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State of California

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Date: April 24, 2018

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Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopting A Mitigated Negative Declaration, Approving A Use Permit Subject to Modified Conditions of Approval, Approving A Lot Line Adjustment And Consenting To Withdrawal Of An Appeal Regarding The Kenwood-BPSC Hunt Club LLC At Property Located At 6600 Noble Road, APNs 068-190-005, -007, -008, -009, -013, -015, -017 And 068-180-008. Supervisorial District No.1.

Resolved, that the Board of Supervisors (the "Board") of the County of Sonoma ("County") finds and determines as follows:

Section 1. Proposed Project and Procedural History

1.1 On August 7, 2012 the Board approved Use Permit and Design Review application PLP11-0047 to relocate the Black Point Sports Club from Lakeville Highway to its current location at 6600 Noble Road, The initial approval included a membership and public hunting club and clay shooting course on the 978.5 project site, comprised of an 8,500 square foot clubhouse, 50 dog kennels, a 280 square foot bird holding facility with a 5,000 square foot bird pen, and a 960 square foot caretaker's residence ("the 2012 Project"). Days and hours of operation were approved Tuesday through Sunday from 8 am to 4 pm. The 2012 Project stipulated that any requirement or fee charged for club membership and recreational use of the land could not have the effect of unduly limiting its public use.

1.2 On September 10, 2015, the Kenwood-BPSC Hunt Club LLC ("Hunt Club" or "Applicant") applied for a modified use permit to add a new 26,802 square foot private clubhouse with food and beverage service, a bar, demonstration kitchen, pro shop, training room and associated parking, an 85-foot high clay shooting tower on the existing clay target shooting range, and a 1.5-acre casting pond on the 2012 Project site. The proposed modification included reconfiguring the 2012 Project site to create two new parcels, subject to Board of Supervisors approval of a lot line adjustment and rescission and replacement of a non-prime Land Conservation Act contract to conform to the lot line adjustment (collectively, "the Proposed Project"). The Proposed Project would locate all private Hunt Club facilities on a new 152.9-acre Lot B, which would be removed from the existing Land Conservation Act contract.

1.3 Staff referred the Proposed Project application for comments, including tribal consultation, and prepared an Initial Study pursuant to CEQA.

1.4 On February 24, 2016, the Sonoma Valley Citizens Advisory Committee considered the Proposed Project and voted seven to four to approve the Proposed Project as submitted "with serious concerns in 3 areas: traffic mitigation, sea level rise impacts and sensitive environmental issues in area."

1.5 On August 3, 2016, the Design Review Committee voted to support the clubhouse design, but recommended moving and modifying the entrance gate, changing the shooting tower design, and adding tree plantings at the clubhouse, pond and parking lot. The Proposed Project is subject to Final Design Review approval to ensure the Design Review Committee recommendations are addressed.

1.6 On December 16, 2016, staff in the Permit and Resource Management Department ("Permit Sonoma") posted a notice that a Mitigated Negative Declaration ("MND") had been prepared for the Proposed Project with mitigation measures to reduce potentially significant effects on the environment, as required by the California Environmental Quality Act ("CEQA"). The notice further advised members of the public that the MND would be approved and a modified use permit for the Proposed Project would be administratively issued on January 6, 2017 without a public hearing if written request for a hearing was not made by any party.

1.7 Interested members of the public were given additional time to comment on the Proposed Project and the MND in response to the December 16, 2016 notice.

1.8 On January 27, 2017, after considering all comments received on the MND and the Proposed Project, Permit Sonoma staff issued written administrative approval of the use permit for the Proposed Project, subject to conditions of approval, including future Board approval of the proposed lot line adjustment and rescission and replacement of the Land Conservation Act contract. The conditions of approval included all mitigation measures identified in the MND.

1.9 On February 6, 2017, Sue Smith and Tom Rusert appealed the administrative approval of the Proposed Project pursuant to County code.

1.10 In response to additional information submitted by the public and certain responsive changes in the Proposed Project, the MND was revised and recirculated on September 9, 2017, State Clearinghouse No. 2017092084.

1.11 On November 16, 2017, the Board of Zoning Adjustments held a duly noticed public hearing on the appeal, the MND and the Proposed Project, at which time all comments submitted at or before the hearing were considered and all interested persons were given an opportunity to be heard.

