Once approved by Town, have property owner sign and notarize completed DOC Agreement.
- Once DOC is signed and notarized, record finalized documents with County Recorder’s Office:
 - DOC Legal Agreement
 - Completed and certified Notary form.
 - Legal Property Description
 - Completed Maintenance Plan
 - Updated Plat in full color
- Send the executed, original, recorded documents and GIS shapefiles to:
 Town of Windsor Public Works
 8400 Windsor Road
 Windsor, CA 95492

Important! Please Note: Final occupancy will not be issued until:

- 1. The completed, approved, notarized, and recorded DOC and corresponding Exhibits are received by the Town**
- 2. The Town has completed a final inspection and approved the LID features**
- 3. The AS BUILT GIS shapefiles are submitted to the Town**

These requirements only fulfill the Storm Water Final Sign-Off portion of the Certificate of Occupancy.

For other requirements, check with the Town’s Building Department.

Write dated comments from the review process here:
