

Conditions of Approval

Staff:	Chris Wendt	Date:	9 May 2023
Applicant:	The Wildwood Conservation Foundation	File No.:	PLP20-0009
Owner:	The Wildwood Conservation Foundation	APN:	106-230-007 & -008
Address:	20111 Old Cazadero Road		

Project Description:

Request for 1) a Zone Change from Resource and Rural Development (RRD) to Timberland Production (TP); 2) immediate cancellation of the existing Land Conservation Contract (Williamson Act) restricting APN 106-230-008 following recordation of Notice of Immediate Rezoning of 106-230-007 & -008 to Timber Production Zone t; and, 3) a phased Use Permit to legalize an existing retreat center operating year-round located on a +/- 210 acre parcel, following recordation of a Certificate of Cancellation for the Land Conservation Contract. The resort will operate Friday – Sunday with a maximum of 52 people onsite following the completion of Phase I, and a maximum of 60 people onsite following the completion of Phase II; and, open one weekend a month Thursday – Sunday with a maximum of 35 people onsite (both phases). Phase 1 will occur within 2 years from approval and Phase II will occur within 4 years from approval. Total number of people onsite during both phases is inclusive of guests and up to a maximum of 10 employees.

Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.

General:

1. The applicant shall include these Conditions of Approval on a separate sheet of plan sets to be submitted for building and grading permit applications.
2. The Sonoma County Permit and Resource Management Department (PRMD) shall further be referred to as Permit Sonoma in these Conditions of Approval.
3. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of Permit Sonoma or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
4. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if:
(a) the Board 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 four (4) years 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.

5. The Director of Permit Sonoma 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. Permit Sonoma 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 Permit Sonoma 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 Permit Sonoma, 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.

FEES:

6. Permit Processing & Development Fees. This "At Cost" Entitlement fee is not vested until all permit processing costs and development fees are paid in full. No grading or building permits shall be issued until all permitting costs and development fees are paid in full.
7. CEQA Filing Fee. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50.00 for a total of \$50 made payable to Sonoma County Clerk and submitted to Permit Sonoma.
8. Condition Compliance Fee. At the time of submitting a building permit application, the applicant shall submit to Permit Sonoma 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 occupancy and operations being granted.

BUILDING:

"The conditions below have been satisfied" BY _____ DATE _____
Contact Permit Sonoma Building Plan Check: (707) 565-2095 or PermitSonoma-PlanCheck@sonoma-county.org

9. The applicant shall apply for and obtain building related permits from Permit Sonoma for the construction, addition, conversion, alteration, and/or conversions of the existing and proposed buildings. The necessary applications appear to be, but may not be limited to, building permit applications for each individual structure on site. Construction inspections shall occur and the building permits finalized (or approved for occupancy) prior to occupancy of the altered structure.
10. The proposed uses and occupancies of all building areas shall be accurately identified on the proposed plans. Building areas and exterior areas shall identify all proposed uses and occupant loads associated with all proposed uses. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied.
11. The means of egress from all proposed occupied areas within the facility (interior and exterior) shall comply with the applicable chapters and sections of the California Building Code (CBC), specifically CBC Chapters 10 and 11B.
12. The fire-resistance rating of existing and proposed walls separating the proposed occupancies from adjacent uses, structures, and property lines shall comply with the applicable sections of the CBC.

13. Minimum plumbing facilities for customers and employees, per the California Plumbing Code (CPC), shall be provided for all proposed building areas.
14. CALGreen documentation shall be provided and reviewed and approved by a Sonoma County approved 3rd party consultant for new and altered building areas.
15. The California Business & Professions Code requires plans and calculations affecting structural elements or required exiting provisions to be prepared by California licensed design professionals (architects, engineers). A design professional in responsible charge shall be designated for all building related permits, and this individual shall be responsible for reviewing and coordinating submittal documents prepared by others, in accordance with CBC Section 107.3.4.
16. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division. Such accessibility requirements shall apply to all new construction, conversions of existing structures, interior and exterior routes of travel, accessible parking and loading zone(s), employee work stations, transient lodging, public and employee restroom facilities, and other accessible elements. At least one accessible route shall connect each story in multistory buildings and facilities.
17. A geotechnical report, in accordance with CBC Chapter 18, shall be submitted, providing recommendations for all proposed foundation areas, and justifying any proposed construction adjacent to suspected areas susceptible to landslides.
18. Plans shall be prepared in accordance with recognized architectural standards. The proposed Cover Sheet shall clearly indicate the proposed scope of work, including area tabulations of all new, existing, and altered building areas. All consultants and contacts shall be identified on the Cover Sheet. A sheet index shall be provided identifying all sheets within the proposed plan set. A 3" x 3" blank area shall be located in the same location of all proposed digital plan sheets. All applicable codes shall be identified. All sheets shall be the same size and format within the proposed digital plan set(s).
19. Plans and supporting documentation shall be of sufficient clarity to indicate the location, nature and extent of work proposed, and show in detail that it will conform to the provisions of all applicable adopted codes, ordinances, laws, rules, and regulations, in effect at the time of application.
20. If, after Building Division approval, any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

