

Resolution Number 23-05

County of Sonoma
Santa Rosa, California

March 23, 2023
PLP18-0012 Georgia McDaniel

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS, COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND GRANTING A USE PERMIT TO CONSTRUCT AND OPERATE A NEW 108-ROOM RESORT AND IMPROVED PUBLIC RIVER ACCESS, FOR PROPERTY LOCATED AT 17155 HIGHWAY 116, GUERNEVILLE, CA; APN: 072-130-005, 072-130-007 and 072-130-009.

WHEREAS, the applicant, Lok Guernewood Development Company, LLC, filed a Use Permit and Design Review application with the Sonoma County Permit and Resource Management Department to construct and operate a new 108-room resort with a maximum building height of 35 feet , implement a Streamside Conservation Plan to allow for Riparian Corridor encroachment of 4,490 square feet (SF) and habitat restoration of 1.26 acres, and to construct improved public river access with a 25-space parking lot, improved trail and restroom. The resort uses include two main hotel buildings with 72 guest rooms and 8 guest suites lobby and hotel services, spa, two meeting rooms for special events, public restaurant and bar, and 150 total parking spaces for resort and restaurant guests. The remaining 28 rooms (18 guest rooms and 10 guest suites) are located in four detached Tree House buildings. Hours of operations for the resort will be 24 hours per day, seven days per week and up to 37 employees are proposed. All amplified music will be confined to indoors only. Located at 17155 Highway 116, Guerneville, CA; APN 072-130-005, 072-130-007 and 072-130-009; Zoned K (Recreation and Visitor-Serving Commercial) with Combining Zones for LG/RRC and LG/116 (Local Area Development Guidelines for Russian River Corridor and Highway 116 Scenic Corridor), F1 (Floodway), F2 (Floodplain), SR (Scenic Resources), RC 25/50 (Riparian Corridor with 50-foot and 25-foot setbacks), and VOH (Valley Oak Habitat); Supervisorial District No 5; and

WHEREAS, a Revised Mitigated Negative Declaration (MND) was prepared for the Project, and on February 3, 2023, the recirculated MND was posted and made available for agency and public review in accordance with the California Environmental Quality Act ("CEQA"), 14 California Code of Regulations, §§15000 et seq. ("CEQA Guidelines"), and County CEQA guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Board of Zoning Adjustments held public hearings on February 24, 2023 and March 23 2023, at which time the Board of Zoning Adjustments heard and received all relevant testimony and evidence presented orally or in writing regarding the project and the Revised Mitigated Negative Declaration, and all interested persons were given an opportunity to hear and be heard; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Adjustments makes the following findings:

1. Environmental Determination: The Board of Zoning Adjustments has reviewed and considered the Revised Mitigated Negative Declaration prepared to address potential environmental impacts of the project, together with all comments received during the public review process. Based upon the full record of proceedings (including the Initial

Study and all comments received), it has been determined that there is no substantial evidence that the project will have a significant environmental effect. Changes or alterations have been required in or incorporated into the project through the Conditions of Approval imposed herein that avoid or substantially lessen the potentially significant environmental effects of the project. These changes or alterations have been agreed to by the applicant. The Revised Mitigated Negative Declaration (IS/MND) has been completed in compliance with State and County CEQA guidelines and reflects the independent judgment and analysis of the County of Sonoma.

2. General Plan Consistency: The proposed project is consistent with the General Plan land use designation of Recreation and Visitor Serving Commercial, and the goals, objectives, policies, and programs of the General Plan.
 - a. This land use category is intended to accommodate visitor-serving uses such as resorts with on-site ancillary uses. The proposed resort is consistent with the visitor-serving commercial land use policy. Project Conditions of Approval require Final Design Review Committee review and approval of the project to ensure consistency with the General Plan and the resort maintains rural character and reduces impacts caused by nighttime lighting.
 - b. The project is consistent with open space and resource conservation policies of the General Plan in that implementation of the proposed Streamside Conservation Plan will ensure the protection of riparian vegetation, water resources and habitat values.
 - c. The noise study prepared for the project (Illingworth and Rodkin, August 12, 2016 and Addendum to 2016 Report, October 11, 2022), finds that the project will not exceed General Plan noise standards with the recommended noise reduction measures incorporated into the project as conditions of approval.
 - d. General Plan Objective LU-15.3 states, "Maintain a balance of commercial development between local serving and visitor oriented uses. Guerneville shall remain the primary commercial center of the area." A Traffic Impact Study was conducted for the project (W-Trans December 11, 2018; Addendum September 8, 2020 and Updated Parking Study June 1, 2022). The traffic analysis finds that the proposed project is consistent with the General Plan and is expected to have a less-than-significant impact on transportation, based on the following key findings:
 - i. The analysis determined that the project trip generation would be 59 weekday p.m. peak hour and 148 weekend mid-day peak hour trips, with daily weekday trips totaling 749 and weekend trips totaling 1,612.
 - ii. Under both Existing plus Project and Future plus Project conditions, study intersections in the project area would be anticipated to operate acceptably at LOS D or better during both peak periods, though vehicle speeds through downtown Guerneville will likely be slow during peak periods due to congestion associated with downtown activities. The Study indicated that "This type of congestion is typical of downtown areas, particularly in smaller communities with seasonal resort activity like Guerneville." (Note: The project would, when added to Existing + Future conditions, result in LOS D at the intersection of Armstrong Woods Road/SR 116 in Guerneville, representing an increase during weekend midday peak periods, with the project contributing to an expected 1.7 second increase in vehicle travel through the intersection. The LOS D measurement would remain consistent with County standards.)
 - iii. Sight distances along SR 116 from the proposed driveway are adequate in both directions.

- iv. Peak hour queues in the northbound left-turn pocket of SR 116 at River Road and westbound right-turn pocket at SR 116/Armstrong Woods Road can exceed available storage capacity during one or both peak hours, and under future conditions may occasionally exceed queue length by one to four car lengths, which can result in short-term queuing on SR 116. Such short term queuing strikes a balance between local and visitor serving uses by minimizing queuing to the amount needed for viable visitor serving use.
 - v. Left-turn queues at SR 116 into the project site driveway are projected to remain within the available two-way left turn lane storage.
- 3. Zoning Consistency: The proposed project is consistent with Sonoma County Zoning Code, in that the proposed 108-room resort is located within the Guerneville Urban Service Area boundary and is allowed in the K (Recreation and Visitor-Serving Commercial) Zoning District with a use permit. The proposed project is a compatible blend of recreation and tourist-commercial uses to maintain and enhance Russian River recreational resources. The project meets Zoning Development Standards with regard to building setbacks and maximum lot coverage. Exceptions to maximum building height, parking requirements, and Riparian Corridor setbacks are discussed further below. The project is not subject to the 200-foot Scenic Corridor setback and no Valley Oak Trees are proposed for removal. The project proposes to convert less than 3 acres of timberland. The project will remove the minimum number of Redwood trees necessary to accommodate the resort building permits and related development, and therefore is exempt from a minor timberland conversion zoning permit.
 - a. On November 7, 2018, the Design Review Committee (DRC) reviewed the project for conformance with Zoning and General Plan policies, including the Russian River Corridor Design Guidelines. The DRC supports the overall design concept, with increased building height and reduced parking design, provided that the applicant address the underlying design concerns and/or recommendations in the November 7, 2018 DRC Record of Action, which generally focus on reducing building massing and adding landscaping. Project Conditions of Approval require the applicant obtain Final Design Review Committee review and approval prior to any grading or building permit issuance for the project.
 - b. Project includes implementation of a Streamside Conservation Plan to allow for encroachment into the Riparian Corridor 50-setbacks established for the Russian River and Hulbert Creek. Section 26-65-005 of the Zoning Code prohibits new development within the Riparian Corridor setback unless a use permit for a Streamside Conservation Plan is adopted that provides for the appropriate protection of the biotic resources, water quality, floodplain management, bank stability, groundwater recharge, and other applicable riparian functions. Implementation of the Streamside Conservation Plan will ensure the protection of riparian vegetation, water resources and habitat values.
- 4. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are:
 - a. The project has been found to have insignificant aesthetic, biological, traffic, and land use impacts based on the project design with the adoption of mitigation measures, conditions of approval and project operational characteristics; the proposed use is consistent with General Plan policies and the underlying Recreation and Visitor Serving Commercial zoning designation, which allows the

proposed uses subject to approval of a Use Permit and Design Review; and conditions of approval have been imposed on the project to control noise and ensure compliance with all County and resource agency standards that will prevent impacts to biological resources.

- b. Adequate fire and emergency services and public sewer and water are available to serve the project.
- c. The project will improve the existing public access to the Russian River, a bus stop at the project site, and provide a Class I bicycle lane across the entire project street frontage along Highway 116.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby adopts the Revised Mitigated Negative Declaration and Mitigation Monitoring Program set forth in the MND and the Conditions of Approval. The Board of Zoning Adjustments certifies that the Revised MND has been completed, reviewed, and considered, together with all comments received during the public review process, in compliance with CEQA and State and local CEQA Guidelines, and represents the independent judgment and analysis of the Board.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments' action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

THE FOREGOING RESOLUTION was introduced by Commissioner Koenigshofer who moved its adoption, seconded by Commissioner Carr, and adopted on roll call by the following vote:

Commissioner Carr	Aye
Commissioner Reed	Aye
Commissioner District 3	Absent
Commissioner Koenigshofer	Aye
Commissioner Deas, Chair	Aye

Ayes: 4 Noes: 0 Absent: 1 Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.

SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS

**Final Conditions of Approval
Exhibit A**

Date: March 23, 2023 **File No.:** PLP18-0012
Site Address: 17155 Hwy 116, Guerneville, CA 95446 **APN:** 072-130-005, -007 and -009
Applicant/Owner: Lok Guerneville Park Development Co., Kirk Lok

Project Description: Use Permit and Design Review, followed by a Certificate of Modification to construct a new 108-room resort with a maximum building height of 35 feet, implement a Streamside Conservation Plan to allow for Riparian Corridor encroachment of 4,490 square feet (SF) and habitat restoration of 1.26 acres, and to construct an improved public river access parking lot and trail. The project would occupy 3.74 acres (39%) of the vacant 9.61-acre property and include two main hotel buildings with a combined total of 80 guest rooms and suites, lobby and hotel services, public restaurant and bar, a gym, spa and pool area, two meeting rooms for special events, and 28 additional guest suites and rooms located in four detached Tree House buildings. The project includes a 25-space dedicated public parking lot, a public restroom facility, and an improved public access trail to the Russian River. The public trail and public parking components require the relocation of existing public access and parking easements. Project details are summarized below.

