



SONOMA COUNTY BOARD OF SUPERVISORS
DRAFT CONDITIONS OF APPROVAL

Date: 3 May 2022 **File No.:** PLP19-0009
Site Address: 3750 N Laughlin Road, Santa Rosa **APN:** 059-370-033
Property Owner: Royal Oak Development Co., LLC
Applicant: Landmark Hotels, Inc., ATTN: Scott Schellinger
Planner: Claudette Diaz, Project Planner

Project Description: The project includes a Specific Plan Amendment to adopt a parcel specific policy, Development Agreement, Use Permit, and Design Review for an 116,571 square foot, 85-foot-tall hotel with 165 guest rooms, conference facilities, and an estimated 176 seat rooftop restaurant located on a 3.52-acre site, southeast of the intersection of North Laughlin Road and Airport Boulevard.

Throughout these conditions “Development Permit” is any permit required to physically modify the site, including, but not limited to, building, grading, and encroachment permits. “Development Plan” is any plan submitted as part of a development permit application.

FEES:

- Notice of Determination 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 \$2,406.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a total of \$2,456.75 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.) If the fee is not paid within five days after approval of the project; it will extend time frames for CEQA legal challenge.
- Planning Condition Compliance Fee:** At the time of submission of a building permit application, the applicant/operator shall submit a Condition Compliance Review fee deposit to Permit Sonoma, with the appropriate amount to be determined consistent with the ordinance in effect at the time. In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.
- Planning 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 workforce housing fee shall be calculated at the time of Building Permit application, consistent with Subsection 26-89-040(E)(I) of the Sonoma County Municipal Code. The fee shall be paid at the time of issuance of the Building Permit for each nonresidential project, unless proof is provided that the required affordable housing units will be constructed on-site or that an

alternative equivalent action was previously approved in compliance with Subsection 26-89-040(G).
<https://sonomacounty.ca.gov/PRMD/Regulations/Housing/Workforce-Housing-Fees/>

4. **Transportation and Public Works Traffic Mitigation Fee:** The applicant, his or her personal representatives, and project consultants are advised that prior to issuance of a building permit for any new building or prior to any new use of an existing building, payment of a development fee (i.e., Traffic Mitigation Fee) shall be made to Permit Sonoma (PRMD) per Section 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 Land Development Section of Permit Sonoma prior to clearance of these conditions.
5. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs and development fees are paid in full.

PERMIT SONOMA PLANNING:

"Compliance with the conditions below have been verified" BY _____ DATE _____
Contact Permit Sonoma Planning at (707) 565-1900

6. The project is subject to the payment of all applicable development impact fees prior to building or grading permit issuance.
7. The hotel and restaurant uses 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.
8. Public utility easements shall be shown on the construction improvement plans in accordance with the project approval.
9. Utility distribution facilities, except surface-mounted transformers or pedestal-mounted terminal boxes, meter cabinets, concealed ducts, fire hydrants, and streetlights shall be placed underground. Appropriate easements shall be provided to facilitate these installations.
10. Prior to issuance of a building permit for new buildings, a sign permit shall be submitted for staff design review and approval. All signage shall be consistent with the those shown in the Design Review.
11. Prior to building permit issuance, a landscape permit application shall be submitted for all new landscapes as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). Compliance with these regulations shall be verified by Permit Sonoma staff prior to Certificate of Occupancy. Reference form PJR-091:
<https://sonomacounty.ca.gov/PRMD/Instructions-and- Forms/PJR-091-Landscape-Plan-Check-Water-Efficient-Landscape/>
12. Final design and landscaping plans shall be submitted for review by Permit Sonoma, as provided in COAs 127 and 128 below. Building shape, colors, textures, and materials (including proposed

PLANNING CONDITIONS PAGE 2



fencing) shall be consistent with the surrounding environment. Screening vegetation shall be sufficient in quantity, type, size (height), and location. All County notes regarding specific design specifications/standards shall be added to construction drawings or otherwise incorporated into the project.

13. Construction plans shall conform to the plans approved by the County Design Review Committee. Any proposed modification, alteration, and/or expansion of the project authorized by this permit shall require the prior review and approval of Permit Sonoma or appointed officials, as appropriate. Such changes may require a new or modified permit and additional environmental review.
14. Provide secure parking facilities for a minimum of one bicycle space per 15 employees near the main entrance with a minimum of two bicycle racks spaces.
15. The applicant/operator shall be required to maintain in good condition all street and parking lot surfaces, lighting and landscaping, and public street frontage improvements to the face of curb, including any landscape areas, sidewalks, or surface drainage contained within the public right-of-way. All landscaping shall be automatically irrigated with primary irrigation lines and equipment located on private property. An Encroachment Permit and/or a Maintenance Agreement with the County shall be required prior to issuance of grading or building permits for maintenance and irrigation within the public right-of-way.

BUILDING

"Compliance with the conditions below have been verified" BY _____ DATE _____
Contact Building Plan Check at (707) 565-2095

16. The applicant shall apply for and obtain building-related permits from Permit Sonoma for new buildings. The necessary applications appear to include, but may not be limited to, building permit(s). Construction inspections shall have occurred and the building permit(s) finalized prior to occupancy of new or remodeled structure(s).
17. Due to the project scope, the California Business and Professions Code requires plans and calculations to be prepared by California licensed design professionals (e.g., architects, engineers).
18. Any structures to be constructed as part of the required grading, such as retaining or sound walls, shall require separate building applications and permits.
19. All required paths of travel (parking lots, sidewalks) shall comply with State and Federal accessibility guidelines. Grading plans submitted to Permit Sonoma shall include sufficient details of features to validate compliance.
20. All buildings, structures, sidewalks, curbs, and related facilities, intended for use by the public, shall be accessible to and usable by persons with disabilities.
21. Accessible parking shall be provided for both assigned and unassigned and/or visitor spaces per California Building Code requirements.
22. All required accessibility features and elements for public accommodations and guest rooms shall comply with California Building Code, Part 2, Chapter 118.

PLANNING CONDITIONS PAGE 3



23. Where recreational facilities are provided, including swimming pools, they shall be accessible.
24. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code, as determined by the Permit Sonoma Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the California Building Code, to retrofitting of the existing structure.
25. Project shall be designed and constructed to comply with Sonoma County's adopted version of the California Green Building Standards Code. Plans shall show all required compliance elements.
26. If any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. These changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents, or specifications that are proposed for change.

HEALTH (PERMIT SONOMA)

Contact Permit Sonoma Health at (707) 565-1900

PRIOR TO BUILDING PERMIT ISSUANCE:

NOTE: Prior to building permit issuance, please submit the following condition compliance requirements as one completed submittal package to the Project Review Health Specialist.

27. Connection shall be made to Town of Windsor sewer and water.
28. Toilet facilities shall be provided for patrons and employees prior to occupancy and operation of the project. The applicant shall submit a copy of the Floor Plan showing the location of the restrooms, prior to issuance of building permits, to the Project Review Health Specialist.

Hazardous Materials

29. Prior to building permit issuance, the applicant shall submit a Work Plan for remediation of any hazardous materials for approval by the appropriate State or County agency overseeing the remediation. The applicant shall submit a copy of a letter of approval from the appropriate State or County agency overseeing the remediation to the Project Review Health Specialist.

Consumer Protection

30. 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. The

PLANNING CONDITIONS PAGE 4



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

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

Noise

31. 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.