CODE ENFORCEMENT

"The conditions below have been satisfied" BY _____ DATE _____
Contact Permit Sonoma Code Enforcement: (707) 565-1992 or PRMD-Enforcement@sonoma-county.org

1. This use has commenced prior to approval of this use permit. All preoperational conditions identified in this use permit and payment of all required fees shall be completed within 60 days of approval to operate. Additional time to comply with pre-operational conditions may be granted at the discretion of the Deputy Director. If any pre-operational condition is not met within the specified time frame, this permit shall not vest and shall be void and of no further effect.
2. This Use Permit shall not become vested until all violations are cleared and penalty fees paid. The determination of the amount of penalties will be determined by staff using the methodology

approved by the Board of Supervisors and may be appealed to a hearing officer in accordance with Section 1-7.1 (d) of the Sonoma County Code. The penalty appeal hearing shall not be conducted until payment of penalties is made in full. The determination of the hearing officer shall be final and only subject to judicial review.

Operational Conditions:

3. This use shall be constructed, maintained, and operated in conformance with all applicable county and state statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit condition and shall be subject to potential revocation.

GRADING & STORM WATER

"The conditions below have been satisfied" BY _____ DATE _____
Contact Permit Sonoma Engineering: (707) 565-2268 or PermitSonoma-Engineering@sonoma-county.org

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

TRANSPORTATION AND PUBLIC WORKS:

"The conditions below have been satisfied" BY _____ DATE _____
Contact Permit Sonoma Engineering: (707) 565-2268 or PermitSonoma-Engineering@sonoma-county.org

Right of Way Requirements:

22. The Applicant shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width:
 - a. As necessary to create public right-of-way a total of twenty-five (25) feet wide on the Applicant's side of the road, as measured from the existing roadway centerline, for the full length of the property's frontage on Old Cazadero Rd. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.
 - b. To contain all Public drainage facilities.
23. The Applicant shall dedicate right-of-way as roadway easement. The Applicant shall have prepared an easement deed, together with the required descriptions and shall submit them to the County Surveyor for review and approval. A copy of the recorded deed shall be submitted to the Land Development Section of Permit Sonoma prior to clearance of these conditions.

Intersections of Roads and Driveways:

24. The Applicant shall construct a driveway entrance such that it conforms to AASHTO standards and meets the following criteria to allow for the smooth and safe movement of passenger vehicles entering and exiting the public road (Old Cazadero Road) that provides access to the property. This condition shall be void if the existing entrance meets these requirements. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove the driveway (project's entry to Old Cazadero Road) meets these requirements.
 - a. A minimum paved throat width of twenty-four (24) feet.

- b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is a minimum of 12 feet distant from, and parallel with, the physical centerline of Old Cazadero Road. A 1:10 pavement taper shall be constructed on both sides of the entrance if required per County Code Section 13-32 (b). Entrance curve radii may be reduced with the approval of Sonoma County Fire Prevention.
 - c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current AASHTO requirements for the speed traveled on Old Cazadero Road. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum AASHTO required sight distance at all driveways.
 - d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
 - e. The entry shall intersect the public road as close to perpendicular as possible, but in no case shall the entry intersect the public road at more than 20 degrees from perpendicular.
 - f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815, latest revision, for private road and driveway intersection details.
25. The Applicant shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum AASHTO required sight distance at any project driveway where it intersects a public roadway.
26. Driveway cross-drains (if any) within the County right-of-way shall be upgraded to a minimum 18-inch culvert under the driveway.