108-Room Resort Facility:

- Two main hotel buildings (31,074 SF total and 44,199 SF total) with maximum building heights up to 35 feet, and 80 guest rooms (ranging 420 SF to 1,560 SF in size), lobby (2,760 SF), two meeting rooms (3,500 SF total), pre-function area (1,130 SF), Back of House area (850 SF), retail (400 SF), hotel services area (5,725 SF), restaurant (2,300 SF), bar (1,320 SF), spa (1,660 SF), and gym (980 SF).
- Four “Tree House” buildings (14,070 SF combined total) with building heights up to 35 feet and 28 additional suites and rooms (ranging 380 SF to 750 SF in size).
- Accessory buildings including a pool house (92 SF) and a gate house (188 SF).
- Hours of operation consisting of 24 hours per day, seven days per week, with a total of 37 employees assigned to the following shifts:
 - A maximum of 18 employees onsite between the hours of 7am to 3pm; and
 - A maximum of 15 employees onsite between the hours of 3pm to 11 pm; and
 - A maximum of 4 employees onsite between the hours of 11pm to 7am.
- Parking for a total of 175 vehicles, with 150 spaces for resort and restaurant guests and employees (includes a zone for 22 stacked parking spaces); and 25 public spaces reserved for public use.
- Parking for a total of 35 bicycles.
- Special events, such as corporate events or meetings and potentially receptions, with amplified speech and amplified music confined to indoors only.
- A new transit shelter with a bench to be installed at the front of the property.
- Construction of related site improvements including driveways, parking lots, walkways, decks, patios, entry signage and landscaping plus public utilities and drainage infrastructure, and implementation of greenhouse gas emission reduction measures.
- Ingress and egress for vehicles via an entrance directly off Highway 116.
- A sound wall six to eight feet in height at the western property boundary.
- Low stone wall and landscaping between Highway 116 and the parking areas to visually separate the resort from the highway and adjoining residential uses but provide visibility of the public parking lot.

- Highway 116 cross walk improvements, including restriping, installing Rectangular Rapid Flashing Beacons with a level concrete landing area and guardrail modifications to increase pedestrian safety.
- New landscaping installed throughout the site to integrate the project with the existing visual setting and to enhance the quality of the existing riparian habitat.

Implementation of a Streamside Conservation Plan to allow:

- Permanent loss of 4,490 SF (approximately 0.10 acres) of Riparian Corridor habitat due to resort building structures, patios, decks and walkways (consisting of 2,741 SF of impermeable areas and 1,746 SF of permeable areas); and
- Approximately 0.32 acres (13,939 SF) of Riparian Corridor habitat loss due to the public access trail and the pathway to the river from the hotel remains the same; and
- Mitigation for 0.42 acres (18,425 SF) of Riparian Corridor habitat loss at a 3:1 ratio for a total minimum mitigation area of 1.26 acres (55,276 SF) of riparian habitat restoration, including non-native vegetation removal and planting with native riparian vegetation, remains the same.

Public Access Facilities and Improvements:

- Following action on the Project Use Permit (File No. PLP18-0012), an application to obtain a Certificate of Modification is required to reflect the vacation of the existing right of way for the public access easement to the Russian River and the public parking easement; and a grant of right of way for the public access and public parking easements, consistent with the Project approval.
- Construction of a public access trail connecting Highway 116 to the Public Parking Lot and the Russian River public beach. The upper portion of the public access trail (from Highway 116 to the top of bank of the Russian River) will be ADA (Americans with Disabilities Act) accessible. The lower portion of the public access trail (from top of bank to the public river beach) will be constructed in accordance with the California State Park Accessibility Guidelines (2015 or later) and/or the Federal Access Board Outdoor Developed Areas (May 2014 or later) in order to provide the most access while protecting the sensitive environment.
- A 25-space public parking lot and public restroom facility (128 SF) developed on the east side of the site.
- Hours of Operation for the public access facilities and improvements (public trail, 25-space public parking lot, and public restroom) are seven days per week, from sunrise to sunset.

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FEES:

- CEQA Filing Fee. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50.00 (or latest fee in effect at time of payment) for County Clerk processing, and \$2,764.00 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of \$2,814.00 made payable to Sonoma County Clerk** and submitted to Permit Sonoma. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code.) NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
- Permit Processing and Development Fees. This “At Cost” entitlement 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 permit processing costs and development fees are paid in full.
- Condition Compliance Fee. At the time of submitting a building permit application, the applicant/operator shall submit to Permit Sonoma an Approved Permit Condition Compliance Review fee deposit of \$3,029.00 (or other amount consistent with the adopted fee schedule in effect at the time). In addition, the applicant/operator 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 being granted.
- Traffic Mitigation Fee. Prior to building permit final or granting of occupancy for the use, the applicant/operator shall submit a Traffic Mitigation Fee to Permit Sonoma per Chapter 26, Article 98 of the Sonoma County Code. The fee is computed by multiplying project Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance. Evidence of payment shall be submitted to the Permit Sonoma Project Review Planner.
- Workforce Housing Fee. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code. The estimated Workforce Housing Fee for the project (based on 2023 Fee Schedule) is \$311,351.00. Note the Workforce Housing Fee Schedule is automatically adjusted on January 1st of each year by the percentage change in the Construction Cost Index for the San Francisco Bay Area for the prior year, as reflected in the Engineering News Record.

GENERAL:

6. The Project Conditions of Approval and Mitigation Measures **MUST BE PRINTED OR INCLUDED IN ALL FUTURE PLAN SETS SUBMITTED FOR PERMITTING**. Building and grading permit plans plus all subsequent permit applications should have plan sheets that include all conditions as part of the package.
7. This project shall be constructed and maintained in conformance with the project description and project plans located in File No. PLP18-0012, and as modified by these Conditions of Approval.
8. 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.
9. 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 four 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.

10. 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 PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

PERMIT SONOMA BUILDING:

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

11. The applicant shall apply for and obtain building related permits from the Permit Sonoma. The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
12. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the Permit Sonoma Building Division. Such accessibility requirements shall apply to all new construction.
13. The business operator shall post a sign that includes the phone number for a current job manager for the benefit of neighbors. The job manager can be contacted if there are any problems associated with the construction process site such as dust, storm water runoff, hours of operation, equipment noise, traffic issues or lack of compliance with any project conditions of approval.

PERMIT SONOMA PROJECT REVIEW HEALTH:

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

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

Water and Septic:

14. Connection shall be made to public sewer and water. Prior to building permit issuance and vesting the Use Permit, the applicant shall submit a "Will Serve Letter" for water from the Sweetwater Water District to Permit Sonoma to verify compliance, and a "Will Serve Letter" for sewer from the Russian River County Sanitation District to the Permit Sonoma Sanitation Section. Note that Will Serve Letters in contradiction of a moratorium by the appropriate regulating agency are not acceptable.

Consumer Protection:

15. Prior to the issuance of building permits and the start of any on-site construction, plans and specifications for any food facility that provides food or beverage to the public 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 565-6565 for information and instructions. An e-mail of the approval from the Environmental Health & Safety Section or a copy of the Plan Check Approval shall be presented to Permit Sonoma to verify compliance with requirements of the California Retail Food Code (CalCode).

16. Prior to the issuance of building permits and the start of any construction, plans and specifications for any public 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 565-6565 for information. Permit Sonoma shall receive a letter of approval from the Environmental Health Section to verify compliance with requirements of the State of California regulations on public swimming pools and spas.

Noise Reduction:

17. Prior to the issuance of building permits, noise mitigations shall be photocopied from the Noise Study and attached to the building plans submitted for plan check.
18. The Tree House suite buildings require forced-air mechanical ventilation with industry standard construction materials to meet the 45 dBA Ldn threshold. The applicant shall provide building plans to Permit Sonoma for review and approval demonstrating compliance with Mitigation Measure NOISE-1.
19. Provide a suitable form of forced-air mechanical ventilation, as determined by the Permit Sonoma building official, for all Tree House suite buildings on the project site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards. The applicant shall provide building plans to Permit Sonoma for review and approval demonstrating compliance with Mitigation Measure NOISE-2.
20. Mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the County's noise level requirements. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected by the applicant to determine specific noise reduction measures necessary to reduce noise to comply with the County's noise level requirements. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors.

Alternate measures may include locating equipment in less noise-sensitive areas, such as the rooftop of the hotel buildings away from the building's edge nearest the multi-family residences, where feasible. The applicant shall provide building plans to PRMD for review and approval demonstrating compliance with Mitigation Measure NOISE-3.

21. Mitigation methods for reducing driveway/parking lot noise levels at nearby sensitive land uses are limited for the proposed project. Mitigation requires the construction of a sound wall or specially-designed barrier capable of reducing parking lot and driveway noise levels at the westerly property line, adjacent to the Dubrava multi-family residences by up to 9 dBA. The barrier shall be located around the perimeter of the hotel's parking lot along the southwestern boundary, and continue until the main access driveway. The total length of the proposed barrier would be approximately 400 feet. The proposed barrier would be continuous from grade to top,

with no cracks or gaps, and have a minimum surface density of three lbs/ft² (e.g., one-inch thick marine-grade plywood, ½-inch laminated glass, concrete masonry units (CMU)). A barrier height of approximately eight feet would be sufficient for reducing noise levels by at least 9 dBA. This height shall be measured relative to the pad elevation of the parking lot.

The mitigation measure also applies for required noise reduction related to indoor special events at the resort. The noise barrier would provide the required 6 dBA noise reduction at the property line of the multi-family residential land uses to meet the County's nighttime threshold of 40 dBA L50 for all indoor special events. This barrier would start where the eight-foot barrier ends and continue along the main access driveway property line until just passed the last parking space. The total distance would be approximately 180 feet. The applicant shall provide building plans to Permit Sonoma for review and approval demonstrating compliance with Mitigation Measure NOISE-4.

22. Prior to vesting the Use Permit, noise barrier walls shall be constructed in accordance with the Sound Report by Illingworth & Rodkin, Inc. dated August 12, 2016 (updated October 26, 2022). The design and final construction of the barriers must be approved in writing by the consultant. Barrier height in relation to pad elevation must be certified by the project engineer. Permit Sonoma shall receive a letter of clearance from the sound consultant regarding conformance with the design and final construction of the sound wall to the Sound Report requirements.

Solid Waste:

23. Prior to building permit issuance, the applicant shall submit a design for trash enclosures and recycling areas for review and approval by the Permit Sonoma Building Plan Check Section. (Fees may apply.) Note that trash trucks must have at least a 32-foot turning radius at the trash enclosure and the dumpster must have 16 feet of overhead clearance.
24. Prior to building permit issuance, 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. Permit Sonoma shall receive a copy of an approval letter from the Solid Waste Section of the Division of Environmental Health.

PRIOR TO OCCUPANCY:

Consumer Protection:

25. 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. Permit Sonoma shall receive a letter of approval from the Environmental Health Division to verify compliance with requirements of the California Retail Food Code (CalCode).
26. 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. Permit Sonoma shall receive a letter of approval from the Environmental Health Division to verify compliance with requirements of the State of California regulations on public swimming pools and spas.

Noise:

- 27. The building shall be constructed in accordance with the Sound Report by Illingworth & Rodkin dated August 12, 2016 (updated October 26, 2022). Prior to building occupancy the design and final construction of the sound Mitigation Measures must be approved in writing by the consultant. Permit Sonoma shall receive a letter of clearance from the sound consultant regarding conformance with the design and final construction of the sound mitigations to the Sound Report requirements.

OPERATIONAL REQUIREMENTS:

- 29. Portable toilets and portable hand-washing facilities shall be placed and maintained for employees as needed on the construction site, but in no case shall they be serviced less than once per three days when 24 hour operations are conducted, and once per seven days when only daytime operations are conducted. The permittee shall provide an accessible portable restroom on the job site where required by Federal, State or local law, including but not limited to, requirements imposed under OSHA, the Americans with Disabilities Act or Fair Employment and Housing Act.

Consumer Protection:

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

Noise:

- 32. 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.