Solid Waste

32. Prior to building permit issuance, areas within refuse enclosures for food facilities, food retailers, inns and hotels, and multiple housing units with seven (7) or more bedrooms, shall:
 - (a) Drain to the sanitary sewer system or other appropriately permitted disposal facility.
 - (b) Container areas shall not be less than ten feet (10') wide, seven and one-half feet deep and six feet (6') high.
 - (c) Gates, if installed on the container area, shall be double doors, opening at the center and level with the access road,
 - (d) The outside perimeter of the trash enclosure shall be graded to prevent storm water from draining into the sanitary sewer system.
 - (e) The trash enclosure shall be covered with a roof or awning. Overhead clearance and overhangs, wiring or other obstructions on the approach to the container area must be at least fourteen feet (14") high and at least nineteen feet (19') high at the location where the bins are tipped. The containers for refuse and recyclables shall be of sufficient size and adequate number to contain without overflowing all of the refuse and recyclables that are generated on the premises during the designated removal period per the Solid Waste Management Plan.

The applicant shall submit a copy of a design and drainage for trash enclosures and recycling areas to Building Plan Check and the Project Review Health Specialist for review and approval.

PRIOR TO OCCUPANCY:

Water

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



copy of the Cross Connection Control Specialist's initial report to the Project Review Health Specialist for review.

Consumer Protection

35. Prior to occupancy and project operation, backflow prevention devices shall be installed on the water supply system as recommended, after concurrence with the hazard evaluation and recommendations for cross connection control report by PRMD. The applicant shall submit a letter from the Cross Connection Control Specialist to the Project Review Health Specialist stating that backflow prevention has been installed as recommended.

OPERATIONAL REQUIREMENTS:

Water

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

USE FOR BUILDING PERMITS:

38. Portable toilets and portable hand-washing facilities shall be placed and maintained for employees as needed on the drill sites, 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

39. Obtain and maintain all required Food Industry Permits from the Sonoma County Environmental Health Division prior to serving any food.

Noise

40. 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

PLANNING CONDITIONS PAGE 6



L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60

¹The 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.

41. Special events were not requested in this Use Permit and therefore are not authorized by this Use Permit.

Solid Waste

42. 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

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

44. 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.

ENVIRONMENTAL HEALTH (PERMIT SONOMA)

Contact Environmental Health at (707) 565-4401

45. A Retail Food Facility Permit(s) is required to store, prepare, package, serve or vend food. Prior to issuance of any retail food facility permits to operate, Environmental Health must review and approval of building plans for each retail food facility.



46. All owners of properties with existing or new onsite water well(s) and transient non-community water systems are required to apply for and maintain a state water system permit as an approved potable water supply for the food facility areas. The water system permit is issued by the California Water Resources Control Board Drinking Water Branch (707) 576-2145.
47. Review and approval of building plans is required prior to issuance of a public pool permit for a public pool/spa/therapy pool or public interactive water feature.
48. 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.
49. Smoking is prohibited in outdoor dining areas, including picnic areas, sidewalks, and any area available to, or customarily use by, the general public or an employee area that is intended or regularly used for consuming food or drink. Businesses with unenclosed dining areas 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 included 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.

50. 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 Environmental Health for the organizer as well as all food vendors.

SANITATION

"Compliance with the conditions below have been verified BY _____ DATE _____

PLANNING CONDITIONS PAGE 8



Contact Engineering at 707-565-1691

51. Sonoma County Water Agency (Water Agency) operates Airport-Larkfield-Wikiup Sanitation Zone (District) under contract with the District. References to District employees are understood to be Water Agency employees acting on behalf of District.
52. The applicant/operator shall submit improvement plans to the Sanitation Section of Permit Sonoma for review and approval of the sanitary sewer design. Improvement plans shall be on standard bond paper, 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 Permit Sonoma prior to the start of Improvement Plan Review.
53. 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 Permit Sonoma under a separate permit.
54. All sanitary sewer inspection permits shall be obtained from the Sanitation Section of Permit Sonoma prior to the start of construction.
55. Prior to the start of construction within the County Right-of-Way of Aviation Boulevard or N Laughlin Road, the applicant/operator shall have a licensed general contractor in possession of a valid Public Road bond obtain an Encroachment Permit from Permit Sonoma.
56. The applicant/operator shall submit a letter to the Sonoma County Water Agency (SCWA} for a sewer lateral to be shared by multiple buildings and/or units and submit the SCWA approval of a shared lateral to Permit Sonoma, prior to issuance of the sewer permit for construction.
57. The applicant/operator shall obtain a permit to construct sanitary sewer facilities prior to temporary occupancy or occupancy of the proposed hotel. The sewer design and construction shall comply with the Sonoma County Water Agency Design and Construction Standards for Sanitation Facilities and Sonoma County Water Agency Sanitation Code Ordinance Uniform Practices. All-sewer work-shall be inspected and accepted by the Engineering Division of Permit Sonoma and the SCWA Inspector before occupancy or temporary occupancy is approved for this project.
58. At the time of sewer permit issuance, the applicant/operator shall provide the Sanitation Section of Permit Sonoma with data related to the floor area of the building, differentiating restaurant with seating and tables, hotel rooms, office space, 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.
59. 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.



60. All Sewer Fees per Airport/Larkfield/Wikiup Sanitation Zone Ordinances (latest revision) shall be paid to the Sanitation Section of Permit Sonoma prior to occupancy or temporary occupancy of the proposed hotel.
61. The applicant/operator 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 Permit Sonoma.

FIRE AND EMERGENCY SERVICES

"Compliance with the conditions below have been verified" BY _____ DATE _____
Contact Fire and Emergency Services at (707) 565-1152

62. Due to the scope of this project, a Fire Services Pre-Construction meeting is required.
63. The subject property (or properties) must currently be in full compliance with Zoning regulations, Building Code regulations, Fire Code Regulations and Hazardous Materials regulations
64. A fire inspection shall be conducted by the Sonoma County Fire and Emergency Services Department 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.
65. The Sonoma County Fire and Emergency Services Department may charge and collect a fee for the inspection in an amount, as determined by the County, sufficient to pay the costs of the inspection.

Operational Permits

66. Applicable Fire Code operational permits shall be obtained prior to the initiation of any activity where an operational permit is required by the California Fire Code, as adopted and amended by Sonoma County Code, including the following:
 - (a) Fire hydrants and valves
 - (b) Fire protection system
 - (c) Place of assembly. CFC Sec. 105.6.36.
 - (d) Private fire hydrant: service, use or operation. CFC Sec. 105.6.37
 - (e) CO2 systems for beverage dispensing. CFC Sec. 105.6.4
 - (f) Hotels, motels. CFC Sec. 105.6.50(4)
 - (g) Emergency responder radio coverage. CFC Sec. 105.6.50(7)
67. An annual fire safety inspection is required for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay the costs of the inspection.

Construction Permits



68. A building permit shall be obtained for any construction, or any change in the use or character of a building.

69. The applicant shall include provisions in the construction bid documents to minimize the potential for ignition of wildfire as a result of project construction. The following measure shall be implemented to reduce construction-related wildfire ignition potential:
Pursuant to Public Resources Code 4442, the applicant shall include a note on all construction plans that internal combustion engines shall be equipped with an operational spark arrester, or the engine must be equipped for the prevention of fire.

70. 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, including the following:

- (a) Automatic fire extinguishing systems. CFC Sec. 105.7.1
- (b) Emergency responder radio coverage. CFC Sec. 105.7.5
- (c) Fire alarm systems. CFC Sec. 105.7.6
- (d) Fire pump. CFC Sec. 105.7.7
- (e) Private fire hydrants. CFC Sec. 105.7.13
- (f) Standpipe systems. CFC Sec. 105.7.17
- (g) Fire apparatus access roads. CFC Sec. 105.7.19(1)

71. The facility operator shall develop an emergency response plan consistent with Chapter 4 of the 2013 California Fire Code, as adopted and amended by Sonoma County Code and Title 19§ 3.09(c) and (e). Fire safety plans, emergency procedures, and employee training programs shall be approved by the fire code official.