1.12 On November 16, 2017, the Board of Zoning Adjustments in Resolution No. 17-013 adopted the MND after finding that it had been completed, reviewed and considered in accordance with the requirements of CEQA, that it reflected the independent judgment and analysis of the Board of Zoning Adjustments and that it determined there were no significant unmitigated environmental impacts of the Proposed Project.

1.13 On November 16, 2017, the Board of Zoning Adjustments in Resolution No. 17-013 approved the use permit for the Proposed Project subject to conditions of approval, including future Board of Supervisors approval of the proposed lot line adjustment and rescission and replacement of the Land Conservation Act contract. The Board of Zoning Adjustments found that the Proposed Project would not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood or the general welfare of the area in which the Proposed Project was located. The Board of Zoning Adjustments placed limits on use of the Proposed Project as follows:

a. Condition No. 64:

- i. Limit the total use of all facilities to no more than 125 persons/day.
- ii. Limit operating hours to 7 a.m. to 9 p.m. seven days a week from March through September and from 7 a.m. to 7:30 p.m. October through February.
- iii. Limit hunting and shooting activities to one-half hour before sunrise and one-hour after sunset, and within the specified seasonal operating hours.
- iv. Limit Cultural Events to one per year, subject to a Cultural Event Zoning Permit, with attendants required at the entrance gate to enforce the daily use limit of 125 persons per day, and prohibit rental to third persons for hunting, fishing or events.
- v. The private clubhouse dining room, lounge, bar, and pro shop are to be used only by members and only in connection with associated hunting, shooting or fishing activities. No drop-in visits in which the member(s) do not make use of the shooting, hunting or fishing facilities is permitted. No part of the private clubhouse shall be available to the general public or operated as a restaurant.

b. Condition No. 67: prohibit scheduling of group activities at the Hunt Club during any of the four largest annual events at Sonoma Raceway.

c. Condition No. 71: require a recorded deed restriction which prohibits any development of the new Lot B other than as described in the Proposed Project application and on the map identified as Lands of Kenwood-BPC Hunt Club LLC, LLA Proposed Lot Line Adjustment Exhibit, 6600 Noble Road, Sonoma Ca APN 068-190-007, Sheet 2, dated November 3, 2017 (subject to modifications if any to those facilities made by the Board of Supervisors at the time of Lot Line Adjustment approval).

1.14 On August 14, 2017, Sue Smith, Theodor L. Eliot Jr. and Tom Rusert (collectively "Appellants") appealed the decision of the Board of Zoning Adjustments to the Board, pursuant to County code ("the Appeal").

1.15 On April 4, 2018, Appellants and Applicant entered into an "Agreement to Compromise" regarding certain issues raised by Appellants. The Agreement to Compromise provided that Appellants would withdraw the Appeal contingent upon modification of certain conditions of approval in the BZA approval. Those modifications included a smaller main clubhouse, water use metering and an annual limit on water use, compliance with the County's "dark sky compliant" lighting standards, participation in any future County program developed to systematically monitor winery or similar events and agreement by the Applicant to allow periodic inspections by the County to ensure compliance with conditions of approval. The County is not a party to the Compromise Agreement.

1.16 On April 24, 2018, The Board considered the lot line adjustment and conducted a public hearing on the MND, the Proposed Project, the modifications to the conditions of approval jointly requested by Applicants and Appellants, and the Appeal. The Board received all relevant oral and written testimony and evidence filed or presented at or before the hearing. All interested persons had the opportunity to hear and be heard.

1.17 The Board has had an adequate opportunity to review this Resolution and the findings and determinations contained herein and finds that the Resolution accurately sets forth the Board's intentions regarding the MND, the Appeal and the Proposed Project. The Board's decisions herein are based upon the testimony and evidence presented to the County orally or in writing prior to the close of the Board's hearing, including the full record of proceedings.