Hourly Noise Metric ¹ , dBA	Daytime (7am to 10pm) ²	Nighttime No special events permitted this late (10pm to 7am)
L50 (30 minutes in any hour)	45	
L25 (15 minutes in any hour)	50	
L08 (4 minutes 48 seconds in any hour)	55	
L02 (72 seconds in any hour)	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 1 minute in any hour.		
² 5 dBA reduction for speech and music.		

33. Amplified speech and amplified music shall be confined to indoors only and the doors to the terrace shall remain closed. This condition applies to indoor special events, such as corporate events or meetings, receptions and other indoor special events.
34. 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.
35. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD’s opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to Permit Sonoma 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:

36. 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:

37. Smoking is prohibited in any public area, 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.

38. 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.

CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 4:

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

39. The project driveway should be designed according to Caltrans’ Encroachment Permit Manual, Appendix J. Detailed design comments will be provided in the Encroachment Permit process. Any other improvements behind Caltrans’ Right of Way (ROW) of SR-116 should be in accordance with Sonoma County plans and regulations.
40. The trees and vegetation along the project's frontage shall be trimmed on a regular basis to maintain visibility on SR 116.
41. The applicant shall be responsible for the following improvements:
- An Americans with Disability Act-compliant path connecting the proposed on-site transit stop, river path, and existing crosswalk on the west side of the Hulburt Creek Bridge; and
 - Replacing the standard crosswalk markings at the SR 116/Lovers Lane intersection with higher-visibility "ladder" type markings.
42. In addition to re-striping the crosswalk, the following improvements shall be installed:
- Rectangular Rapid Flashing Beacons (RRFB) to enhance pedestrian safety.
 - A level concrete landing area and guardrail modifications to make the crossing ADA compliant.
 - A shortened guardrail to allow more flexibility for the design of the bus pull-out and the project driveway.
 - An alternative design of guardrail/end treatment for a better pedestrian path connection. The current site plan shows that the pedestrian path terminates behind an existing guardrail.

Hydraulics

43. Submit drainage calculations that pertain to runoff from and/or to SR 116. The project site is in the 100-year floodplain.

Multimodal Planning

44. The project shall ensure connections to existing bike lanes and multi-use trails to facilitate walking and biking to nearby jobs, neighborhood services, and transit promoting usage of nearby Sonoma County Transit Routes 20 and 28.

45. The project shall contribute funds toward the Priority 1 Class II bike lane on SR 116 from

Armstrong Woods Road to Foothill Drive, as proposed in the Sonoma County Bicycle and Pedestrian Plan (2010), as well as construct a fully built-out bus turnout, including shelter, etc., along the project frontage.

Construction-Related Impacts

46. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>. Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to SR-116.

Encroachment Permit

47. Any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, the applicant will be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, a copy of the Caltrans Guerneville Park Resort comment letter dated May 4, 2022, a response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to D4Permits@dot.ca.gov.

SONOMA COUNTY PUBLIC INFRASTRUCTURE:

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

Completion of Required Improvements:

48. The Applicant shall complete construction of all the required public improvements prior to occupancy of any new building which result from this application.

State Highways:

49. This proposal accesses the public road system using a road under State of California jurisdiction. If State of California (Caltrans) determines that improvements to the roadway are necessary, the Applicant shall obtain a State of California Encroachment Permit before making any improvements within State highway right of way. Although the frontage is State highway right of way, if Caltrans determines that a Maintenance and Indemnification Agreement is required with the County for the project, then any improvements deemed by State of California (Caltrans) to be subject to County maintenance shall be maintained by the property owner through a Maintenance and Indemnification Agreement.

Right of Way Requirements:

50. The Applicant shall offer right-of-way to the State of California or County of Sonoma (if Applicant can document that State will not accept the grant), free of encumbrances, and of sufficient

width:

- a. To contain the required bus stop/bus turnout improvements.
- b. To contain the required Americans with Disabilities Act (ADA) path of travel.
- c. To contain all public drainage facilities.

51. If the right-of-way grant is made to the County of Sonoma, the Applicant shall dedicate the 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 (PRMD) prior to clearance of these conditions.

Intersections of Roads and Driveways:

52. The Applicant shall not construct, install or place any monuments and/or signs resulting from this proposal within the necessary sight distance triangles required to achieve the minimum AASHTO required sight distance at any project driveway where it intersects a public roadway.

Required Improvements:

53. The Applicant shall construct or install improvements described as follows:
- a. Construct road improvements necessary to create an improved bus stop (transit stop) with a bus turnout at or near the location of the existing transit stop on the project's State Route 116 frontage. The improved bus stop/bus turnout shall be approved by Sonoma County Transit.
 - b. Construct an Americans with Disabilities Act (ADA) compliant path of travel from the project site to the bus stop.

The Applicant shall provide preliminary plans for these features to the Sonoma County Public Infrastructure for review prior to applying for a Caltrans encroachment permit. Upon completion of the required improvements, the Applicant shall provide proof of acceptance by Caltrans (final encroachment permit and as built).

Traffic Study Required Improvements:

The Applicant had prepared "Final Traffic Impact Study for the Guerneville Resort Project" by W-Trans, dated December 11, 2018 (Addendum dated September 8, 2020; and accepted by DTPW on November 6, 2020). The following are requirements based upon the recommendations of this study:

54. The Applicant shall install bicycle parking spaces distributed among and near the public entrance to each wing of the hotel. Refer to bicycle parking standards provided on pages 19 and 20 of the "2010 Sonoma County Bicycle and Pedestrian Plan" available at <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147533319>. Additional bicycle parking guidelines are also provided by the Association of Pedestrian and Bicycle Professionals in the document "Essentials of Bike Parking" available at <https://www.apbp.org/page/Bike> Parking. Please note that the Sonoma County Bicycle and Pedestrian Advisory Committee (SCBPAC) recommends the installation of inverted U-style bicycle racks.

Processing:

55. Preliminary plans for all required improvements shall be submitted to the Traffic and Land Development Section of the Sonoma County Public Infrastructure for conceptual review prior to submittal to Caltrans. An initial review by DTPW and agreement in concept for the proposed improvements shall be required prior to the issuance of any grading permit for the project. The Caltrans encroachment permit shall be issued prior to issuance of building permits.

PERMIT SONOMA FIRE PREVENTION:

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

Comments:

- Provide a copy of the recorded lot merger between the three (3) separate parcels.
- The plans indicate the overall 3 story building complex will contain 108 sleeping units and a commercial restaurant. Provide two fire apparatus access roads with required separation. CFC Sec. D106.1.
- Revised Parking Plan (Site Plan) dated 8/11/22 appears to indicate emergency vehicle access to an adjacent parcel to the west (Dubrava Village); provide a copy of a recorded access easement.
- Provide fire apparatus access roads to within 150 ft of all portions of ground floor exterior walls. CFC Sec. 503.1.1.
- Provide aerial fire apparatus access roads is roof eave is greater than 30 ft. CFC Sec. D105.1.
- Provide standpipes in the 3 story East and West hotel buildings. CFC Sec. 905.3.1.
- Due to the height of the buildings a fire pump may be required. CFC Sec. 913. Provide a fire pump room if required. CBC Sec. 913.2.1.
- 3 story stair enclosures, elevator hoistways, and mechanical shafts shall have minimum 1-hour fire-resistive construction.
- An open exit access stairway (grand stairway) is shown connecting the main lobby with the 2nd floor Group R corridor. This is not permitted per CBC Sec. 712.1.9(4).
- An elevated pedestrian walkway is shown connecting the East and West Hotel Buildings at the 2nd and 3rd Floors. Such construction shall demonstrate compliance with CBC Sec. 3104.
- The East Building indicates an exit access stairway connecting the 2nd and 3rd floors and discharging to the 2nd floor Group R corridor/lobby. This does not comply with CBC Sec. 712.1.9 and 1019.3. Provide a fire-resistive stairway enclosure. Stair enclosures shall discharge per CFC Sec. 1023.3.
- The 2nd Floor Group R corridor shall have 1-hour fire-resistive construction and not have unprotected openings to the 1st floor lobby below. CBC Sec. 712.1.9(4) and CFC Table 1020.1.
- The West Building indicates lounge areas open to the Group R corridors at the 2nd and 3rd Floors. Corridors shall not be interrupted by intervening rooms. Lounge rooms shall be separated from Group R corridors with 1-hour fire-resistive construction. CFC Sec. 1020.6.
- The revised plans indicate 3,500 sq. ft. Group A conference room. If occupant load under any configuration exceeds 300, demonstrate compliance with CFC Sec. 1029.2 and 1029.3; if occupant is between 100-300, demonstrate compliance with CFC Sec. 1029.3.1.
- Stairway enclosures which do not discharge to an exterior exit doorway shall discharge to an exit passageway. CFC Sec. 1023.1.

I. Projects in the State Responsibility Area.

Emergency Access and Egress – Require Compliance with 14 CCR §§1273.00-1273.11

California Department of Forestry and Fire Protection Fire Safe Regulations, 14 California Code of Regulations, §1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. This requires compliance with 14 CCR §§1273.00-1273.11.

Signing and Building Numbering – require compliance with 14 CCR §§1274.00-1274.04

Emergency Water Standards – require compliance with 14 CCR §§1275.00-1275.04

Fuel Modification Standards – require compliance with Chapter 13A and 14 CCR §§1276.00-1276.04.

Exceptions to Standards. An applicant may request an exception to standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.06 due to environmental conditions and physical site limitations. A map of the development project area and licensed professional plans documenting the alternative(s) mitigate the problem and provide the same practical effect toward providing defensible space is included with this application as Exhibit.

To have the same practical effect for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR 1273.00 through 1273.09, applicant shall include turnouts, turnarounds, secondary access roads at locations as demonstrated in Exhibit.

- This requirement shall apply from the property line of the application to the public right-of-way.
- This includes providing turnarounds that may not exist.
- This includes providing turnouts that may not exist.
- Detailed vegetation clearance along the road side

II. Additional Fire Safety Conditions for Projects in Both the SRA and LRA:

Occupancy and Operation

56. Prior to operation, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
57. The subject property (*or properties*) shall be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations
 - 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 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.
58. Due to the scope of this project a Fire Services Pre-Construction meeting may be required.

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 and Hazardous Materials 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 and Hazardous Materials 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 buildings shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type.

Operational Permits

60. An annual fire safety inspection may be required by the fire code official 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.

Construction Permits

61. A building permit shall be obtained for any construction, or any change in the use or character of a building.
62. Applicable Fire Code construction permits shall be obtained prior to any construction that would require such permit required by California Fire Code as adopted and amended by Sonoma County Code.

Emergency Planning and Response

63. The facility operator shall develop an emergency response plan consistent with Chapter 4 of the 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 Sonoma County Fire Prevention Fire Marshal. The plan shall address evacuation, and such evacuation shall be required to occur before the zone in which the hotel is located is in warning status to ensure early evacuation.

Occupancy

64. 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.

PERMIT SONOMA GRADING AND STORM WATER:

“The conditions below have been satisfied BY _____ DATE _____

65. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) 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.