72. Provide a NFPA 14 standpipe system. CFC Sec. 905.3.1.

73. Provide a full NFPA 13 automatic sprinkler system.

74. NFPA 72 fire alarm system is required.

75. Construction is assumed to be Type V-A 1-hour fire-resistive minimum. Buildings four or more stories shall have the following:

- (a) Mechanical and elevator shafts shall be of two-hour fire-resistive construction. CBC Sec. 713.4.
- (b) Elevator machine shall be of two-hour fire-resistive construction. CBC Sec. 300.5.4.
- (c) Provide stairway to roof. CBC Sec. 1011.12 and CFC Sec. 504.3.
- (d) Elevator shall accommodate stretcher. CBC Sec. 3002.4a.
- (e) Stair enclosures shall be of two-hour fire-resistive construction. CBC/CFC Sec. 1023.1.
- (f) Group R occupants below the fourth floor shall have emergency egress windows. CBC/CFC Sec. 1030.1.

PLANNING CONDITIONS PAGE 11



(g) Provide aerial fire apparatus access along at least one side of the building. CFC Sec. D105.

76. Provide on-site fire hydrants if required per CFC Sec. 507.5.1.

Access

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

- (a) All roadways shall provide year-round unobstructed access to conventional drive vehicles, including sedans and fire engines, as required by Sonoma County Fire Safe Standards.
- (b) Any newly created or approved roadways, newly constructed roadways, extended roadways, and reconstructed or improved roadways shall be constructed and maintained in compliance with the California Fire Code, as adopted and amended by Sonoma County Code, and as required by Sonoma County Fire Safe Standards.

Water Supply

78. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code, as adopted and amended by Sonoma County Code:

- (a) Fire hydrants shall be installed as required by the California Fire Code as adopted and amended by Sonoma County Code.

Occupancy

79. 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.

GRADING AND STORMWATER

"Compliance with the conditions below have been verified" BY _____ DATE _____
Contact Permit Sonoma Grading and Storm Water at (707) 565-1691

80. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
81. 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 (Permit Sonoma) . 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. The drainage report shall abide by and contain all applicable items in the *Drainage Report Required Contents* (DRN-006) handout.

82. The proposed project is subject to storm water Low Impact Development (LID) regulations. 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. A final Storm Water Low Impact Development Submittal (SW LIDS), based upon the approved initial SW LIDS, shall 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 (Permit Sonoma) prior to the issuance of any grading or building permits. LID BMP's must be installed per approved plans and specifications, and working properly prior to finaling the grading permit and associated building permits.
83. Landowner shall submit to Permit and Resource Management Department (Permit Sonoma) annually the results of the Storm Water BMP inspection. Inspection shall include but is not limited to the Inspection and Maintenance Checklists, photo evidence of BMP existing conditions, and a report of any maintenance activity, remediation, or replacement of BMP features.
84. 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 (Permit Sonoma) 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 Permit and Resource Management Department'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.
85. 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.
86. 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.

PLANNING CONDITIONS PAGE 13



87. Residue or polluted runoff from the crush pad or from production areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Crush pads and production areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.
88. 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.
89. Drainage easements are required to convey 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.
90. 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.
91. 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.

Department of Transportation and Public Works

"Compliance with the conditions below have been verified" BY _____ DATE _____

Contact Sonoma County Department of Transportation and Public Works at (707) 565-2231

Right of Way and Easements Requirements (Airport Boulevard Frontage):

92. The Applicant shall offer a right of way or easements to the County of Sonoma as shown on Sheet UP-2 of the plans prepared by NorCal Civil Engineering dated December 8, 2021 (the "NorCal Plans") for public utility and road purposes (including sidewalks and landscaping) along Airport Boulevard to accommodate the following improvements:
 - (a) A signalized intersection or a 132-foot inscribed circle diameter roundabout with accommodations for Surface Transportation Assistance Act vehicles at the intersection of

PLANNING CONDITIONS PAGE 14



Airport Boulevard and North Laughlin Road, along with intersection controls for efficient operation of the intersection and safety.

- (b) All public drainage facilities shown on Sheet C-2 of the NorCal Plans.
- (c) A five (5) foot wide public sidewalk facility and at least ten (10) feet of landscaping along Airport Boulevard (except in the area immediately south of the bus turnout) as shown on Sheet UP-1 of the NorCal Plans.
- (d) A bus turnout as shown on Sheet UP-1 of the NorCal Plans.

93. This offer of additional right of way or easements shall be accomplished as follows: 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. The right of way and easement areas shall be free of encumbrances other than those benefitting the County or other utilities. A copy of the recorded easement deed shall be submitted to the Land Development Section of Permit Sonoma prior to clearance of these conditions.

Required Improvements (Airport Boulevard Frontage):

94. The Applicant shall construct or repair as needed improvements within the public right of way along the Airport Boulevard frontage as shown on Sheet UP-1 of the NorCal Plans, which include the following:

- (a) One twelve (12) foot wide paved travel lane (existing).
- (b) One-half of one twelve (12) foot wide paved travel lane (existing).
- (c) One six (6) foot bike lane (existing).
- (d) County Standard concrete curb and two-foot wide gutter.
- (e) County Standard five (5) foot wide sidewalk, including facilities for persons with disabilities and at least ten (10) feet of associated landscaping (except in the area immediately south to the bus turnout). Existing sidewalk may be used if located as shown on Sheet [UP-1] and if it meets ADA requirements. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove any existing sidewalk meets ADA requirements along any project frontage.
- (f) The final road shall be designed for a Traffic Index of 10.0.
- (g) A full bus turnout on the Airport Boulevard frontage per the following criteria:



- i. The berth area shall have a minimum width of 10 feet (12 feet is preferred) and a length of 50 feet. The berth width shall allow a bus to stop without extending into the bike lane.
- ii. A six (6) foot wide by eight (8) foot long sidewalk (exclusive of curb width) at the landing area to accommodate a future bench and/or passenger waiting shelter.
- iii. An eight (8) inch thick reinforced concrete slab for the berth area per County standard 216.
- iv. The improved bus stop shall conform to the design standards of Sonoma County Transit and the Sonoma County Department of Transportation and Public Works.

(h) The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma prior to constructing improvements on County land or County's right of way.

- (i) Sidewalk warps along any project frontage shall be constructed to provide a clear 4-foot walkway around surface obstructions.
- (j) Sidewalks along the project frontage shall be constructed in accordance with Department of Transportation and Public Works Construction Standards and shall conform to existing sidewalks at the end of the project frontage.
- (k) The improvements may vary from the locations shown on the NorCal Plans depending upon the location and condition of the existing improvements.

95. The structural section of all road improvements shall be designed using a soils investigation which provides the basement soil's R-value and Expansion Pressure test results. A copy of the soils report shall be submitted with the first set of improvement plan check prints. The Traffic Index (TI) to be used for the pavement design of Airport Boulevard is 10.0.

96. The Applicant shall mill, repair and overlay the existing pavement as necessary to make a smooth transition between the existing pavement and the new pavement.

97. Storm drainage facilities shall be designed and constructed in accordance with Sonoma County Water Agency design standards. Drainage improvements shall be reviewed and cleared by the Grading & Storm Water Section of Permit Sonoma.

98. An approved storm drain label shall be placed on all surface storm drain structures within the public right-of-way. The Permit Sonoma inspector will provide approved labels.

99. Prior to acceptance of the public road improvements, the Applicant shall ensure that the project engineer signs the record drawing block on the public improvement plans after noting any record changes. The signed record drawings shall be scanned at a minimum 400 DPI and a PDF of the record plans shall be provided to DTPW at the Applicant's expense.