Emergency Vehicle Access:

27. The Applicant shall locate driveway gates a minimum distance of 30 feet from the edge of the pavement, in accordance with Standard Detail 242.
28. Per the revised proposal dated March 10, 2022, the Applicant shall install signage to remind drivers to comply with California Vehicle Code requirements to yield to emergency vehicles. Signage shall in general comply with California Manual on Uniform Traffic Control Devices (CA MUTCD) requirements and be reviewed and approved by Sonoma County Department of Transportation and Public Works (DTPW) and Sonoma County Fire Prevention. The signage shall be installed by County Road Crews at the Applicant's expense. The Applicant shall provide the following:
- a. A map with locations for proposed signage (3 maximum locations per discussion with County Fire Marshal). The map shall include latitude and longitude for the proposed sign locations.
 - b. A draft of language for the proposed signs with a designated sign type that matches CA MUTCD requirements.
 - c. Payment for County services to create the requested signs as well as to install them. County DTPW shall provide an estimate of the work based upon items a. and b. above upon written request from the Applicant. Payment shall be required prior to County DTPW completing requested work.

Fees:

29. The Applicant shall pay Traffic Mitigation fees to the County of Sonoma, as required by Chapter 26, Article 98 of the Sonoma County Code, prior to the use of this property associated with this land entitlement. Evidence of payment shall be submitted to the Land Development Section of Permit Sonoma prior to clearance of these conditions. Credit is granted for existing, legal uses.

Processing:

30. The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma prior to constructing any improvements within County road right-of-way.

Completion of Required Improvements:

31. The Applicant shall complete construction of the required public improvements prior to use of an existing building which results from this application.

HEALTH:

"The conditions below have been satisfied" BY _____ DATE _____
Contact the Project Planner: (707) 565-2543 or ross.markey@sonoma-county.org

PRIOR TO PERMIT ISSUANCE:

Water:

32. Prior to permit issuance, provide the Project Planner with current bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of the active well water tested by a State-certified lab.

Applicant shall submit: A copy of the State Certified Lab report to the Project Planner for review.

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. As an alternative to the well destruction, the applicant may initiate a permanent water treatment program subject to the following requirements prior to issuance of a building permit and/or commencement of project operation:

- a. A deed restriction running with the land and acceptable to Permit Sonoma and County Counsel notifying subsequent property owners that treatment of the water supply is required as a condition of this Use Permit in order to meet State and Federal MCL's and provide potable water to all plumbing fixtures.
- b. Proof of a contract with a qualified service provider shall be submitted for routine/diagnostic water testing, monitoring, maintenance, and record keeping of the water supply system. Initial water test results before and after the water treatment device shall be submitted to the Project Planner.

Septic:

33. Prior to permit issuance, the applicant shall have a **capacity/wastewater flow analysis and proper functioning of the wastewater system inspection** completed by a Registered Civil

Engineer or Registered Environmental Health Specialist regarding the existing septic system's ability to accommodate the peak flows from all sources granted in the Revised Use Permit.

Any necessary system expansion or modifications, and demonstration of reserve areas, shall be done under permit and the current standards from the Permit Sonoma Well and Septic Section and may require both soils analysis, groundwater and percolation testing. 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.

Applicant shall submit: A final clearance *from the Well and Septic Section* that all required septic system testing and design elements have been met to the Project Planner.

Consumer Protection:

34. Prior to the issuance of permits, plans and specifications for the food facility that provides food or beverage to the public (staff & guests) must be submitted to, and approved by the Department of Health Services, Environmental Health & Safety Section. Be advised that major expenses can be triggered relating to the need for commercial exhaust hoods, fire suppression systems, food storage space and walk in refrigerators/freezers dependent upon the scale of food service and the menu items selected. Early consultation with Environmental Health & Safety is recommended. All food service on this site shall be limited to the scale, scope, frequency and any menu limitations specified under the Planning conditions in this Use Permit.

Contact the Department of Health Services, Environmental Health & Safety Section at 707-565-6565 for information and instructions.

Applicant shall submit: an e-mail of the approval from the Environmental Health & Safety Section or a copy of the Environmental Health Plan Check Approval to the Project Planner to verify compliance with requirements of the California Retail Food Code (CalCode).

35. Prior to the issuance of permits, plans and specifications for the public (staff & guests) swimming pool or spa must be submitted to, and approved by, the Environmental Health Section of the Health Services Department. This condition also applies to restrooms, showers, equipment rooms and fences associated with the pools or spa. Contact the Environmental Health Section at 707-565-6565 for information.