66. A soils engineering report, prepared by a soils engineer, and engineering geology report, prepared by an engineering geologist, shall to be submitted with the grading permit application(s) for the proposed project. The soils engineer and the engineering geologist must be currently registered in the State of California.
67. A drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the grading and/or building permit application, and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD). The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all relevant existing and proposed drainage facilities. Post-construction storm water LID best management practices (BMP's) to mitigate impacts to the quality and quantity of storm water discharges from the project site shall be incorporated into the drainage design of the project, based upon the Initial Storm Water LID Submittal dated **02/05/2020**. LID BMP's must be installed per approved plans and specifications, and working properly prior to finaling the grading permit and associated building permits. The drainage report shall abide by and contain all applicable items in the *Drainage Report Required Contents* (DRN-006) handout. The drainage report shall also include a 100-yr floodplain/floodway study (see below) and an analysis of the existing downstream drainage conditions. If the analysis demonstrates inadequate capacity to handle the anticipated runoff from the proposed project, then improvements to the downstream drainage system shall be required.
68. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in compliance with PRMD's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.
69. The applicant shall provide grading plans, prepared by a civil engineer currently registered in the State of California, which clearly indicate the nature and extent of the work proposed and include all existing and proposed land features, elevations, roads, driveways, buildings, limits of grading, limits of disturbed area/total work, adequate grading cross sections and drainage facilities such as swales, channels, closed conduits, or drainage structures. The grading plans shall abide by and contain all applicable items from the *Grading Permit Required Application Contents* (GRD-004) handout.
70. The proposed project is located within a Special Flood Hazard Area (SFHA) and is affected by flooding from **the Russian River & Hulbert Creek**. No fill shall be placed within a SFHA, unless an engineering analysis demonstrates that no reduction in the flood storage capacity within the SFHA will result from the fill placement and related improvements. Any land subject to inundation by a SFHA shall be delineated and shown on the grading plans as "SUBJECT TO INUNDATION" in one-inch lettering. The base flood elevation is estimated to be at **57** feet above mean sea level. The

lowest floor elevation of any habitable structure must be at **58** feet or higher above mean sea level. The base flood elevation (BFE) varies throughout the site but the lowest floor elevation of any habitable structure must be at least 1 foot higher than the nearest adjacent BFE. The grading plans shall show all elevations based upon the North American Vertical Datum of 1988 (NAVD 88).

71. The proposed project is also affected by the **Russian River & Hulbert Creek** floodway. No structures (except bridges) shall be allowed within the floodway(s). A no-rise analysis shall be prepared that demonstrates the proposed project does not increase the base flood elevation & shall be submitted with the grading permit application.
72. As part of the grading plans, the applicant shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas/total work, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall abide by and contain all applicable items in the *Grading Permit Required Application Contents (GRD-004)* handout.
73. Residue or polluted runoff from the production areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Production areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.
74. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Areas used for waste receptacles and outside washing areas shall be covered or separated from the rest of the project site by grade breaks that prevent storm water run-on. Any surface water flow from a waste receptacle or outside washing area shall not be permitted to enter the storm drain system without receiving appropriate treatment.
75. Grading and land disturbance shall be setback from streams a minimum of 25 feet from the top of stream bank.
76. Any waterway setbacks, including but not limited to building setbacks, grading setbacks, or riparian corridor setbacks, shall be clearly shown and noted on the grading/site plans.
77. A waterway setback analysis shall be prepared to determine the most stringent composite waterway setback, be submitted with the grading and/or building permit application, and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department. The waterway setback analysis shall include several cross sections of the **Russian River & Hulbert Creek**. At a minimum, building, grading, riparian corridor, and floodway limits setbacks shall be included in the waterway setback analysis. The most stringent composite waterway setback shall be clearly shown and noted on the grading/site plans.
78. Before construction may begin near a waterway, a protective construction fence shall be placed in such a manner to allow the proposed development while preventing land disturbance adjacent to the waterway. The protective construction fence shall be shown and noted on the grading/site plans.

79. Any stream crossing, such as a bridge or culvert, shall maintain at least one foot of freeboard between the 100-year water surface elevation the lowest structural component or soffit of culvert.
80. The proposed project shall not reduce the flood carrying capacity of the **Russian River & Hulbert Creek**. A civil engineer, currently registered in the State of California, shall demonstrate the proposed project will not reduce the existing cross-sectional area of the **Russian River & Hulbert Creek** by establishing the most likely, theoretical location of the waterway bank prior to erosion. The grading plans shall also include cross-sections every 25 feet between **50** feet upstream and **50** feet downstream of the bank erosion.
81. Drainage easements are required when conveying storm water runoff through any neighboring properties. Drainage easements shall be clearly shown and noted on the grading/site plans. The applicant shall be responsible for obtaining or creating drainage easements necessary for the proposed project prior to grading or building permit issuance. Any proposed drainage easements shall be private easements unless otherwise approved by the Department of Transportation and Public Works.
82. Construction within Sonoma County Water Agency (SCWA) property, right-of-way, or easement requires a revocable license from SCWA. The following note shall be placed prominently on the grading plans: “The contractor shall obtain a revocable license from the Sonoma County Water Agency (SCWA) prior to the start of any construction activities within SCWA property, right-of-way or easement.” A letter of approval from SCWA shall be provided to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit allowing work to occur near or within SCWA property, right-of-way, or easement.
83. If the cumulative land disturbance of the project is equal to or greater than one (1) acre, then the project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board’s General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any grading permit for the proposed project.
84. The applicant is responsible to contact the North Coast Regional Water Quality Control Board and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work within 25 feet of a waterway.
85. The applicant is responsible to contact the California Department of Fish & Wildlife and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit work within 25 feet of a waterway.
86. The applicant is responsible to contact the California Department of Transportation and obtain any necessary permits or waivers for proposed work within Highway **116**. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work adjacent to Highway **116**.
87. The applicant is responsible to contact the U.S. Army Corps of Engineers and obtain any necessary permits or waivers for proposed work in or near a wetland or navigable waters. The applicant shall

provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work within 25 feet of a wetland or navigable waters.

88. A roiling permit from the Permit and Resource Management Department shall be obtained prior to start of work within any active waterway.

PERMIT SONOMA NATURAL RESOURCES:

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

89. Prior to the issuance of any building permit and vesting the use permit, the applicant shall obtain all regulatory permits for the construction and operation of the new stormwater outfall to the Russian River, including the Regional Water Quality Control Board (RWQCB), Army Corps of Engineers, and California Department of Fish and Wildlife.

PERMIT SONOMA SANITATION:

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

90. Sonoma County Water Agency (Water Agency) operates Russian River County Sanitation District (District or RRCSD) under contract with District. References to District employees are understood to be Water Agency employees acting on behalf of District.
91. The Applicant shall obtain a Sewer Disconnect Permit from the Sanitation Section of the Sonoma County Permit and Resource Management Department (PRMD) when obtaining a Building Demolition Permit for the existing structure. Disconnection of the existing structure from the sewer shall be inspected by the Engineering Division of PRMD to ensure that disconnection is conducted in compliance with Health and Safety Codes, and to preserve any sewer connection credit that may currently be assessed to the property.
92. Applicant shall obtain a Sonoma County Water Agency **Survey for Commercial/Industrial Wastewater Discharge Requirements** from the Sonoma County Permit and Resource Management Department (PRMD), and shall submit the completed Survey, along with two (2) copies of the project site plan, floor plan and plumbing plan to the Engineering Division of PRMD.

If additional sewer pre-treatment, separate process and domestic wastewater lines, and/or monitoring facilities are required by the Sonoma County Water Agency per this Survey, the Applicant shall comply with the requirements of the Survey prior to occupancy of the proposed hotel/resort and public river access. The issuance of building permits is contingent upon completion of the Survey and incorporation of any Sonoma County Water Agency requirements into the building plans.

The Applicant shall submit improvement plans to the Sanitation Section of PRMD for review and approval of the sanitary sewer design. Improvement plans shall be submitted electronically on-line at the Permit Sonoma website, and be printable to scale on 24 inch by 36 inch in size, and prepared by a licensed civil engineer registered in the State of California. Sanitary sewer facilities shall be designed and Improvement Plans prepared in accordance with SCWA Design and Construction Standards for Sanitation Facilities. The Applicant shall pay Plan Checking fees to the Sanitation Section of PRMD prior to the start of Improvement Plan Review.

Please note that review of the sanitary sewer design is a separate review from that of the buildings, drainage and frontage improvements, and shall be performed by the Sanitation Section of the Permit Sonoma under a separate permit.

The public sewer design originals shall be signed by the SCWA Chief Engineer prior to the issuance of any permits for construction of the sanitary sewer facilities. The design engineer shall submit improvement plans to the Sanitation Section of Permit Sonoma submitted electronically on-line at the Permit Sonoma website, and be printable to scale, on 24 inch by 36 inch for signature by SCWA. All sanitary sewer inspection permits shall be obtained from the Sanitation Section of Permit Sonoma prior to the start of construction.

93. All existing sewer laterals shall be located, capped at the main, and abandoned under sewer permit in accordance with SCWA Design and Construction Standards for Sanitation Facilities.
94. Prior to the start of construction within the State Right-of-Way of Highway 116, the Applicant shall have a licensed general contractor in possession of a valid Encroachment Permit. Encroachment Permits shall be issued by the Caltrans.
95. The Applicant shall obtain a permit to construct any needed sanitary sewer facilities as long as building permits are under review with all plan check review fees paid. The sewer design, and construction, shall comply with the Sonoma County Water Agency Design and Construction Standards for Sanitation Facilities and Russian River County Sanitation District Sanitations Code Ordinance. All sewer work shall be inspected and accepted by the County Inspector, prior to temporary occupancy, occupancy, and building permit final of the proposed hotel/resort and public river access.
96. At the time of sewer permit issuance, the Applicant shall provide the Sanitation Section of the Permit and Resource Management Department (PRMD) with data related to the floor area of all of the building, differentiating retail, office, sleeping rooms, spa, restaurant with kitchen, seating, and tables, meeting rooms, etc., for the purpose of correctly calculating sewer use fees, as defined by Sonoma County Water Agency Sanitation Codes. Sewer use fees (including Connection and Annual Service fees) shall be paid prior to temporary occupancy, occupancy, and building permit final. No connection to sewer or temporary occupancy, or occupancy shall be allowed until the sewer use fees are paid.
97. Sewer Use Fees for sewer service shall be calculated at the prevailing Sewer Connection and Annual Sewer Service Charge rates in effect at the time of sewer permit issuance.
98. All Sewer Fees per Russian River County Sanitation District Ordinances (latest revision) shall be paid to the Sanitation Section of the Sonoma County Permit and Resource Management Department (PRMD) prior to occupancy of the proposed hotel resort complex.
99. The Applicant shall be responsible for the restoration of existing conditions including, but not limited to surfacing, landscaping, utilities and other public improvements that have been disturbed due to the construction of sanitary sewer facilities. Restoration shall be completed prior to the final of the sewer construction permit, unless otherwise specifically approved in advance by the Permit and Resource Management Department.
100. Sewer facilities that are constructed within the 100 year flood plan shall be designed and

constructed in accordance with flooding resistant details and standards contained in the Water Agency’s Design and Construction Standards for Sanitation Facilities (Sanitation Standards). All other sewer facilities outside of the buildings shall also be constructed in accordance with the Sanitation Standards, including but not limited to Sanitary Sewer Backflow Check Valves.

101. **Prior to merging parcels**, the applicant shall provide a letter to the Sonoma County Water Agency clearly stating how the existing Equivalent Single-family Dwelling sewer billing units (ESD) are to be distributed to the resulting subdivision parcels. The letter shall be addressed to the current Chief Engineer at the Sonoma County Water Agency and the current Sonoma County Water Agency Administrative Services Officer and Administrative Aide shall be cc. Additional ESD will be required.