PLANNING CONDITIONS PAGE 16



100. County Standard street lighting as required by the Director of Transportation and Public Works

Required Improvements (North Laughlin Frontage):

101. The Applicant shall construct or repair County standard concrete curb and gutter as necessary, along the North Laughlin Road frontage.
102. The Applicant shall construct or repair a County standard five (5) foot sidewalk and landscaping along the North Laughlin Road frontage as shown on Sheet UP-1 of the NorCal Plans, including facilities for persons with disabilities. Existing sidewalk may be used if it meets ADA requirements. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove any existing sidewalk meets ADA requirements along any project frontage.
103. The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma (PRMD) prior to constructing improvements on County land or County's right of way.
104. The County will issue an encroachment permit to Applicant for all improvements to be constructed on County land or County's right of way.
105. Sidewalk warps along any project frontage shall be constructed to provide a clear 4-foot walkway around surface obstructions.
106. Sidewalks along the project frontage shall be constructed in accordance with Department of Transportation and Public Works Construction Standards and shall conform to existing sidewalks at the end of the project frontage.
107. The improvements may vary from the locations shown on the NorCal Plans depending upon the location and condition of the existing improvements.

Intersections of Roads and Driveways:

108. Per condition of approval number 33 for MJS02-0002, "no driveway will be allowed to connect directly to Airport Boulevard."
109. The driveway entrance along North Laughlin Road closest to Airport Boulevard shall conform to County standards and meet the following criteria to allow for concurrent emergency ingress and egress as well as the smooth and safe movement of passenger vehicles entering and exiting the public road (North Laughlin Road) that provides access to the property. This condition shall apply to new and proposed entries and shall be void if the existing entrance meets these requirements. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove the driveway (project's entry to North Laughlin Road) meets these requirements:



The Applicant shall construct a ramp type concrete driveway entrance for the hotel with a throat width of at least twenty-six (26) feet, reinforced to accommodate commercial activity (see County Standard Detail 808) as shown on Sheet UP-1 of the NorCal Plans and per the following:

- (a) The curb opening necessary to accommodate the curb face transition shall extend three (3) feet beyond the throat width on both sides of the driveway.
- (b) The driveway shall enter the public road as close to perpendicular as possible, but in no case shall the driveway enter the public road at more than 20 degrees from perpendicular.
- (c) Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve minimum required sight distance at the driveway.
- (d) The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the back of sidewalk. The driveway improvements shall be in place prior to occupancy or commencement of the new activity.
- (e) The use of an existing shared entry is acceptable provided that the entry is shown to meet the above stated requirements and sufficient evidence is provided to the County Surveyor's office that legal rights exist to share an entry.

110. The Applicant shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum County required sight distance at any project driveway where it intersects a public roadway.

111. The Applicant shall construct a stabilized entrance for on-site construction activity to meet the following criteria prior to issuance of building permits:

- (a) The entrance shall be of sufficient width to accommodate two-way traffic.
- (b) The entrance surface shall be stabilized to prevent tracking of gravel and mud onto the public road.
- (c) The minimum sight distance for vehicles entering and exiting the construction entrance shall be in accordance with current County requirements for the speed traveled on the public road(s) providing construction access. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum County required sight distance at each driveway.

Traffic Safety Gate Setback:

112. The Applicant shall locate driveway gates, if proposed, a minimum distance of 30 feet from the edge of the pavement, in accordance with Standard Detail 242.



Traffic Control Devices:

113. The Applicant shall install:

- (a) Traffic control devices (restriping) as shown on Sheet UP-1 of the NorCal Plans.
- (b) Signing indicating that no vehicle parking will be permitted along North Laughlin Road and Airport Boulevard frontages.

Improvement Standards:

114. The Applicant shall employ a Registered Civil Engineer, licensed in the State of California, to develop plans for the required improvements. The scale of these improvement plans shall be a minimum 1 inch equals 40 feet, and shall be submitted electronically on ANSI D 22.0 x 34.0-inch printable sheets for review. The plans shall include roadway cross-sections, at a maximum interval between cross-sections of 50 feet.

Fees:

115. Plan checking fees and Inspection fees, including those involving off-site frontage improvements, shall be paid to Permit Sonoma (PRMD), prior to signature of the Improvement Plans by the Director of the Department of Transportation and Public Works.

116. The Applicant, his or her personal representatives, and project consultants are advised that the issuance of building permits is subject to the payment of a development fee (Traffic Mitigation Fee) as required by Chapter 26, Article 98 of the Sonoma County Code. The fee is computed multiplying project Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance. Per the Traffic Impact Study prepared for this project, this project will generate 1,607 ADT.

117. Prior to issuance of building permits, the developer shall pay to the Sonoma County Department of Transportation & Public Works, a fair share of the cost of fourteen point six percent (14.6%) for the future intersection improvements of the Airport Boulevard/North Laughlin Road-Skylane Boulevard intersection. The method for calculating equitable fair share is based on the Caltrans Guide for the Preparation of Traffic Impact Studies, Appendix "B", Methodology for Calculating Equitable Mitigation Measures, subject to the review and approval of PRMD and DTPW. The estimated cost of the intersection improvement is \$1,000,000.00 as included in the "Five Year Capital Improvement Plan, 2021-2026."

Processing:

118. Plans for all required improvements shall be submitted to the office of the County Surveyor in Permit Sonoma for review and approval; said office will coordinate review of the plans with DTPW. An initial review by DTPW and agreement that the proposed improvements shall be required prior to the issuance of any grading permit for the project. Either the public road improvement plans shall be signed by the Director of DTPW prior to the issuance of a building



permit or the Applicant shall obtain signed approval from the Director of DTPW. The improvement plans shall be signed by the Director of DTPW prior to the issuance of an encroachment permit for public road improvements.

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

Completion of Required Improvements:

120. The Applicant shall complete construction of all the required public improvements prior to occupancy of any new building which results from this application unless deferred and agreed by the County with a security mechanism in place.
121. The Applicant shall complete construction of all the required public improvements and enter into a Public Improvements Maintenance Agreement and post acceptable security with the County of Sonoma, to guarantee the improvements for a period of one (1 year) after acceptance of the improvements as being complete by the County.
122. After completion of the project, the Applicant will be responsible for maintaining and repairing all improvements, other than road improvements, located within the right of way along the project frontages. The County will maintain, including any improvements if later constructed by the County in connection with any future improvements at the Airport Boulevard and North McLaughlin Road intersection. The County will issue an encroachment permit for such maintenance and repair.

Sonoma County Transit Authority

"Compliance with the conditions below have been verified" BY _____ DATE _____
Contact Sonoma County Transit Authority at (707) 585-7516

123. The existing bus turnout located on Airport Boulevard adjacent to the project site shall be redesigned per Sonoma County Transit Authority bus turnout standards and provided as part of the frontage improvements along Airport Boulevard.

Sonoma County Airport

"Compliance with the conditions below have been verified" BY _____ DATE _____
Contact the Sonoma County Airport at (707) 565-7238

Prior to issuance of building permits:

124. The applicant shall submit a Federal Aviation Administration (FAA) 7460-1, Notice of Proposed Construction, to the FAA.

PACIFIC GAS AND ELECTRIC COMPANY

"Compliance with the conditions below have been verified" BY _____ DATE _____



Contact PG&E at (877) 259-8314

125. Any proposed improvements shown on sheet UP1 that are within the PG&E fee strip and/or easement may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement.

Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Any work that is performed by the Applicant near PG&E gas transmission pipelines shall adhere to the below conditions:

126. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

127. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

128. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

- Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.
- Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).
- No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

129. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

PLANNING CONDITIONS PAGE 21



130. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. To avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24-inch-wide trench being dug along a 36-inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

131. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

132. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

133. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

134. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

135. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs,

PLANNING CONDITIONS PAGE 22



brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

136. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.
137. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.
138. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Electrical Facilities:

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Any permitted work within PG&E electric transmission fee strips or easements that is performed by the Applicant shall comply with the following conditions:

139. Buildings and Other Structures: No buildings or other structures including the footprint and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING.**"
140. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
141. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures



proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

142. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
143. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
144. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
145. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
146. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.
147. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.
148. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.
149. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.
150. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety

PLANNING CONDITIONS PAGE 24



(<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

151. Any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

MITIGATION MEASURES FROM IS/MND, DATED 02/07/2022

AESTHETICS (VIS)

152. **Mitigation Measure VIS-1:** Final design and landscaping plans shall be submitted by the applicant for review by Permit Sonoma. Building shape, colors, textures, and materials shall be consistent with the surrounding environment. Screening vegetation shall be sufficient in quantity, type, size (height), and location. All County notes regarding specific design specifications/standards shall be added to construction drawings or otherwise incorporated into the project. (See Mitigation Measure VIS-2 for review of final lighting plans.)

Mitigation Monitoring: Mitigation Monitoring VIS-1: Prior to project approval, Permit Sonoma shall review final design and landscaping plans to ensure consistency with General Plan, Municipal Code, and the Airport Industrial Specific Plan visual requirements. Building/grading permits shall not be approved for issuance by Permit Sonoma - Project Review Staff until any County notes are printed on the final project plans.

153. **Mitigation VIS-2:** Prior to issuance of building permits, an exterior lighting plan shall be submitted for final Design Review by Permit Sonoma, which shows that: (1) exterior lighting is low mounted, downward casting, and fully shielded to prevent glare; (2) lighting is Dark Sky Compliant; (3) light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the sky; (4) flood lights would not be used; (5) all parking lot and street lights would be full cut-off fixtures; and (6) security lighting shall be motion-sensor activated.

Mitigation Monitoring VIS-2 (Ongoing) Permit Sonoma shall not issue the Building Permit until final Design Review of the exterior lighting plan has been completed and the lighting plan is consistent with the approved plans and County standards. Permit Sonoma shall not sign off final occupancy of the Building Permit until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, Permit Sonoma shall conduct a site inspection and require the property to be brought into compliance or initiate procedures to revoke or modify the permit.

AIR QUALITY (AIR)

PLANNING CONDITIONS PAGE 25



154. Mitigation Measure AIR-1 Implement BAAQMD Basic Construction Emissions Control Practices:

The County shall require the implementation of the following BAAQMD Basic Construction Emissions Control Practices during Project construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 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.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- 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.
- 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 California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency 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 ensure compliance with applicable regulations.

BIOLOGICAL RESOURCES (BIO)

155. Mitigation Measure BIO-1 California Tiger Salamander: The applicant shall purchase mitigation bank credits at the 0.2:1 mitigation ratio required for projects more than 1.3 miles from known breeding sites for a total of 0.694 acres of credits. Any conservation credits purchased for the project shall be approved by USFWS and CDFW prior to the purchase of the credits.

To ensure that migrating California Tiger Salamander (CTS) do not end up within the project site while mass grading and other ancillary grading for joint trenches, roadways, and foundation/driveway is underway, the developer shall surround the project site with CTS exclusion fencing while the project is under construction. Openings will allow for ingress and egress from the development site. This fencing shall be inspected daily by a qualified biologist or a trained construction manager daily while grading is occurring, should grading occur from October 1 through March 1. Cover boards consisting of 4 x 4-foot $\frac{1}{2}$ inch plywood shall be placed every 100 feet along both sides of the exclusion fencing and shall be inspected by a USFWS and CDFW approved CTS biologist. If CTS is found trapped against the fence or under cover boards and must



be moved, it shall only be moved by a qualified 10(a)(1)(A) federally permitted and a state permitted CTS biologist and as approved by USFWS and CDFW. Any such relocation would take place under measures as permitted by USFWS and CDFW in their Incidental Take Permits issued to the project that address impact to CTS.

156. Mitigation Measure BIO-2: Avoidance Measures to Listed Species, Sensitive Habitats, and Surrounding Environment During Construction: The following measures and practices shall be implemented prior to and during construction to minimize and avoid impacts to special status species and sensitive communities. The following measures shall be noted on grading and building plans and a readily available copy with the construction foreman/manager:

- a) All ground disturbing activities will be restricted to the dry season, i.e., between April 15 – October 15.
- b) Erosion control measures will be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter all waters of the U.S. At no time will silt laden runoff be allowed to enter the channel or directed to where it may enter the stream. Erosion control structures will be monitored for effectiveness and will be repaired or replaced as needed. Appropriate erosion control measures will be installed around any stockpiles of soil or other materials which could be mobilized by rainfall or runoff.
- c) No fueling, cleaning, or maintenance of vehicles or equipment will take place within any areas where an accidental discharge to seasonal wetlands may occur.
- d) All equipment including excavators, trucks, hand tools, etc., that may have come in contact with invasive plants or the seeds of these plants, will be carefully cleaned before arriving on the site and will also be carefully cleaned before removal from the site to prevent spread of these plants.
- e) Construction disturbance or removal of vegetation will be restricted to the minimum footprint necessary to complete the work. The work area will be delineated where necessary with orange construction fencing to minimize impacts to habitat beyond the work limit. Project activities will avoid impacts to wetland vegetation to the greatest extent possible.
- f) Staging and storage areas for equipment, materials, fuels, lubricants, and solvents, will be located well outside of seasonal wetlands.
- g) Stationary equipment such as motors, pumps, and generators, located adjacent to aquatic features will be positioned over drip pans. Stationary heavy equipment will have suitable containment to handle a spill or leak. All activities performed near aquatic features will have absorbent materials designated for spill containment and cleanup activities on-site for use in an accidental spill.
- h) Any equipment or vehicles operated adjacent to aquatic features will be checked and maintained daily to prevent leaks of materials that could be deleterious to wildlife or habitat.

PLANNING CONDITIONS PAGE 27



- i) Stockpiles of soil or other materials that can be blown by wind will be covered when not in active use. All trucks hauling soil, sand, and other loose materials will be covered.
- j) No other debris, rubbish, creosote-treated wood, soil, silt, sand, cement, concrete or washings thereof, or other construction-related materials or wastes will be allowed to enter into or be placed where they may be washed by rainfall or runoff into the aquatic features. All such debris and waste will be picked-up daily and will be properly disposed of at an appropriate facility.
- k) Environmental awareness training program for all crews working on the site to include education on sensitive resources such as protected wildlife with the potential to occur within the Project Area, water quality, and environmental protection measures.
- l) Permittee will remove all temporary flagging, fencing, and/or barriers from the Project Area and vicinity of the channel upon completion of project activities.
- m) Areas of temporary ground disturbance will be revegetated using an appropriate erosion control seed mix (applicable to both sensitive and non-sensitive habitats) or will be covered with rock, wood chips, or other suitable erosion control materials as appropriate (applicable to non-sensitive habitats only).