Applicant shall submit: A letter of approval from the Environmental Health Section to the Project Planner verifying compliance with requirements of the State of California regulations on public swimming pools and spas.

Solid Waste:

36. Prior to permit issuance, areas within refuse enclosures for *food facilities*, food retailers, inns and hotels, and *multiple housing units with seven (7) or more bedrooms*, shall:
- a. Drain to the sanitary sewer system or other appropriately permitted disposal facility.
 - b. Container areas shall not be less than ten feet (10') wide, seven and one-half feet deep and six feet (6') high.
 - c. Gates, if installed on the container area, shall be double doors, opening at the center and level with the access road,
 - d. The outside perimeter of the trash enclosure shall be graded to prevent storm water from draining into the sanitary sewer system.

- e. The trash enclosure shall be covered with a roof or awning. Overhead clearance and overhangs, wiring or other obstructions on the approach to the container area must be at least fourteen feet (14") high and at least nineteen feet (19') high at the location where the bins are tipped. The containers for refuse and recyclables shall be of sufficient size and adequate number to contain without overflowing all of the refuse and recyclables that are generated on the premises during the designated removal period per the Solid Waste Management Plan.

Applicant shall submit: A copy of a design and drainage for trash enclosures and recycling areas to the Project Planner for review and approval.

PRIOR TO OPERATION:

Water:

37. Prior to the issuance of building permits and project operation, the applicant shall provide proof of a current Water Supply Permit from the California State Water Resources Control Board, Division of Drinking Water, for 15 or more connections or the Division of Environmental Health for 5-14 connections (this process should begin as soon as possible, as the application, plan check and sampling may take some time).

Applicant shall submit: Proof a current Water Supply Permit to the Project Planner.

38. Prior to operation, the applicant shall have the proposed water supply system evaluated for potential contamination or pollution via backflow by an American Water Works Association Certified Cross Connection Control Specialist. The recommendations for cross connection control shall, at a minimum, meet the requirements of the 2016 California Plumbing Code and subsequent editions adopted by Sonoma County.

Applicant shall submit: A copy of the Cross Connection Control Specialist's initial report to the Project Planner for review.

39. Prior to operation, backflow prevention devices shall be installed on the water supply system as recommended, after concurrence with the hazard evaluation and recommendations for cross connection control report by Permit Sonoma.

Applicant shall submit: A letter from the Cross Connection Control Specialist to the Project Planner stating that backflow prevention has been installed as recommended.

Septic:

40. Prior to operation, all wastewater plumbing shall be connected to a sewage disposal system that has been constructed under permit for the proposed use by the Permit Sonoma Well and Septic Section.

Applicant shall submit: A final clearance from the Well & Septic Specialist to the Project Planner, that all required septic system testing, design elements, construction inspections and any required operating permits have been met.

Consumer Protection:

41. Prior to the operation of any retail food facility, a Food Industry Permit must be obtained from the Environmental Health Division of the Health Services Department.

Applicant shall submit: A letter of approval from the Environmental Health Division to the Project Planner verifying compliance with requirements of the California Retail Food Code (CalCode).

42. Prior to the operation of any public swimming pool or spa, a Swimming Pool Permit must be obtained from the Environmental Health Division of the Health Services Department.

Applicant shall submit: a letter of approval from the Environmental Health Division to the Project Planner verifying compliance with requirements of the State of California regulations on public swimming pools and spas.

Solid Waste:

43. Prior to operation, areas within refuse enclosures for food facilities, food retailers, inns and hotels shall drain to the sanitary sewer system or other appropriately permitted disposal facility. The outside perimeter of the trash enclosure shall be graded to prevent storm water from draining into the sanitary sewer system. The trash enclosure shall be covered with a roof or awning.

Applicant shall submit: A copy of an approval letter from Sonoma County Environmental Health to the Project Planner.

OPERATIONAL REQUIREMENTS:

Water:

44. The property owner or lease holder shall have the backflow prevention assembly tested by an American Water Works Association Certified Backflow Prevention Assembly Tester at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
45. A safe, potable water supply shall be provided and maintained.

Septic:

46. 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.
47. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
48. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards. 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, as determined by Permit Sonoma.

Consumer Protection:

49. Obtain and maintain all required Food Industry Permits from the Sonoma County Environmental Health Division prior to serving any food.
50. Obtain and maintain all required Public Swimming Pool or Spa Permits from the Sonoma County Environmental Health Division.