Section 2. CEQA Compliance

2.1 In making its determinations, the Board recognizes that a range of technical and scientific opinion exists with respect to certain environmental issues. The Board has gained a well-rounded understanding of the range of these issues by its review of the MND, the prior proceedings at the Board of Zoning Adjustments, all comments, testimony, letters and reports regarding the MND, and its own experience and expertise in these environmental issues. Prior to making the following findings, the Board has reviewed and considered the evidence and analysis presented in the MND, the information presented in the Appeal and post-Appeal comments, the technical reports, information and responses submitted prior to and after the Board of Zoning Adjustments hearing, staff responses addressing those reports and comments, and all public comments and information submitted at or before the hearing. The Board has gained a well-rounded understanding of the environmental issues presented by the Proposed Project and the Board's findings are based on full appraisal of all viewpoints, all evidence and all information in the record of these proceedings. The Board further finds that the MND reflects the Board's independent judgment and analysis.

2.2 The Board finds that the MND has been completed in compliance with CEQA and that the MND adequately and fully describes and evaluates the changes or alterations to the 2012 Project that have been requested as part of the Proposed Project.

2.3 The Board further finds that the modifications to conditions of approval jointly requested by Appellants and the Applicant do not create any new or significantly more severe environmental impacts than those evaluated in the MND because the main clubhouse will have a smaller 12,100 square foot footprint, will be limited to two stories and a maximum height of 35 feet, with no increase in other developed portions of the site; the portion of the clubhouse used for member gathering spaces and service, including food or beverage service, will be limited; and water use will be metered and limited to 540,000 gallons per year for the entire site, with a requirement to provide water use monitoring records.

2.4 The Board further finds as follows in response to certain contentions of Appellants relating to CEQA compliance:

- a. The Project Description in the MND fully discloses that the proposed new clubhouse facility contains a dining room and outdoor deck when it describes the Proposed Project as including "[A] main or mid-level consisting of 17,233 square feet housing a kitchen, demonstration kitchen, dining area, bar, lounge, wine room, hunters pro shop, locker rooms, gun vault, cigar room and restrooms [and] a 3,108 square foot deck."
- b. The Project Description proposes a membership cap of 500.
- c. The Project Description includes that the proposed membership cap will "[P]romote activity consistent with historical use and capacity of the club," and that "Additional public day use is expected to remain consistent with historical levels."
- d. Proposed Conditions of Approval imposed to enforce this part of the Project Description include an annual limit of 24 group events per year, a limit of 40 persons per group event, a limit of peak activity to an average of 31 hunters per weekday and 62 hunters per weekend day, and a limit of 125 persons total per day for use of all Proposed Project facilities. The Hunt Club is required to monitor use and report peak use to the County on a monthly basis.
- e. Appellants' claim that the Proposed Project is piecemealed for CEQA purposes relies on past actions by the Local Area Formation Committee in dissolving Reclamation District No. 2061 and approval by this Board of the 2012 Project, neither of which was challenged within applicable statutes of limitation and both of which are now final. Those actions are not reasonably foreseeable future activities that are consequences of approval of the Proposed Project and therefore are not required to be part of the Proposed Project environmental evaluation.
- f. The MND adequately describes at pages one through five of the MND the current baseline for the Proposed Project as the physical conditions existing in the area affected by the Proposed Project and the ongoing operations of the

Hunt Club under its existing permit. The on-site agricultural areas and existing structures are described at pages one through four. The Site Characteristics section at page four notes that the Proposed Project site is made up of an 825.6 are hay farm/hunting club and a 152.9 acre parcel consisting of wetland sloughs and adjoining hay land; the site is located within a flood plain; levees surround the property; wetland sloughs meander through the larger parcel; the site is mapped as farmlands of local importance; and trees exist to the south, southwest and east of the development area. At page five of the MND, the Setting section describes the physical location of the site as being within the Highway 37 scenic corridor and within a scenic landscape unit. It describes the location of marshland to the west and east of the site, diked agricultural lands to the north and south, and the San Pablo Bay National Wildlife Refuge location to the southeast of the site.

The Land Use and Planning section of the MND notes that the California Fish and Game property and the San Pablo Bay National Wildlife Refuge to the west and southeast of the site respectively are managed for both conservation and hunting; and that the Skaggs island Naval Reservation marshland, owned by the U.S. Navy, is located to the east of the Proposed Project site. More detailed discussion of existing physical conditions is contained in various impact sections of the MND, including Biological Resources, Traffic, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning and Noise and in the supporting technical studies for those sections.

Existing physical conditions in the area affected by the Proposed Project and the description of ongoing uses on the site and in the area are adequately described in the MND and constitute the CEQA baseline.