157. Mitigation Measure BIO-3 Special-Status Plant Species: The applicant shall perform 1 year of protocol surveys for Sebastopol meadowfoam (*Limnanthes vinculans*), Burke's goldfields (*Lasthenia burkei*) and Sonoma sunshine (*Blennosperma bakeri*), and submit the results to CDFW and USFWS for review and receive written acceptance prior to starting project construction. If the results of the single year of surveys are positive, the applicant shall obtain and comply with all requirements of an Incidental Take Permit (ITP) pursuant to the state Endangered Species Act to cover take of any listed species that were detected in the survey. If either CDFW or USFWS requests a second year of surveys, then the applicant shall either conduct a second year of surveys, or, with prior approval from CDFW and USFWS, the applicant shall obtain and comply with all requirements of permits for take, pursuant to the California Endangered Species Act and Federal Endangered Species Act for any listed species with potential to occur on the project site. If a second-year survey is conducted and it identifies any of the above listed species, then the applicant shall obtain and comply with all requirements of an ITP to cover take of any individual listed species that were detected in either survey. The second-year survey report shall be submitted to CDFW and USFWS and receive written acceptance prior to starting project construction. Prior to construction, the project applicant will consult (formally or informally) with USFWS, and will comply with USFWS recommendations as needed for issuance of Clean Water Act, Section 404 permits.

Because (1) listed plant species have not been detected on the site during previous, targeted survey efforts, (2) surveys will be performed in the planned year of construction to determine if they are present and an additional year of surveys will be conducted if requested by CDFW or USFWS, and (3) take permits pursuant to the state and federal endangered species acts will be sought to cover take if the plants are determined to be present, implementation of this measure will reduce potential impacts to special-status plant species to less than significant.



158. Mitigation Measures BIO-4 Burrowing Owl: To reduce potentially significant impacts to burrowing owls (*Athene cunicularia*) to less than significant, if initial ground disturbance occurs on any part of the site between September 1 and January 31 (wintering season), a preconstruction habitat assessment shall be conducted as described in the 2012 Staff Report on Burrowing Owl Mitigation (2012 Staff Report; CDFG 2012) by a qualified biologist with at least 2 years of experience in implementing burrowing owl habitat assessments and surveys. Habitat assessments shall be conducted no more than 30 days prior to initiation of ground-disturbing activity. If habitat for burrowing owl is detected, follow-up surveys for burrowing owls shall be conducted in accordance with the 2012 Staff Report, described as: If conducting non-breeding season surveys, follow the methods described above for breeding season surveys, but conduct at least four (4) visits, spread evenly, throughout the nonbreeding season. Burrowing owl experts and local Department staff are available to assist with interpreting results. Any deviation from this survey protocol must be approved by CDFW, in writing, prior to implementation.

The survey area shall include all areas with potential to support burrowing owl on the site and in adjacent areas (up to 500 meters), where access is granted. If burrowing owls are found to be occupying the site, the applicant shall take such measures as are necessary to avoid having owls abandon the site until they leave the site on their own, as determined by a qualified biologist using the criteria described in the 2012 Staff Report. If an avoidance buffer is established, the size of the buffer and criteria used to establish it shall be sufficient to prevent burrowing owls from abandoning their winter burrow and shall be submitted to CDFW for approval. The qualified biologist shall continue monitoring the site and may increase or decrease the size of any buffers based on the behavior of the owls, in accordance with the criteria referenced above. If avoidance is not feasible and eviction is necessary, an eviction plan shall be submitted to CDFW for review and written approval and shall not be implemented until approved. The relocation plan shall include the methodology for eviction and mitigation for loss of wintering/foraging burrowing owl habitat. Burrowing owl habitat will be compensated for at a minimum of 1:1 ratio through preservation and/or enhancement of lands equivalent or superior to the winter and foraging habitat on the site, by acquisition of easements, purchase of mitigation bank credits, or other measures, as determined by the qualified biologist in coordination with CDFW.

With the implementation of this measure, potential impacts to burrowing owl will be less than significant.

159. Mitigation Measure BIO-5 American Badger: No more than 7 days prior to initiating project activities, a qualified biologist shall conduct a preconstruction survey for American badgers on the site and on adjacent areas with suitable habitat, where access is granted. If any sign of badgers is detected, the area of potential occupation shall be avoided by a buffer adequate, as established by the qualified biologist in consultation with the CDFW until occupation status can be determined. If it is determined that badgers are using the site, the buffer shall remain in place until badgers are no longer present; if no badgers are occupying the site, no avoidance buffer shall be required. If



badgers must be relocated, a relocation plan for the site shall be developed and approved by CDFW prior to implementation.

With the implementation of this measure, potential impacts to American badger will be less than significant.

160. Mitigation Measure BIO-6: Avoid or Minimize Potential Impacts to Nesting Birds: The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading). The following measures shall be taken to avoid destruction or disturbance of nesting birds on and near the project site as a result of construction-related activities scheduled to occur during the nesting season:

- (a) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for active nesting no sooner than seven (7) days prior to initiation of work. Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest in the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven (7) days, an additional nesting bird survey shall be performed.
- (b) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur until a qualified biologist has established a temporary protective buffer around the nest(s). The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. No-work buffers will be placed at the discretion of the qualified biologist, dependent on species' and regulatory requirements. The nest buffer, where it intersects the project site, shall be staked with orange construction fencing or orange lath staking. Monitoring, by a qualified biologist, shall be required to ensure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from project activity, as determined by the qualified biologist, shall be monitored daily during the duration of the project for changes in breeding behavior. If

PLANNING CONDITIONS PAGE 30



changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to adversely affect the nest. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use (i.e. predation or physical nest failure).

- (c) A report of the findings will be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to disturb any active nests during the nesting season. The report shall include recommendations required for establishment of protective buffers as necessary to protect nesting birds. A copy of the report shall be submitted to the County and applicable regulatory agencies prior to the issuance of a grading permit.
- (d) All hollow posts and pipes be capped to prevent wildlife entrapment and mortality. Metal fence stakes used on the Project site should be plugged with bolts or other plugging materials to avoid this hazard.

Mitigation Monitoring BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6: The applicant shall be required to provide to Sonoma County proof that CTS conservation credits have been purchased prior to commencement of grading on the project site. In addition, Sonoma County will not issue permits for ground disturbing activities until proof of compliance with mitigation measures applicable to the time period in which activities are being undertaken has been presented. If buffers will be established as described in these mitigation measures, and if buffers are reduced, monitoring will be initiated during construction as noted in mitigation measures above.

161. **Mitigation Measure BIO-7 Compliance with Section 404 Permit Provisions:** The applicant shall comply with all provisions of the Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. Permit provisions, including any best management practices, shall be noted on grading plans.

Mitigation Monitoring BIO-7 Compliance with Section 404 Permit Provisions: Prior to issuance of grading permits, Permit Sonoma staff shall verify that the mitigation measure is printed as a note on the grading plans.

162. **Mitigation Measure BIO-8 Protected Trees:** Pursuant to Sonoma County Zoning Regulations, Chapter 26, Article 88, the applicant shall implement the following tree protection methods to avoid inadvertent adverse construction-related impacts:

- a) Protected trees, their protected perimeters and whether they are to be retained or removed are to be clearly shown on all improvement plans. A note shall be placed on the



improvement plans that "Construction is subject to requirements established by Sonoma County to protect certain trees as defined under Section 26-88-010(m) of the County Code."