Noise:

51. Noise shall be controlled in accordance with Table NE-2 (or an adjusted Table NE-2 with respect to ambient noise as described in General Plan 2020, Policy NE-1c,) 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.		

52. Special events were not requested in this Use Permit and therefore are not authorized by this Use Permit.
53. Amplified sound and the very loud musical instruments (such as horns, drums and cymbals) are not permitted outdoors. The quieter, non-amplified musical instruments (such as piano, stringed instruments, woodwinds, flute, etc.) are allowed outdoors when in compliance with the Noise Element of the Sonoma County General Plan.
54. If noise complaints are received from nearby residents, and they appear to be valid complaints in Permit Sonoma'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 Planner within sixty days of notification from Permit Sonoma that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.

Solid Waste:

55. All garbage and refuse on this site shall accumulate or be 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. Garbage and refuse on this site shall accumulate or be stored for no more than seven calendar days, and shall be properly disposed of at a County Transfer Station or County Landfill before the end of the seventh day.

Smoking:

56. Smoking is prohibited at any public event, in any dining area, service area (including entry lines or ticket purchase lines) and in any enclosed area that is a place of employment (Sonoma County Code 32-6). "No Smoking" signs shall be conspicuously posted at the point of entry into every building where smoking is prohibited by Chapter 32 of the Sonoma County Code. The California Health and Safety Code (section 113978) also requires the posting of "No Smoking" signs in all food preparation areas, all retail food storage areas, and all food utensil washing areas. Note that Health and Safety Code section 113781 definition of food includes any beverage intended for human consumption.

57. A "Designated Smoking Area" may be established in unenclosed areas consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans.

FIRE PREVENTION:

"The conditions below have been satisfied" BY _____ DATE _____
Contact Permit Sonoma Fire Prevention: (707) 565-2361 or PRMD-FireDesk@sonoma-county.org

58. Permitting or development approval is subject to the Sonoma County Fire Safety Ordinance (Sonoma County Code). All applications for development approvals must be approved by the Sonoma County Fire Marshal, and shall be accompanied by: plans, engineering calculations, and other data necessary to determine compliance with the provisions of the codes, and shall be in compliance with the following conditions:

(Ref. California Code of Regulations Title-14, Division 1.5, Chapter 7, Subchapter 2, Articles 1 – 5, & Sonoma County Code Chapter 13, Article IV, Section 13-17 & Sonoma County Code Chapter 13, Article V, Division A, Section 13-24)

- a. Organized shall comply with Group C requirements per CBC Sec. 314, 450; per CFC Sec. 105.6.47 (operational permits for tents), 307.4.2 (recreational fires, 403.13 and 405 (emergency preparedness requirements for organized camps), 3103 (temporary tents and membrane structures).
59. The subject property (*or properties*) must be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations prior to occupancy of the buildings and use of the property without written approval by the fire code official.
- a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property (*or properties*) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
 - b. The Sonoma County Fire Prevention Division may charge and collect a fee for the inspection in an amount, as determined by the county, sufficient to pay its costs of that inspection.
 - c. The Building (s) shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.

Operational Permits:

60. Applicable Fire Code operational permits shall be obtained prior to the initiation of any activity where an operational permit is required by the California Fire Code as adopted and amended by Sonoma County Code.
- a. Emergency responder radio coverage
 - b. Fire protection system
 - c. Hazardous material: storing, transporting on site, dispensing, using or handling hazardous materials

- d. Organized camp
 - e. Place of assembly
 - f. Private fire hydrant: service, use or operation
 - g. Residential occupancy housing 10 or more occupants
 - h. Special events
 - i. Temporary membrane structures, tents with an area in excess of 400 square feet
 - j. Wood product: storage of chips, hogged material, lumber or plywood in excess of 200 cubic feet
61. An annual schedule of special events shall be submitted to Sonoma County Fire for each calendar year, including the maximum number of participants, times and dates.
62. An annual fire safety inspection is required for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay its costs of that inspection.

Emergency Planning and Response:

63. The facility operator shall develop an emergency response plan consistent with Chapter 4 of the 2013 California Fire Code as adopted and amended by Sonoma County Code. Fire safety plans, emergency procedures, and employee training programs shall be approved by the fire code official.