- g. The SR 37 Transportation and Sea Level Rise Corridor Improvement Plan ("SR 37 Corridor Plan") was issued on February 18, 2018 and does not identify a probable future project or specific improvements which must be considered as part of a cumulative impact analysis for the Proposed Project.
 - i. At the time environmental review for the Proposed Project began, the SR 37 Corridor Plan had not been issued, in draft or final form.
 - ii. No specific option for proceeding with modifications to Highway 37 in the vicinity of the Proposed Project has been selected, and the design of any improvements is not sufficiently detailed or certain to allow meaningful cumulative impact analysis.
 - iii. Environmental review has not begun for any of the short term, mid-term or long term options in the SR 37 Corridor Plan, and funding is speculative.

2.5 Without in any way limiting the Board's general findings set forth in this Resolution, the Board makes the following further specific findings regarding environmental impacts of the Proposed Project.

a. Aesthetics.

The pond, roads and parking areas will be located approximately 1,000 feet from Highway 37 and screened by existing trees and required landscaping. The clubhouse will be located approximately 1,600 feet from Highway 37 and designed with wood framing, and Sonoma fieldstone, using non-reflective natural earth tones and dark gray, non-reflective roofing. All facilities are well outside of the SR scenic corridor setback. Dark-sky compliant lighting is required for all facilities, and hours of operation do not extend beyond 9 p.m., limiting night sky visual impacts from light pollution. The 85-foot tall clay course shooting tower is located about 1,000 feet from Highway 37, is similar in design to an existing PG&E tower much closer to Highway 37 at about 300 feet, and will not be lighted. While the clay course tower will be visible against the distant hills during daylight, it will not create significant visual impacts.

b. Agriculture and Forest Resources.

The Proposed Project site is considered farmland of local importance, but is not prime farmland, unique farmland or farmland of statewide importance. The existing hay farm will remain in agricultural production with no change in use. With the exception of one acre of hay land, new development is proposed only within the currently unplanted farmstead portion of the site. Approximately one acre of hay field would be replaced by the casting pond. The Proposed Project would remove hay land within the clay shooting range and add 25 acres of fruiting olive trees. Acreage of land taken out of the current Land Conservation contract will be replaced by reconfiguration of a new Lot A and Lot B, placing equivalent acreage of wetland sloughs and hay land that were not previously under contract into the reconfigured 825.6 acre Lot A. The wetland sloughs which will be placed under contract are submerged area, wildlife habitat or open space, which are defined as agricultural uses under Government Code sections 51205 and 51201. Even though not subject to a Land Conservation contract, the primary use of the new 152.9 acre Lot B would remain in agriculture, with 89 acres of hay and 25 acres of olive trees.

c. Air Quality.

The traffic levels attributable to the Proposed Project will not cause emissions of ozone precursors, carbon monoxide, nitrogen dioxide or particulates to exceed or approach the threshold that would require a detailed air quality study. Emissions of criteria pollutants from the

Proposed Project would be less than significant because of the limited intensity of use, namely 40-45 vehicles per day during peak periods and limits of 125 persons per day total use. With the imposition of mitigation measures requiring dust control measures to reduce construction related dust, the Proposed Project will not have a significant environmental impact on air quality.

d. Biological Resources.

The biological assessment conducted by Ted Winfield and Associates determined that potential impacts to any candidate, sensitive or special status species would be less than significant with the adoption of mitigation measures to prevent disruption of ground-nesting birds and nesting bats if surveys indicate their presence, and the timing of construction or demolition activities would impact those nests or roosts. The biological assessment indicated no seasonal wetlands on the site and no impacts of the Proposed Project on movement of any native resident or migratory fish or wildlife species.

e. Cultural Resources.

The farm buildings proposed for demolition are not historically significant. Tribal consultation was initiated, concerns of the Lytton Tribe were addressed and mitigation measures impose standard archeological monitoring and cultural resources protection conditions during construction. The entire site is composed of artificial fill, and native soils will not be disturbed.

f. Geology and Soils.

The Proposed Project site is not underlain by an active earthquake fault capable of surface rupture. The site is in an area of moderate to high vulnerability to seismic shaking, and is in an area of high risk of liquefaction from seismic-related ground failure. Construction of the Proposed Project must comply with load and strength standards of the California Building Code, and appropriate seismic design criteria for the site will be met. In addition, prior to issuance of a building permit, submittal of a soils report to address soil constraints and determine appropriate foundation design will ensure that risks related to liquefaction, lateral spread, subsidence or collapse are less than significant. The Proposed Project is not located in a landslide prone area.

g. Greenhouse Gas Emissions.