- b) Before the start of any clearing, excavation, construction or other work on the site, every tree designated for protection on the approved site plan shall be clearly delineated with a substantial barrier (steel posts and barbed wire or chain link fencing) at the protected perimeter, or limits established during the permit process. The delineation markers shall remain in place for the duration of all work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of brush, earth and other debris as to avoid injury to any protected tree.
- c) Where proposed development or other site work must encroach upon the protected perimeter of a protected tree, special measures shall be incorporated to allow the roots to obtain oxygen, water and nutrients. Tree wells or other techniques may be used where advisable. No changes in existing ground level shall occur within the protected perimeter unless a drainage and aeration scheme approved by a certified arborist is utilized. No burning or use of equipment with an open flame shall occur near or within the protected perimeter (except for authorized controlled burns).
- d) No storage or dumping of oil, gasoline, chemicals or other substances that may be harmful to trees shall occur within the drip line of any tree, or any other location on the site from which such substances might enter the drip line.
- e) If any damage to a protected tree should occur during or as a result of work on the site, the County shall be promptly notified of such damage. If a protected tree is damaged so that it cannot be preserved in a healthy state, the planning director shall require replacement in accordance with the arboreal value chart. If on-site replacement is not feasible, the applicant shall pay an in lieu fee to a tree replacement fund.
- f) The following design standards for protected trees shall be adhered to:
 - i. Underground trenching for utilities should avoid tree roots within the protected perimeter. If avoidance is impractical, tunnels should be made below major roots. If tunnels are impractical and cutting roots is required, it shall be done by hand-sawn cuts after hand digging trenches. Trenches should be consolidated to serve as many units as possible.
 - ii. Compaction within the drip line or protected perimeter shall be avoided.
 - iii. Paving with either concrete or asphalt over the protected perimeter should be avoided. If paving over the protected perimeter cannot be avoided, affected trees shall be treated as removed for purposes of calculating arboreal values.

Mitigation Monitoring BIO-8 Protected Trees: Sonoma County staff shall periodically conduct site inspections during construction to ensure compliance with the above referenced measures. The County also shall verify post construction whether protected trees were damaged.

GEOLOGY AND SOILS (GEO)

163. Mitigation Measure GEO-1: All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25,



Sonoma County Code). All construction activities shall meet the California Building Code regulations for seismic safety. Construction plans shall be subject to review and approval of Permit Sonoma prior to the issuance of a building permit. All work shall be subject to inspection by Permit Sonoma and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

Mitigation Monitoring GEO-1: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on applicable building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about code requirement.

164. **Mitigation Measure GEO-2:** The design of all earthwork, cuts and fills, drainage, pavements, utilities, foundations and structural components shall conform with the specifications and criteria contained in the project geotechnical reports prepared by PJC & Associates. The geotechnical engineer shall submit an approval letter for the engineered grading plans prior to issuance of the grading permit. Prior to final of the grading permit the geotechnical engineer shall also inspect the construction work and shall certify to Permit Sonoma, prior to the acceptance of the improvements or issuance of a certificate of occupancy that the improvements have been constructed in accordance with the geotechnical specifications.

Mitigation Monitoring GEO-2: Permit Sonoma Plan Check staff will ensure plans are in compliance with geotechnical requirements. Permit Sonoma inspectors will ensure construction is in compliance with geotechnical requirements.

165. **Mitigation Measure GEO-3:** The following shall be noted on all grading and building plans. If paleontological resources are found, all earthwork in the vicinity of the find shall cease, and Permit Sonoma staff shall be notified so that the find can be evaluated by a qualified paleontologist. When contacted, a member of Permit Sonoma project review staff and paleontologist shall visit the site to determine the extent of the resource and to develop proper mitigation measures required for the discovery. No further grading in the vicinity of the find shall commence until a mitigation plan is approved and completed subject to the review and approval of the paleontologist and project review staff.

Mitigation Monitoring GEO-3: Prior to issuance of grading or building permits, Permit Sonoma staff shall ensure Mitigation Measure GEO-3 is noted on project plans. Permit Sonoma shall be consulted if a paleontological resource is discovered onsite, and shall review and approve paleontologist-recommended measures to recover or preserve any data or paleontological resources before ground-disturbing activities may continue.

GREENHOUSE GAS EMISSIONS (GHG)

166. **Mitigation Measure GHG-1:** The following mitigations shall be required as part of the project in order to reduce GHG emissions associated with the project:

- (a) The project shall install EV charging stations at a minimum of 10 percent of all standard parking spaces and such parking spaces shall have a preferred location that is relatively closer to the main hotel entrance compared to non-EV charging station parking spaces.



- (b) The project shall use electric vehicles or other zero emissions vehicle for hotel shuttle service.
- (c) The project shall subscribe to a program through a local electricity provider that provides a power mix from clean sources, with a priority on a GHG-free option but also allowing for renewable sources, depending on local availability. For example, the EverGreen 100 percent renewable program available through Sonoma Clean Power, provided such a program is locally available at prices substantially equivalent to 2021 Sonoma Green Power prices, adjusted for CPI in future years.
- (d) The project shall prohibit the use of natural gas with the exception of the restaurant, the water heater, and the pool heater.
- (e) The project may implement such additional measures as it determines are feasible which, though they are too uncertain to support a projection of a specific number of reduced MT CO₂e now, may reduce or offset emissions, as documented in the annual reports referenced below. The additional measures may include, but are not limited to the following on-site reduction measures, or off-site offset measures:
 - Install solar PV panels in the parking area and/or on the rooftop;
 - Install solar hot water heaters;
 - Partner with rental car companies to offer discounted rentals to hotel guests for alternative-fueled vehicles;
 - Encourage or use of alternative-fueled vehicles by employees;
 - Provide EV car share; and/or
 - Add EV charging stations beyond that which is required by item (a).
- (f) The project shall purchase and retire GHG emissions credits annually in an amount sufficient to reduce the project's net amortized construction and operational emissions to less than 2.7 MT CO₂e per service population through the end of the operational life of the project, or to an efficiency threshold for GHG emissions developed and adopted by the Bay Area Air Quality Management District or Sonoma County that is more stringent than 2.7 MT CO₂e per service population.
- (g) The project shall monitor emissions on an ongoing basis and present a report annually to the County. The applicant shall provide proof annually that the emissions credits required by (f) have been purchased and retired on behalf of the project. This proof is required prior to issuance of the first certificate of occupancy for the first year of operation, and annually for every subsequent year of operations.
- (h) The amount of offsets required shall be determined based upon estimated emissions of 27.77 MT CO₂e per service population, based on a service population of 75 for the first year of operation, and upon actual emissions during the prior year (or the most recent prior 12-month period for which data is feasibly available) for subsequent years of operation. Purchase and retirement of credits can also occur for multiple years in advance.

PLANNING CONDITIONS PAGE 34



- (i) In each annual report, the project shall provide a third-party verification concerning retired credits and the unique serial numbers of those credits showing that they have been retired. The County shall confirm receipt of verification reports and serial numbers prior to permit issuance. The verification report shall be approved by the County Permit & Resource Management Department. The project shall bear the cost of any peer review.
- (j) The retired credits must have been verified by an approved registry and be consistent with the requirements for compliance offset protocols as established by California Code of Regulations, Title 17, Section 95972. An approved registry is an entity approved by CARB to act as an “offset project registry” to help administer parts of the Compliance Offset Program under CARB’s Cap and Trade Regulation. GHG offset credits shall be real, verifiable, quantifiable, enforceable, permanent, and additional as set forth in California Health and Safety Code §38652(d)(1) and (d)(2) and as defined by California Code of Regulations, Title 17, sections 38562 and 95802. The reductions from the offset credits shall take effect in the following locations in order of priority to the extent feasible: (1) Sonoma County; and (2) the boundaries of the Bay Area Air Quality Management District. If credits are not feasibly available from projects occurring within the County or Air District boundaries, then credits may be obtained for reduction measures in the state of California. All offset credits shall be verified by a third party accredited by CARB. In the unlikely event that an approved registry becomes no longer approved by CARB and the offset credits cannot be transferred to another approved registry, the Project applicant shall comply with the rules and procedures for retiring and/or replacing offset credits in the manner specified by the applicable Protocol, Standard or Methodology, including (to the extent required) by purchasing an equivalent number of credits to recoup the loss.