102. In accordance with Section 3.09, of the Russian River County Sanitation District (RRCSD) Sanitation Code Ordinance, when shared laterals are proposed that the owner shall wright a letter to the RRCSD requesting the sharing of the laterals. If the request is granted, a ‘Declaration of Restriction and Acknowledgment’, provide by the RRCSD shall be recorded at the Recorder’s Office as required by the RRCSD.

SONOMA COUNTY WATER AGENCY:

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

103. The Applicant may request the summary vacation (“quit claim”) of the existing 12 foot wide sanitary sewer easement if this easement will not be utilized in constructing sanitary sewer facilities. The Applicant may submit a written request to the Sanitation Section of PRMD to vacate this easement. If this easement is not vacated its location must be shown on the approved improvement plans, with the document number(s) for recording the easement.

Abandonment of the underlying sewer mains, at the public main in Highway 116, shall be required per Sonoma County Water Agency Standards, or as otherwise agreed to by the Sonoma County Water Agency.

SWEETWATER SPRINGS WATER DISTRICT:

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

104. Prior to approval of the Improvement Plans, and prior to any permits being issued for this project, the Applicant shall submit a letter from the Sweetwater Springs Water District (SSWD) to the Sanitation Section of PRMD, stating that the project is in compliance with conditions as stated in SSWD’s “Guernewood Park Resort, Water Will Serve Letter”, to Mr. Kirk Lok, Loc Group of Companies, dated March 22, 2021.

NORTHERN SONOMA COUNTY AIR QUALITY CONTROL DISTRICT:

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

105. Best management practices shall be used to minimize dust during construction, such as the use of watering trucks to wet down unpaved areas. Any portable equipment subject to the California Air Resources Board’s (CARB) Air Toxics Control Measures (ATCM) should have current registrations with CARB’s Portable Equipment Registration Program (PERP). These are typically portable diesel-powered generators and compressors rated at 50 HP or greater.

106. If a diesel powered emergency standby generator, rated at 50 HP or greater, is to be installed at the facility, the generator is required to receive a District Authority to Construct (permit) prior to installation and must be at least a Tier 3 CARB/EPA certified engine.
107. The District has a wood burning device performance standard in regulation which essentially prohibits open-hearth fireplaces in new construction and requires EPA-certified appliances that emit less than or equal to 7.5 grams particulate per hour for a non-catalytic wood fired appliance or 4.1 grams per hour for a catalytic wood fired appliance. See NSCAPCD Rule 4-1-400.
108. During, and after construction the Project shall minimize equipment and vehicle idling, and consider the installation of electric vehicle charging stations to support the use of electric vehicles.

SONOMA COUNTY REGIONAL PARKS:

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

109. Hwy 116 Signage. Standard Caltrans approved Public Access directional signage for both eastbound and westbound Highway 116, shall be included in the project and submitted for review.
110. Trail Signage. Directional signage for the public shall be included in the design and submitted for review. Too often public access projects on private property are signed in ways that discourage public use and create an appearance of a private facility.
111. River Access Trail: Applicant shall submit the legal description and plat survey for the relocated river access easement to County Regional Parks for review and approval prior to issuance of a grading permit. The public access easement shall connect the Russian River to the public parking lot and to Highway 116. On the final map include the following language: "Public trail easement for pedestrian purposes. Trail is to be open dawn to dusk and owner will ensure the trail is maintained and kept clean and free of litter."
112. Disabled Access: The River Access trail will be accessible from the parking lot, Highway 116, and the trail down to the top of the river bank. The applicant shall obtain an accessibility report from a certified access specialist for the Russian River trail access, demonstrating that the trail design is consistent with applicable County, state, Federal and applicable agency access standards and regulations, prior to issuance of a grading permit. This report shall address, as applicable, any exceptions to Building Code standards (2013 CBC, Section 11B-246.1 or later) pertaining to consideration of the natural environment as part of trail design and access. In circumstances where exceptions to the CBC standards are proposed due to the limitations of the natural environment, applicant shall conform trail design to the California State Park Accessibility Guidelines (2015 or later) and/or the Federal Access Board Outdoor Developed Areas (May 2014 or later). The applicant shall submit the accessibility report to Permit Sonoma, and County Regional Parks for review and approval.
113. Applicant shall provide a frontage Class I bike path, record a public access easement for the Class I bike path, and, in lieu of a sidewalk on the property frontage, install an 8- foot wide Class I bike path along the entire property frontage paralleling Highway 116 in conformance with

Caltrans standards that can be used by pedestrians and bicyclists. Applicant shall submit to County Regional Parks for review and approval a plan that shows how the Class I bike path will safely interface with the entrance driveway, bus shelter, bus turnout, and connect to the river access trail.

The 2010 County Bicycle and Pedestrian Plan identifies the Russian River Trail (Class I bike path) and Class II bike lanes paralleling this section of Road. The design, location, and construction of the Class I bike path shall not diminish any existing right of way needed for the planned development of the Class II bike lanes.

- 114. Public Parking Lot. The 25-space public parking lot shall be designated with signage for exclusive public use between sunrise and sunset. Visibility from Highway 116 shall be maintained as part of the vegetation and landscaping management plan for the property.
- 115. Parking Fees. Parking fees shall not be charged to members of the public, patrons, or employees.
- 116. Public Restroom. A public restroom shall be provided. Locating the restroom near the public parking lot is acceptable.
- 117. Maintenance and Health Standards. The property owner shall maintain the public access features in a clean and safe condition at all times.

SONOMA COUNTY DEPARTMENT OF HEALTH SERVICES:

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

- 118. A Retail Food Facility Permit is required to store, prepare, package, serve or vend food. A review and approval of the building plans will be required prior to issuance of a retail food facility permit to operate.
- 119. If the site participates in, or hosts, a special event that is two or more days, it must be approved as a community event. Community events require additional permits and inspections from this Department for the organizer as well as all food vendors.
- 120. All owners/operators, managers, supervisors, and employees who sell or serve alcoholic beverages shall complete Responsible Beverage Service (RBS) Training within 90 days from issuance of a new permit and every third year thereafter. All servers/sellers of alcohol hired after the initial 90 day period shall complete the training course within 60 days of employment and every third year thereafter. If alcohol is to be served at special events, all employees and volunteers shall complete special event RBS training prior to the event.

The RBS Training shall meet the standards of the State of California, Department of Alcoholic Beverage Control or other certifying/licensing body which the State may designate. Records of successful completion for each owner/operator, manager, supervisor; employee and volunteer shall be maintained on the premises and shall be presented upon request by a representative of the County or local law enforcement agency.

- 121. As of June 1, 2012 smoking is no longer allowed in outdoor dining areas. This includes picnic areas, sidewalks, and any area available to, or customarily used by, the general public or an

employee that is intended or regularly used for consuming food or drink. A business with an unenclosed dining area may establish a designated smoking area elsewhere on the premises if it meets the criteria outlined in the County Smoking Ordinance #5953.

A designated smoking area is a portion of an unenclosed area where smoking may be allowed. It must meet all of the following criteria:

- a. It must be located at least 25 feet in any direction from any operable doorway, window, vent or other opening into an enclosed area.
- b. It must be located at least 25 feet in any direction from any space that is designated as "smoke-free".
- c. It must be located at least 25 feet from unenclosed recreational areas that are primarily used by children and/or areas that have improvements that facilitate physical activity including playgrounds, tennis courts, swimming pools, walking paths, and sports fields.
- d. It must be no more than five percent (5%) of the total unenclosed area for which it is designated.
- e. It must be clearly identified by conspicuous signs and have ash receptacles, such as ash trays or ash cans, within the area for proper disposal of smoking waste.

Public events held in the unincorporated areas of Sonoma County are required to comply with Sonoma County Ordinance #5953 which prohibits smoking in public places. The ordinance does allow for the establishment of a Designated Smoking Area that meets criteria outlined in the ordinance. Criteria can be found at www.Sonoma-County.org/BreatheEasy under Overview and Background -Major Provisions.

122. If a public pool/spa/therapy pool or public interactive water feature is proposed, a review and approval of the building plans is required prior to issuance of a public pool permit.
123. If composting on site is proposed a review of the proposal is required by the Sonoma County Local Enforcement Agency for Solid Waste to determine if a Solid Waste Permit is required prior to commencing operations.

SONOMA COUNTY DEPARTMENT OF AGRICULTURE/WEIGHTS & MEASURES:

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

124. To assist in managing storm water runoff or irrigation effluent, permeable surfaces shall be implemented for all parking areas, driveways, pathways, and trails as applicable. Prior to grading and building permit issuance, staff shall verify the parking lot material is permeable and adequate for heavy emergency equipment and delivery trucks.
125. Sediment collars and energy dissipaters shall be incorporated into any inlets and outlets associated with drainage structures, if not proposed.
126. The project parcels are in Valley oak habitat and have a VOH (Valley Oak Habitat) zoning overlay. The tree protection procedures listed in the Arborist Construction Impact Review (MacNair & Associates, February 2020), shall also be implemented for Valley oaks, when necessary, to protect them from any potential impacts and ensure tree preservation and long-term viability.
127. The location of the rare "albino" redwoods shall be redacted from the Streamside Conservation

Plan in order to offer additional protection. Albino redwood trees have not been observed at the Project Site.

CAL FIRE – SONOMA LAKE NAPA UNIT:

“The conditions below have been satisfied BY _____ DATE _____

PRIOR TO GRADING AND BUILDING PERMIT ISSUANCE

128. The proposed project requires a harvest document(s) to be submitted to CAL FIRE for approval/acceptance prior to any timber operations being conducted. Timberland conversions less than three acres in size may be eligible for a Less Than Three Acre Conversion Exemption. Timberland conversions greater than three acres require a Timber Harvesting Plan and Timberland Conversion Permit.

STATE LANDS COMMISSION:

“The conditions below have been satisfied BY _____ DATE _____

129. The following NOTE shall be printed on all grading and building permit plan sheets:

“In the event historic or cultural resources are discovered during construction activities, Project personnel shall halt all activities in the immediate area and notify a qualified archaeologist to determine the appropriate course of action.”

“The final disposition of archaeological, historical, and paleontological resources recovered on State land under the jurisdiction of the California State Lands Commission must be approved by the Commission.”

PERMIT SONOMA PLANNING:

“The conditions below have been satisfied BY _____ DATE _____

PRIOR TO GRADING AND BUILDING PERMIT ISSUANCE

130. Relocation of Public Access Easement and Public Parking Easement:

a. Within one year of project approval and prior to issuance of grading and building permits for the project, the applicant shall submit a complete application and applicable filing fees to Permit Sonoma to vacate the existing public right-of-way for the pedestrian access easement and public parking easement, shown on the Dubrava Village Condominium Project Tract No. 648, recorded under Book 373 of Maps, Page 30-32 of Sonoma County Records and more particularly described in Grant Deed of Easement recorded under Document No. 1985-043934 of Sonoma County Records; and a grant of public right-of-way for the pedestrian access and public parking easements— realigned to the current project specs—as shown on that sitemap prepared for PLP18-0012, dated February 20, 2020, subject to final review and approval by the Sonoma County Board of Supervisors.

b. After Condition of Approval No. 130(a.) above is complete, and prior to issuance of grading and building permits for the project, the applicant shall submit an application and applicable

filing fees to Permit Sonoma to obtain and record a Certificate of Modification reflecting the vacation of the public right-of-way for the pedestrian access easement and parking easement shown on the Dubrava Village Condominium Project Tract No. 648, recorded under Book 373 of Maps, Page 30-32 of Sonoma County Records and more particularly described in Grant Deed of Easement recorded under Document No. 1985-043934 of Sonoma County Records; and the grant of public right-of-way for the pedestrian access and public parking easement approved by the Sonoma County Board of Supervisors.