Access:

64. To facilitate locating an emergency and to avoid delays in response; all existing and newly constructed or approved roadways and buildings whether public or private shall provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during an emergency, and shall be constructed and maintained as required by Sonoma County Fire Safe Standards and the California Fire Code, as adopted and amended by Sonoma County Code.

Water Supply:

65. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code as adopted and amended by Sonoma County Code.
- a. Fire hydrants shall be installed as required by the California Fire Code as adopted and amended by Sonoma County Code.
 - b. Emergency water supply for fire suppression may be provided in a naturally occurring or manmade containment structure for projects not served by a municipal water system, as long as the specified quantity and delivery rate is immediately provided.

Vegetation Management:

66. To reduce the intensity of a conflagration by the installation of building fire protection features, the proposed project shall be in accordance with the California Fire Code as adopted and amended by Sonoma County Code and Sonoma County Fire Safe Standards.
- a. In areas designated as high- or very-high fire severity areas, an approved a vegetation management plan and agreement to perform annual maintenance shall be provided by the applicant and approved by the County Fire Marshal.

Occupancy:

67. Prior to occupancy, written approval that the required improvements have been installed shall be provided to Permit Sonoma from the County Fire Marshal/Local Fire Protection District.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____
Contact the Project Planner: (707) 565-2543 or ross.markey@sonoma-county.org

68. This Use Permit allows the applicant to operate a resort opening within the following Phases:

Phase I: *Within two years of use permit approval*

Prior to the operation of the retreat under Phase I

Construction: permits for the septic system, well, and required driveway encroachment; and the legalization of the following structures by building permit: Commons Building (including both floors), Guest Quarters, Tent Platforms, and pool facilities (pool, pool house, hot tub).

Operation: following the completion of Phase I a maximum of 52 people total (including guests and employees) may be allowed onsite, including guests and employees.

The resort will operate Friday – Sunday with a maximum of 52 people onsite, and, one weekend a month the resort will be open Thursday – Sunday with a maximum of 35 people onsite.

Phase II: *Within four years of use permit approval*

Construction: building permits required to legalize the following structures: Multipurpose Room, Carriage House Rooms A – G; Staff Cabins H, K, L & M; and the Yurt.

Operation: following completion of Phase II full occupancy will be allowed as follows:

The resort will operate Friday – Sunday with a maximum of 60 people (including guests and employees) onsite. One weekend a month the resort will be open Thursday – Sunday with a maximum of 35 people onsite.

69. This Use Permit (PLP20-0009) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
70. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation or modification.

71. Prior to the issuance of permits to allow for new structures in addition to those shown on the approved PLP20-0009 site plan the applicant shall provide proof of consultation with the Golden State Land Conservancy (GSLC) who holds a Conservation Easement on the property (Doc. #2003091528). This consultation shall provide approval from GSLC for all new structures and/or development (building, grading, etc.) for the site.
72. All grading and building permit plans involving ground disturbing activities shall include the following notes:
- “If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify Permit Sonoma – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to Permit Sonoma. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.
- If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code.”
- Building/grading permits shall not be approved for issuance by Permit Sonoma Project Review staff until the above notes are printed on the building, grading and improvement plans.
73. All grading and development on site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the drip-line, and replacement of damaged or removed trees. The project’s grading and landscape plans shall detail all tree protection implementation measures.
- Permit Sonoma shall not sign off the grading or building permit for issuance until the project grading and landscape construction documents clearly show all tree protection measures (as required in the County Tree Protection Ordinance). Permit Sonoma shall not sign off the grading or building permit for occupancy until a site inspection has been conducted, and the applicant has provided written verification from the project’s landscape architect or contractor, that the tree protection measures were complied with.
74. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.
75. Applicant must obtain a recorded Certificate of Cancellation of Land Conservation Contract immediately cancelling the existing Land Conservation Contract restricting the property, or the existing contract must otherwise terminate, prior to commencing any use of the property that is

prohibited by or inconsistent with the Land Conservation Contract, or the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones, even where such use is authorized by the use permit.

76. Applicant may not obtain a recorded Certificate of Cancellation of Land Conservation Contract unless and until the applicant obtains a recorded Notice of Immediate Rezone to Timberland Production Zone. The purpose of this condition is to ensure that the requirements of (1) the California Land Conservation Act related to cancelling Land Conservation Contracts, and (2) the California Timberland Productivity Act of 1982 related to rezoning land to Timberland Production are all met prior to recording a Certificate of Cancellation of Land Conservation Contract and commencing uses authorized under the use permit,