Mitigation Monitoring GHG-1: See the reporting requirements specified in provisions (g) and (i) of Mitigation Measure GHG-1.

HYDROLOGY AND WATER QUALITY (HYD)

167. **Mitigation Measure HYD-1:** The following mitigations shall be required as part of the project in order to reduce project effects on water quality and ensure that the project would not violate water quality standards or waste discharge requirements:

Mitigation Measure HYD-1A (Waste Discharge Program): The project shall provide evidence satisfactory to the County of compliance with all NCRWQCB Waiver of Waste Discharge Program requirements.

Mitigation Measure HYD-1B (Construction Permit): The project shall provide evidence satisfactory to the County of compliance with all SWRCB construction permit requirements (including, but not limited to, the SWRCB-required NOI, Risk Assessment, Post-Construction Calculations, Site Map, and SWPPP).

Mitigation Measure HYD-1C (Additional Preventive Measures): In addition to standard County Low Impact Development BMP requirements, the project shall incorporate the following additional preventive measures into the project:

PLANNING CONDITIONS PAGE 35



- Design landscaping to prevent sediment entering the storm drain system and to meet vector control requirements (drawdown less than 72 hours).
- Incorporate Integrated Pest Management (IPM) principles and techniques for design and maintenance.
- Contain litter and trash so that it is not dispersed by the wind or runoff during waste removal.
- Maintain stabilized construction entrance to reduce sediment transport off-site.
- Conduct street sweeping at regular intervals to reduce sediment tracking.
- Interceptor trees / Preservation of existing trees
- Bioretention Curb Opening
- Impervious Area Disconnection
- Vegetated Swale with Bioretention
- Infiltration Trench

Mitigation Measure HYD-1D (Grading and Drainage): The project shall submit for County review and approval an Erosion Prevention and Sediment Control Plan. In addition, the project shall incorporate into project plans drainage facilities or other methods necessary to manage storm water in compliance with the County's best management practices guide, including, but not limited to, the following:

- Post-development runoff for construction grading and construction drainage improvement shall not exceed pre-development runoff using the calculation methodologies in the Storm Water Low Impact Development Technical Design Manual, or superseding document, or equivalent calculation methodologies.
- Drainage facilities shall be designed and constructed in compliance with the Sonoma County Water Agency Flood Control Design Criteria Manual, or superseding document, for no less than a ten-year design discharge.
- Drainage facilities shall carry storm water to the nearest practicable disposal location and shall dissipate the energy or diffuse the flow prior to releasing the storm water off the site.
- Drainage facilities shall prevent or minimize soil loss through the use of storm drain culverts (pipes), storm drain inlets and outlets, storm drain outfalls, energy dissipators, flow dispersion, check dams, rolling dips, critical dips, proper location and sizing of culverts, revegetation of exposed or disturbed slopes, minimizing cross drains through road out sloping, minimizing the use of artificial slopes, and other best management practices referenced or detailed in the permit authority's best management practices guide.

PLANNING CONDITIONS PAGE 36



Mitigation Monitoring HYD-1 and HYD-2: Prior to issuance of a grading permit, the County shall verify project compliance with NCRWQCB and SWRCB regulations, and shall also review and approve the project's Erosion Prevention and Sediment Control Plan. The Grading & Storm Water Section of Permit Sonoma shall review and approve all grading or building permits prior to issuance. In addition, construction details for all water quality Best Management Practices shall be submitted for review and approval by the County, and the County shall verify post-construction storm water Best Management Practices installation and functionality, through inspections, prior to finalizing the permit(s). The owner/operator shall maintain the required post-construction Best Management Practices for the life of the development. The owner/operator shall conduct annual inspections of the post-construction Best Management Practices to ensure proper maintenance and functionality. The annual inspections shall typically be conducted between September 15 and October 15 of each year.

168. **Mitigation Measure HYD-2:** Prior to issuance of any grading or building permits, the construction plans and final drainage report shall be reviewed and approved by the County. The construction plans and final drainage report shall be prepared by a civil engineer, registered in the State of California, and submitted with the grading or building permit application or improvement plans, as applicable.

NOISE (NOI)

169. **Mitigation Measure NOI-1:** To meet the CALGreen interior noise criterion of Leq(h) 50 dB in commercial areas on the ground and sixth floors, which include the fitness center and restaurant, the window system STC ratings shall be rated a 28. Where STC ratings above 32 are required, at least one pane will shall be laminated.

170. **Mitigation Measure NOI-2:** All residential facades must have a sound rating of 28 to 30, in accordance with the Noise Assessment conducted by Salter. In areas of the hotel where windows need to be closed to achieve an indoor Ldn of 45 dB, an alternative method of supplying fresh air (e.g., mechanical ventilation) shall be considered in consultation with the project mechanical engineer.

171. **Mitigation Measure NOI-3:** Construction activities for this project shall be restricted as follows, with all plans and specifications or construction plans to include these notes:

- (a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- (b) Once building construction begins, the structure being erected would provide substantial shielding of construction noise levels at sensitive receptors. Since construction noise levels would be intermittent, construction activities shall be restricted to the hours of 7:00 AM and 5:00 PM on weekdays and 9:00 AM and 5:00 PM on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the PRMD Project Review Division as soon as practical.



- (c) There will be no startup of machines nor equipment prior to 7:00 AM, Monday through Friday or 9:00 AM on weekends and holidays; no delivery of materials or equipment prior to 7:00 AM nor past 5:00 PM Monday through Friday or prior to 9:00 AM nor past 5:00 PM on weekends and holidays and no servicing of equipment past 5:00 PM, Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.
- (d) Pile driving activities shall be limited to 7:30 AM to 5:00 PM weekdays only.
- (e) 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.

The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g., starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

Mitigation Monitoring NOI-1 & NOI-2: County staff shall review and approve the acoustical analysis of final mechanical equipment and review building plans for inclusion of noise reduction measures, if any, recommended in the acoustical analysis.

Mitigation Monitoring NOI-3: (Ongoing) Permit Sonoma staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. Permit staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.

TRANSPORTATION (TRANS)

172. **Mitigation Measure TRANS-1:** The project shall provide one bicycle space per 15 employees near the main entrance to include a minimum of two bicycle rack spaces. Bicycle spaces shall be noted on final project plans.

TRIBAL CULTURAL RESOURCES (TCR)

173. **Mitigation Measure TCR-1:** A Tribal Monitor from the Federated Indians of Graton Rancheria “Tribe,” a culturally affiliated Tribe to the project area shall be retained to be on site to monitor all project-related ground disturbing construction activities (i.e., grading, excavation, potholing, etc.). In the event the Tribal Monitor identifies tribal cultural resources (TCR’s), the monitor shall be given the authority to temporarily halt construction in the immediate vicinity and within 100 feet of



the discovery and to determine if it is a tribal cultural resource under CEQA in consultation with Permit Sonoma and, if necessary. An archaeologist, working in coordination with Permits Sonoma and the Tribe shall coordinate the discovery activities and recordation. If the discovery proves to be significant, additional work such as testing or data recovery may be warranted, along with the Tribe determining disposition of the Tribal Cultural Resources. Any resources found should be treated with appropriate dignity and respect.

Mitigation Monitoring TCR-1: Prior to issuance of building or grading permits, the applicant shall provide written documentation of a Tribal Cultural Monitoring Agreement with the Tribe to Permit Sonoma. Mitigation Measure TCR-1 shall be listed as a note on all grading and building plan sheets submitted for permitting. Prior to final inspections and use permit certificate issuance the applicant shall provide documentation in writing including photos demonstrating adherence to the Tribal Cultural Monitoring Agreement.