Voluntary Merger:

131. Prior to issuance of grading and building permits for the project, the applicant shall submit an application and applicable filing fees to Permit Sonoma for a Voluntary Merger to merge the project parcels- APN 072-130-005, APN 072-130-007 and APN 072-130-009. The approved Notice of Voluntary Merger shall record prior to issuance of grading and building permits for the project.

Final Design Review:

132. Prior to issuance of grading and building permits for the project, the applicant shall obtain Final Design Review Committee review and approval to ensure Committee concerns from the November 18, 2018 meeting are addressed regarding building scale and articulation, horizontal massing, circulation, need for additional trees and landscaping, landscape screening between highway and parking area, and minimization of exterior lighting. Additionally, landscaping shall be designed to maximize public viewsheds of the public parking lot. Visibility shall be maintained as part of the vegetation and landscaping management plan for the property. See Mitigation Measure VIS-1.
133. Prior to issuance of building permits, an Exterior Lighting Plan shall be submitted to Permit Sonoma, which includes the following elements: (1) low mounted, downward casting exterior lighting that is fully shielded to prevent glare; (2) exterior lighting that is Dark Sky Compliant; (3) exterior lighting that is not located at the periphery of the property and which does not spill over onto adjacent properties or into the sky; (4) no flood lights ; (5) all parking lot and street lights are full cut-off fixtures; and (6) any security lighting is motion-sensor activated.
134. Grading and building design shall comply with the recommendations of the preliminary geotechnical investigation (PJC & Associates, April 2008), which shall be specified on the construction drawings.

Final Streamside Conservation Plan:

135. The applicant shall comply with all recommendations, mitigation measures and monitoring plan of the February 17, 2020 Ted Winfield & Associates and Resource- Design, Streamside Conservation Plan. The performance criterion for the plants at the mitigation site will focus on the survival of the plants.
- a. Survival for the trees, shrubs and ferns will be 80% at the end of five years.
 - b. Survival for the planted grasses will be 60% at the end of three years.

Prior to issuance of grading and building permits for the Resort Facilities and Public Access Facilities and Improvements, the applicant shall submit a detailed final Streamside Conservation Plan to the Project Planner for final review and approval. The Conceptual Planting Plan will be replaced with the final Planting Plan. The Planting Plan shall include any planting required in the Hulbert Creek Riparian Corridor due to the construction of the Public Access Trail. The Conceptual Public Access Trail will be replaced with the final alignment and dimensions of the Public Access Trail consistent with the grant of public right-of-way approved by the Sonoma

County Board of Supervisors and the Certificate of Modification required by Condition of Approval No. 133 above. The final Irrigation Plan will be added plus the Trail Surface Plan, including the installation and maintenance of the trail surface material, Park Tread or the equivalent. The Grading Plan will include the final alignment and dimensions of the Public Access Trail. See Mitigation Measure BIO-9.

Tree Protection:

136. The applicant shall implement all recommendations of the Arborist's Report and Construction Impact Assessment (MacNair & Associates, February 2020), including use of tree protection measures. The applicant shall submit an updated report from a qualified arborist that addresses compliance of the final grading and building plans with the tree protection measures. The report shall be provided to Permit Sonoma staff for review and approval prior to grading permit and building permit issuance.
137. Prior to grading and building permit issuance, the applicant shall provide a tree cutting and removal plan completed by a certified arborist that demonstrates the minimum number of trees necessary will be trimmed and/or removed to accommodate resort structures and related improvements.
138. The applicant shall implement all recommendations of the Arborist's Report and Construction Impact Assessment (MacNair & Associates, February 2020), including use of tree protection measures. The applicant shall submit an updated report from a qualified arborist that addresses compliance of the final grading and building plans with the tree protection measures. The report shall be provided to Permit Sonoma staff for review and approval prior to grading permit and building permit issuance. See Mitigation Measure BIO-10.
139. The applicant shall provide a Final Landscape Plan demonstrating compliance with the County's Tree Protection Ordinance, including tree replacements consistent with Ordinance requirements.

Greenhouse Gas Emissions Reduction:

140. The following greenhouse gas emissions reduction measures shall be implemented into the project by the applicant:
 - a. Secure bicycle parking on site;
 - b. Bicycles to rent for hotel guests;
 - c. Electric vehicle charging stations for hotel guest and visitors to be located in the resort parking area and the public parking area;
 - d. Shuttle service for guests to visit Sonoma County wineries, coastal areas, etc.;
 - e. Employee incentive program to use alternative modes of transportation such as ride share, bicycles and buses;
 - f. Improved bus stop and shelter at the front of the property;
 - g. Priority hiring from local employee workforce;
 - h. Priority hiring from local contractors and subcontractors; and
 - i. Construction to CalGreen Standards or higher.

141. Only non-wood burning fireplaces are allowed.

Bicycle Parking:

142. A minimum of 35 on-site bicycle parking spaces shall be provided onsite. Specifically, the project

shall include a minimum of 30 bicycle parking spaces located near the main hotel and restaurant buildings (distributed among and near the public entrance to each wing of the hotel) and a minimum of 5 bicycle parking spaces located at the public parking lot.

Final Parking Management Plan:

143. The applicant shall submit a final parking management plan to Permit Sonoma and Sonoma County Public Infrastructure addressing plans for use of valet parking during special events subject to final review and approval. The parking management plan shall address both peak- and non-peak season uses and must identify maximum site capacity for special events. In no instance shall the number of permitted outside guests exceed 275 during the non-peak season (December to April) and 145 during the peak season (June to October), with “shoulder” periods between the peak and non-peak seasons being the average of the two. See Mitigation Measure TRAF-3.
144. Prior to issuance of grading and building permits, the Project Planner shall verify the following NOTES are printed on all grading and building permit plan sheets:

CULTURAL RESOURCES PROTECTION NOTES:

“If archaeological materials such as pottery, arrowheads or midden are found, all work shall cease and Permit Sonoma staff shall be notified so that the find can be evaluated by a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists). Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic features include hearths, fire pits, or house floor depressions whereas typical mortuary features are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than 50 years of age including trash pits older than fifty years of age. The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. When contacted, a member of Permit Sonoma Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop proper procedures required for the discovery. No work shall commence until a protection plan is completed and implemented subject to the review and approval of the archaeologist and Project Review staff. Mitigation may include avoidance, removal, preservation and/or recordation in accordance with accepted professional archaeological practice.”

If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated.”

TREE PROTECTION NOTE:

“All development on the subject site is subject to the Sonoma County Tree Protection and Replacement Ordinance. Protected trees, their protected perimeters, and whether they are to be retained or removed must be clearly shown on the improvement, grading, septic and building permit plans. Trees that are proposed to be removed or are damaged during construction activities must be replaced in accordance with the Tree Protection ordinance. An arborist report is required for any grading or construction proposed within the protected perimeters of any protected tree. The project construction manager shall maintain all tree protection barriers in good condition at all times during all site disturbing activities. If any violation to this condition

occurs, construction will be halted until the tree protection barriers have been reinstalled at the approved location(s).”

NOISE CONTROL NOTE:

“During construction activities, noise shall be controlled in accordance with Table NE-2 (or an adjusted Table NE-2 with respect 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. The construction crew shall adhere to the following, but not limited to, best management practices to reduce construction noise levels emanating from the site and minimize disruption and annoyance of existing sensitive-noise receptors in the project vicinity.

- a. Noise-generating construction activities should be restricted to between the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday. No construction activities should occur on weekends or holidays. If work is necessary outside of these hours, the County should require the contractor to implement a construction noise monitoring program and, if feasible, provide additional mitigation as necessary (in the form of noise control blankets or other temporary noise barriers, etc.) for affected receptors. A sign(s) shall be posted on the site regarding allowable hours of construction.
- b. Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment when located within 200 feet of adjoining sensitive land uses. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- c. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Equipment shall be properly maintained and turned off when not in use.
- d. Unnecessary idling of internal combustion engines should be strictly prohibited.
- e. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used. Any enclosure openings or venting shall face away from sensitive receptors.
- f. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- g. Pile driving activities shall be limited to 8:00 a.m. to 6:00 p.m. week days only.
- h. Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
 - i. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- j. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- k. The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- l. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise and take prompt action to correct the problem. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler,

etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.”

Water Conservation:

145. A Water Conservation Plan shall be submitted for all buildings and landscaping prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall include all reasonably feasible measures to reduce water demand to the maximum extent feasible and enhance water resource recovery to maintain sustainable water supplies. Measures that must be evaluated include: installation of low-flow fixtures, best available conservation technologies for all water uses, rainwater and stormwater collection systems and graywater reuse.

146. All proposed landscaping is subject to compliance with the Sonoma County Water Efficiency Landscape Ordinance (WELO). Prior to Building Permit Issuance a Landscape Permit application shall be submitted for all new and rehabilitated landscapes, as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). Verification from a qualified irrigation specialist that landscaping plan complies with the County Ordinance shall be provided prior to building permit issuance. The measures in the plan shall be implemented by the applicant and verified by PRMD staff prior to Certificate of Occupancy or operation of the use.

Transient Occupancy Taxes:

147. The applicant shall register with the Auditor’s office for payment of Transient Occupancy Taxes prior to issuance of building permits.

CONSTRUCTION PHASE:

148. The applicant shall install the public access trail per the final approved Streamside Conservation Plan. The public access trail shall be connect Highway 116 to the Public Parking Lot and the Russian River public beach. The upper portion of the public access trail (from Highway 116 to the top of bank of the Russian River) shall be ADA (Americans with Disabilities Act) accessible. The lower portion of the public access trail (from top of bank to the public river beach) shall be constructed in accordance with the California State Park Accessibility Guidelines (2015 or later) and/or the Federal Access Board Outdoor Developed Areas (May 2014 or later) in order to provide the most access while protecting the sensitive environment.

The total impact in the Riparian Corridor created by hotel buildings, walkways, decks and patios plus the public access trail and pathway to the river from the hotel is approximately 0.42 acre (18,360 sq. ft.). The total impact to riparian habitat will be mitigated at a ratio of 3:1 per the final Streamside Conservation Plan.

149. Debris from past use of the site (including old car bodies along Hulbert Creek, illegal campsites and cement foundations) shall be removed from the riparian corridors where reasonably feasible (some material is overgrown with roots which if removed would damage the root structure).

150. The BAAQMD construction best management practices (BMPs) shall be incorporated into the project to minimize fugitive dust emissions levels. The Applicant shall implement the following

basic construction measures of the BAAQMD's 2017 CEQA Air Quality Guidelines:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations. Clear signage shall be provided for construction workers at all access points.
- g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- h. A publicly visible sign shall be posted with the telephone number and person to contact at the County regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to help ensure compliance with applicable regulations.

151. Nesting Bird Surveys. If construction, grading, vegetation removal, or other project related improvements are scheduled during the nesting season of protected raptors and migratory birds, January 31 to September 1, a focused survey for active nests of such birds shall be conducted by a qualified biologist within 7 days prior to the beginning of project-related activities. The results of the survey shall be sent to James Hansen, Environmental Scientist by email (James.Hansen@Wildlife.ca.gov) prior to the start of project activities. Refer to Notification Number 1600-2019-0442-R3 when submitting the survey to California Department of Fish and Wildlife (CDFW).

If an active nest is found, Permittee shall consult with the United States Fish and Wildlife Service (USFWS) and CDFW regarding appropriate action to comply with the Migratory Bird Treaty Act of 1918 and Fish and Game Code. If a lapse in project-related work of 7 days or longer occurs, another focused survey and if required, consultation with CDFW and USFWS, shall be required before project work can be reinitiated.

152. The August 12, 2016 Illingworth and Rodkin Environmental Noise and Vibration Assessment (updated October 26, 2022) states existing noise-sensitive land uses would be exposed to a temporary increase in ambient noise levels due to project construction activities. The applicant shall develop and submit to Permit Sonoma a Construction Noise Control Plan and incorporate the construction best management practices listed in the Illingworth and Rodkin Noise Assessment.

PRIOR TO OCCUPANCY:

153. Prior to final occupancy of the Resort Facilities, a maintenance plan for the public access facilities and improvements, including the public access trail, 25-space public parking lot, and public restroom, shall be submitted to the Project Planner for review and approval. The

maintenance plan shall include trash removal and provisions for maintaining the public access facilities and improvements in a clean and safe condition.

154. Prior to final occupancy of the Resort Facilities, the Project Planner shall verify construction is complete for public access facilities and improvements, including the public access trail, 25-space public parking lot, and public restroom, as well as implementation of the riparian habitat restoration activities identified in the Final Streamside Conservation Plan.
155. Planning Inspection. Accordingly, the applicant shall notify the Project Planner when construction is complete and landscaping and irrigation have been installed. The purpose of the planning site inspection is to ensure that site development has been accomplished in accordance with approved plans and conditions of approval. Alternately, the applicant may provide photos demonstrating compliance at the discretion of the Project Planner.

OPERATIONAL CONDITIONS:

156. Trash, Litter, and Graffiti.
 - a. At least twice a week, the operator of the establishment shall remove trash, litter, and debris from the sidewalks adjoining the premises plus 10 feet beyond property lines as well as any parking lots under the control of the operator.
 - b. The operator of the establishment shall remove all graffiti from the premises and parking lots under the control of the operator within 72 hours of its application.
 - c. Trash can only be disposed in exterior dumpsters between the hours of 8:00 a.m. and 8:00 p.m.
157. All on-site parking shall be managed in conformance with the Final Parking Management Plan reviewed and approved by the Department of Transportation and Public Works and Permit Sonoma. All employees and guests must park on-site. No parking is permitted in the right-of-way of any public roadways or along any private roadways.

MITIGATION MEASURES

AESTHETICS:

158. **Mitigation Measure VIS-1:** The applicant shall obtain Final Design Review Committee review and approval to ensure Committee concerns from the November 18, 2018 meeting are addressed regarding building scale and articulation, horizontal massing, circulation, need for additional trees and landscaping, landscape screening between highway and parking area, and minimization of exterior lighting.

Mitigation Monitoring VIS-1: Permit Sonoma will ensure Final Design Review approval is obtained prior to issuance of grading and building permits.

AGRICULTURE AND FOREST RESOURCES:

159. **Mitigation Measure Agriculture and Forest Resources AG-1:** Prior to grading and building permit issuance, the applicant shall provide a tree cutting and removal plan completed by a certified

arborist that demonstrates the minimum number of trees necessary will be trimmed and/or removed to accommodate resort structures and related improvements.

Mitigation Monitoring Agriculture and Forest Resources AG-1: Permit Sonoma staff shall not issue any grading or building permits for the project until the final tree cutting/removal plan completed by a certified arborist demonstrates the minimum number of trees necessary will be removed to accommodate resort structure and related improvements. The final tree cutting/removal plan shall be reviewed and approved by the Design Review Committee.

BIOLOGICAL RESOURCES:

160. **Mitigation Measure BIO-1:** California Red-legged Frog Habitat Assessment and Surveys. At least two weeks prior to the commencement of ground-disturbing activities, the Project area and nearby vicinity, including a minimum 500-foot radius surrounding the Project activity area, shall be assessed by a Qualified Biologist for the presence of California red-legged frog individuals and habitat features. Habitat features include both aquatic habitat such as plunge pools and ponds and terrestrial habitat such as burrows or other refugia. If habitat occurs, then no more than 48 hours prior to ground-disturbing activities the area shall be surveyed by a Qualified Biologist. The results of the habitat feature assessment and survey shall be submitted to CDFW for written acceptance prior to starting Project activities. Burrows and refugia sites shall be flagged or otherwise marked for avoidance; Project activities shall avoid habitat features to the extent feasible. If California red-legged frogs are encountered during the assessment or Project activities, the Project shall not proceed or all work shall cease, and CDFW shall immediately be notified. Work shall not proceed until the frog, through its own volition, moves out of harm's way and CDFW has provided permission in writing to proceed with the Project. If California red-legged frog is encountered or the Qualified Biologist determines that impacts to the species are likely to occur, the Project shall consult with USFWS pursuant to the federal Endangered Species Act and receive written approval from CDFW prior to the impact. In this case, CDFW may require additional protection measures which shall be implemented by the Project.

Mitigation Monitoring BIO-1: Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the results of the habitat feature assessment and survey have been submitted to CDFW for written acceptance prior to starting Project activities.

161. **Mitigation Measure BIO-2:** Foothill Yellow-Legged Frog - Survey Methodology: A CDFW-approved Qualified Biologist shall provide a foothill yellow-legged frog (FYLF) survey methodology for CDFW review and written approval at least 30 days prior to conducting project activities, unless otherwise approved in writing by CDFW. Project activities shall not begin until FYLF surveys have been completed using a methodology approved by CDFW. Survey methodology is not required if the stream is dry and there are no areas of persistent summer moisture present in or within 500 feet upstream and downstream of the project area. Survey methodology shall target all life stages and shall include carefully searching under rocks, within vegetation such as sedges and other clumped vegetation, and under undercut banks, no less than 50 feet from the streambed, where appropriate, and at least 500 feet upstream and downstream of the project area. Surveys should be conducted at different times of day and under variable weather conditions, if possible. Surveys should avoid windy days (15 miles per hour or greater), as ripples in the water make it more challenging to detect frogs.

Foothill Yellow-Legged Frog Surveys: Prior to starting project activities, a CDFW-approved Qualified Biologist shall conduct surveys for FYLF using a CDFW-approved methodology. The

results of the surveys shall be emailed to a CDFW representative, and the project shall receive written acceptance of the survey results from CDFW prior to starting project activities. The project shall install exclusionary fencing and prepare and implement a FYLF Relocation and Habitat Improvement Plan if FYLF or their eggs are found, if required and approved by CDFW.

If documentation is provided to CDFW that the stream has been completely dry for greater than 30 days prior to starting Project activities, and no water or moist areas within the streambed exist within 500 feet upstream and downstream of the Project site, then surveys for foothill yellow-legged frogs are not necessary.

Mitigation Monitoring BIO-2: Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the results of the surveys have been submitted to CDFW for written acceptance prior to starting Project activities.

162. **Mitigation Measure BIO-3:** Bat Protection: Prior to any tree removal, a qualified bat biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, or exfoliating bark for colonial species, and suitable canopy for foliage-roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. Trees may be removed only if: a) presence of bats is presumed, or documented during the surveys described below, in trees with suitable bat habitat, and removal using the two-step removal process detailed below occurs only during seasonal periods of bat activity from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified bat biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or complete visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under direct supervision and instruction by a qualified bat biologist with experience conducting two-step tree removal limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Mitigation Monitoring BIO-3: Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the results of the bat habitat assessment have been submitted to CDFW for written acceptance prior to starting Project activities.

163. **Mitigation Measure BIO-4:** Western Pond Turtle Surveys. A Qualified Biologist shall conduct a pre-construction survey for the western pond turtle and their nests within 48 hours of the commencement of project activities. If western pond turtle or their nests are detected at any time CDFW shall be notified immediately, and the Qualified Biologist shall relocate the turtle to appropriate habitat within the stream it was found. The project shall prepare and implement a Western Pond Turtle Habitat Improvement Plan, if western pond turtle or their nests are found, if required and approved by CDFW.

Mitigation Monitoring BIO-4: Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the western pond turtle surveys have been completed and, if any western pond turtles are

found, CDFW has been notified and a Western Pond Turtle Habitat Improvement Plan has been prepared and implemented prior to starting Project activities.

164. **Mitigation Measure BIO-5:** Sonoma Tree Vole Surveys: A Qualified Biologist shall conduct a pre-construction survey for the Sonoma tree vole and their nests within 48 hours of the removal of trees on-site. If Sonoma tree vole or their nests are detected at any time CDFW shall be notified immediately. The project shall prepare and implement a Sonoma tree vole relocation plan, if Sonoma tree vole or their nests are found, if required and approved by CDFW.

Mitigation Monitoring BIO-5: Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure pre-construction surveys have been completed and, if any Sonoma tree voles are found, CDFW has been notified and a relocation plan has been prepared and implemented prior to starting Project activities.

165. **Mitigation Measure BIO-6:** Northern Spotted Owl Habitat Assessment: At least 30 days prior to commencement of Project Activities, an NSO habitat assessment shall be conducted to determine the type of NSO habitat present on-site. The habitat assessment shall identify potential habitat as described on page 31 of the USFWS Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls. If no suitable habitat exists within 0.25 miles of the project, then no surveys or avoidance measures would be required. If the habitat assessment does identify suitable NSO habitat within 0.25 miles of the project, then the type of habitat within that 0.25-mile area would need to be identified. Results shall be submitted to CDFW for review and approval prior to commencement of project activities. If nesting habitat is identified on-site and will be impacted, two years of protocol surveys shall be conducted and compensatory mitigation for loss or downgraded quality of nesting habitat shall be provided at a minimum 3:1 mitigation to impacts ratio including permanent protection of nesting habitat through a conservation easement and providing funding for, preparing, and implementing a long-term management plan in perpetuity, unless otherwise approved in writing by CDFW.

Northern Spotted Owl Surveys: No project activities within 0.25 miles of NSO nesting habitat shall occur from March 15 to August 31, unless NSO surveys have been completed by a qualified biologist following the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, and the survey report is accepted by CDFW in writing. If breeding NSOs are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest. NSO surveys shall be conducted for each year project construction occurs. No Project activities shall occur within the buffer zone until the end of breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. Alternate buffer zones may be proposed by a qualified biologist after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternate buffers must be approved in writing by CDFW. Survey results shall be provided to the Spotted Owl Observations Database at <https://wildlife.ca.gov/Data/CNDDDB/Spotted-Owl-Info>). If NSO are detected, CDFW and the USFWS shall be immediately notified. If Project activities may impact NSO, or NSO nesting habitat, the project shall apply for and obtain an Incidental Take Permit (ITP) from CDFW, as well as authorization from the USFWS, before starting project activities.

Alternate buffer zones may be proposed by a Qualified Biologist after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and

Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternate buffers must be approved in writing by CDFW.

Mitigation Monitoring BIO-6: Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the NSO habitat assessment and required surveys has been completed and, if any NSO are found, the requirements in the mitigation measure have been implemented prior to starting Project activities.

166. **Mitigation Measure BIO-7:** A LSA Notification shall be submitted to CDFW and the LSA Agreement complied with, if issued.

Mitigation Monitoring BIO-7: Permit Sonoma shall not issue any grading or building permits for the project until the applicant submits a LSA notification to CDFW and a LSA Agreement has been issued.

167. **Mitigation Measure BIO-8:** To mitigate for the removal of riparian trees, replacement trees shall be planted at the below minimum replacement to removal, unless otherwise approved in writing by CDFW:

- 1:1 for removal of non-native trees;
- 1:1 for removal of native trees other than oak (*Quercus* sp.) up to 3 inches DBH (diameter at breast height);
- 3:1 for removal of native trees other than oak 4 to 6 inches DBH;
- 6:1 for removal of native trees other than oak greater than 6 inches DBH;
- 4:1 for removal of oak trees up to 6 inches DBH;
- 5:1 for removal of oak trees greater than 6 inches to 15 inches DBH; and
- 10:1 for removal of oak trees greater than 15 inches in diameter

Replacement tree plantings shall consist of 5-gallon or greater saplings and locally-collected seeds, stakes, or other suitable nursery stock as appropriate, and shall be native species to the area adapted to the lighting, soil, and hydrological conditions at the replanting site. If acorns are used for oak tree replanting, each planting will include a minimum of three acorns planted at an approximately two-inch depth to minimize predation risk. Large acorns shall be selected for plantings. Replacement oaks shall come from nursery stock grown from locally-sourced acorns, or from acorns gathered locally, from the same watershed in which they are planted.

The project shall monitor and maintain, as necessary, all plants for five years to ensure successful revegetation. Planted trees and other vegetation shall each have a minimum of 80 percent survival at the end of five years. If revegetation survival and/or cover requirements do not meet established goals as determined by CDFW, the project is responsible for replacement planting, additional watering, weeding, invasive exotic eradication, or any other practice, to achieve these requirements. Replacement plants shall be monitored with the same survival and growth requirements for five years after planting.

Mitigation Monitoring BIO-8: Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the applicant implements the required replacement tree plantings and monitors the plantings as required by the LSA Agreement.

168. **Mitigation Measure BIO-9:** The applicant shall comply with all recommendations, mitigation measures and monitoring plan of the February 17, 2020 Ted Winfield & Associates and Resource-Design, Streamside Conservation Plan. The performance criterion for the plants at the mitigation site will focus on the survival of the plants.
- Survival for the trees, shrubs and ferns will be 80% at the end of five years.
 - Survival for the planted grasses will be 60% at the end of three years.

Mitigation Monitoring BIO- 9: The applicant shall submit a detailed Final Streamside Conservation Plan to PRMD staff prior to the issuance of the grading and building permits per a condition of approval. The Conservation Plan specifications shall be incorporated into the plans. The applicant shall ensure that implementation of the Streamside Conservation Plan mitigation measures will be in compliance with the planting plan, planting specifications, recommendations for maintenance of the plants, evaluations of the status of the plants, removal of non-native vegetation, maintenance of the irrigation system and irrigation need plus the survival rates for the monitoring time periods.

Per the Streamside Conservation Plan, the survival of the plants will be assessed during (May-June) and toward the end of the growing season (August-September) during the first five years following planting. Dead planted material will be replaced prior to the rainy season during the first three years. Photos will be taken of the planted areas during each site visit to document development of plants in the mitigation area from set photo points. Additional monitoring of the plants will occur during the first three growing seasons to evaluate the need for supplemental irrigation, removal of weeds and repair of protective fencing to protect seedlings from browsers. A report, including photos, shall be provided to Permit Sonoma staff upon completion and annually for review and approval after the second assessment site visit in September and by the end of each year.

169. **Mitigation Measure BIO-10:** The applicant shall implement all recommendations of the Arbortist's Report and Construction Impact Assessment (MacNair & Associates, July 2008, updated November 2017, updated October 2018, updated February 2020), including use of tree protection measures. The applicant shall submit an updated report from a qualified arborist that addresses compliance of the final grading and building plans with the tree protection measures. The report shall be provided to PRMD staff for review and approval prior to grading permit and building permit issuance.

Mitigation Monitoring BIO-10: Permit Sonoma will verify that site grading and building plans provide for compliance with the 2008 arborist's report and recommendations. Permit Sonoma will verify that on-site protection measures are installed and maintained by the applicant during grading and building construction, and subject to PRMD inspections.

170. **Mitigation Measure BIO-11:** The applicant shall provide a final landscape plan demonstrating compliance with the County's Tree Protection Ordinance, including tree replacements consistent with Ordinance requirements.

Mitigation Monitoring BIO-11: The applicant shall provide the final landscape plan prior to issuance of a grading permit, with tree plantings confirmed by PRMD site inspection prior to issuance of an occupancy permit.

CULTURAL RESOURCES:

171. **Mitigation Measure CUL-1 (Cultural Resources):** The following NOTE shall be printed on all grading and building permit plan sheets:

“In the event historic or cultural resources are discovered during construction activities, Project personnel shall halt all activities in the immediate area and notify a qualified archaeologist to determine the appropriate course of action.”

“The final disposition of archaeological, historical, and paleontological resources recovered on State land under the jurisdiction of the California State Lands Commission must be approved by the Commission.”

Mitigation Monitoring CUL-1 (Cultural Resources): Prior to issuance of grading and building permits, the Project Planner will verify the note is printed on all grading and building permit plan sheets.

GEOLOGY AND SOILS:

172. **Mitigation Measure GEO-1:** Grading and building design shall comply with the recommendations of the preliminary geotechnical investigation (PJC & Associates, April 2008), which shall be specified on the construction drawings.

Mitigation Monitoring GEO-1: Prior to grading or building permit issuance, Permit Sonoma will verify that grading and building design plans comply with the recommendations of the preliminary geotechnical investigation (PJC & Associates, April 2008). Field inspections by Permit Sonoma staff will verify the use of the required grading and construction measures.

HYDROLOGY AND WATER QUALITY:

173. **Mitigation Measure HYDRO-1:** The applicant shall prepare a final flood elevation study to certify that first floor elevations of the project structures, including hotel and bungalows, are constructed at least one foot above 100-year flood elevations related to Hulbert Creek and the Russian River. The applicant shall submit the required flood elevation study to the Permit Sonoma Engineering Division for review and approval prior to issuance of a grading permit for the project.

Mitigation Monitoring HYDRO-1: Permit Sonoma will not release the grading permit for issuance until the flood elevation study has been approved. Permit Sonoma will not sign off building occupancy until final elevation certifications are provided by the applicant and inspected by the County.

NOISE:

174. **Mitigation Measure NOISE-1:** The Tree House suite buildings require forced-air mechanical ventilation with standard construction materials to meet the 45 dBA Ldn threshold. The applicant shall provide building plans to Permit Sonoma for review and approval demonstrating compliance with this mitigation measure.

Mitigation Monitoring NOISE-1: Permit Sonoma will verify that the construction plans include the required specifications. Field inspection by Permit Sonoma will verify installation.

175. **Mitigation Measure NOISE-2:** Provide a suitable form of forced-air mechanical ventilation, as determined by the Permit Sonoma building official, for all Tree House suite buildings on the project site, so that windows can be kept closed at the occupant’s discretion to control interior noise and achieve the interior noise standards. The applicant shall provide building plans to Permit Sonoma for review and approval demonstrating compliance with this mitigation measure

Mitigation Monitoring. NOISE-2: Permit Sonoma will verify that the construction plans provide a suitable form of forced-air mechanical ventilation, as determined by the Permit Sonoma building official, for all Tree House units on the project site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards. Field inspection by Permit Sonoma staff will verify installation.

176. **Mitigation Measure NOISE-3:** Mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the County's noise level requirements. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected by the applicant to determine specific noise reduction measures necessary to reduce noise to comply with the County's noise level requirements. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, such as the rooftop of the hotel buildings away from the building's edge nearest the multi-family residences, where feasible. The applicant shall provide building plans to PRMD for review and approval demonstrating compliance with this mitigation measure.

Mitigation Monitoring NOISE-3: Permit Sonoma will verify that the noise reduction measures necessary to reduce noise to comply with the County's noise level requirements have been implemented. Field inspection by PRMD staff and the qualified acoustical consultant shall verify that this mitigation measure has been met.

177. **Mitigation Measure NOISE-4:** Mitigation methods for reducing driveway/parking lot noise levels at nearby sensitive land uses are limited for the proposed project. Mitigation requires the construction of a sound wall or specially-designed barrier capable of reducing parking lot and driveway noise levels at the westerly property line, adjacent to the Dubrava multi-family residences by up to 9 dBA. The barrier shall be located around the perimeter of the hotel's parking lot along the southwestern boundary, and continue until the main access driveway. The total length of the proposed barrier would be approximately 400 feet. The proposed barrier would be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of three lbs/ft² (e.g., one-inch thick marine-grade plywood, ½-inch laminated glass, concrete masonry units (CMU)). A barrier height of approximately eight feet would be sufficient for reducing noise levels by at least 9 dBA. This height shall be measured relative to the pad elevation of the parking lot.

This mitigation measure also applies for required noise reduction related to indoor special events at the resort. The noise barrier would provide the required 6 dBA noise reduction at the property line of the multi-family residential land uses to meet the County's nighttime threshold of 40 dBA L50 for all indoor special events. This barrier would start where the eight-foot barrier ends and continue along the main access driveway property line until just passed the last parking space. The total distance would be approximately 180 feet.

Mitigation Monitoring NOISE-4: The applicant shall provide building plans to Permit Sonoma for review and approval demonstrating that all of the requirements for the specially-designed noise barrier are included in the construction plans. Field inspection by PRMD staff shall verify installation of the noise barrier.

178. **Mitigation Measure TRAF -1:** The project shall install a Class I bicycle pathway along the entire frontage.

Mitigation Monitoring TRAF -1: The applicant shall provide final design plans for installation of the Class I bicycle lane to Permit Sonoma and County Regional Parks for review and approval prior to issuance of a grading permit.

179. **Mitigation Measure TRAF-2:** The project shall include a minimum 35 on-site bicycle parking spaces. Eighteen (18) bicycle parking spaces shall be located near the main hotel and restaurant building and 14 bicycle parking spaces shall be located near the Tree House buildings. An additional 6 bicycle parking spaces shall be located at the public parking lot.

Mitigation Monitoring TRAF -2: The applicant shall include the required bicycle parking spaces on the updated project site plan as part of the first building permit for the project, and shall ensure the bicycle parking spaces are installed prior to building occupancy.

180. **Mitigation Measure TRAF-3:** The applicant shall submit a final parking management plan to Permit Sonoma and the Department of Transportation and Public Works (DTPW) addressing plans for use of valet parking during special events subject to final review and approval. The parking management plan shall address both peak- and non-peak season uses. In no instance shall the number of permitted outside guests exceed 275 during the non-peak season (December to April) and 145 during the peak season (June to October), with “shoulder” periods between the peak and non-peak seasons being the average of the two.

Mitigation Monitoring TRAF-3: Permit Sonoma will not release the first building permit until the parking plan has been submitted and approved in final form by Permit Sonoma and DTPW.