Emissions from the Proposed Project are below the CEQA screening thresholds recommended by Bay Area Air Quality Management District, and used by the County as thresholds of significance because of the limited amount of traffic, the size of the development area, amount of

soil disturbance and duration of construction. However, to comply with General Plan policies, the Proposed Project will be required to exceed adopted California Green Building Standards, Tier 1.

h. Hazards and Hazardous Materials.

Lead shot is currently used in the hunting fields for the Approved Project, but will be phased out by July 1, 2019 in accordance with state law. Clay targets are non-toxic, and lead shot used in the concentrated area of the clay course shooting area will be reclaimed by the Applicant. There is no Sonoma County emergency evacuation plan, but the Proposed Project must comply with Sonoma County Fire Safe Standards and the California Fire Code as adopted and amended by the County. Those standards include emergency access and defensible space. County Fire has provided comments that are incorporated into the Proposed Project conditions of approval related to roadway access, fire protection, water supplies and automatic sprinklers. Proposed Project Condition of Approval No. 73 requires the Proposed Project to maintain the existing levee system to prevent tidal flooding and ensure life safety.

The need for an emergency evacuation plan in the event of flooding which is suggested as a requirement by Appellants would be an operational condition, not a CEQA impact on the environment. However, the County does not require formal evacuation plans for non-residential projects, except when required by state law and/or County code for certain occupancies, such as hotels and lodging, schools or other institutions.

i. Hydrology and Water Quality (Groundwater).

Appellants express concern about use of a deep well accessing "deep aquifer groundwater" for the Proposed Project and state without technical support that there is no source of recharge for this aquifer.

The Proposed Project area is within a Groundwater Availability Area 1. A well, PW2, was drilled for the 2012 project near the western boundary of the west project parcel APN 068-190-017 at a depth of 360 feet. Its estimated gallons per minute (gpm) yield is 25 gpm. In 2015 a second well PW1 was drilled near the northern boundary of the north project parcel APN 068-190-013 to a depth of 1165 feet. Its estimated yield is 3 gpm. The two wells on the site have the capacity to produce up to 5.2 million gallons per year.

The Proposed Project's total annual water use is estimated at 1.65 acre-feet per year (538,818 gallons). Estimated domestic water use is .89 acre-feet plus .76 acre-feet for landscaping, which meets the Water

Efficient Landscaping ordinance. The hay fields are not irrigated. Water conservation will include a 10,000 gallon rainwater recapture system and a 10,000 gallon gray water system.

Because new state regulations have identified the site to be a medium priority groundwater basin, a hydrogeologic report (O'Connor Environmental, Inc. June 8, 2017) was prepared to address potential cumulative groundwater impacts, well interference and potential increase in saltwater intrusion. A supplemental memo dated July 27, 2017, responded to comments from County staff professional geologist, Robert Pennington. The two reports show annual recharge averaging .75 feet per acre in the Sonoma Valley watershed. Thus, 2.2 acres of recharge area would be needed to replenish the Proposed Project water use of 1.65 acre-feet per year. The Proposed Project site totals 978± acres, most of which will remain undeveloped with structures or paving.

The hydrogeologic analysis concludes that the Proposed Project water use is small compared to the quantity of water (the thickness of the aquifer) available at the site, and is unlikely to result insignificant declines in groundwater elevations or groundwater resources over time. The water in PW2 has relatively high salinity, but the isolation of this well from other significant water users and the relatively low rates of pumping indicate that there is minimal potential for the Proposed Project to result in harmful salt water intrusion. The horizontal and vertical separation between the Proposed Project wells and the nearest streams and neighboring wells is large. The potential for the Proposed Project to cause significant well interference or impacts to the streams is minimal.

j. Hydrology and Water Quality (Drainage and Flooding).

The entire Proposed Project site is within a Special Flood Hazard Area and is zoned F2, Flood Plain, and within an area subject to anticipated sea level rise. The site is currently protected from flooding by a levee system. Proposed Project Condition of Approval No. 73 requires the Proposed Project to maintain the levees to ensure life safety and protect against tidal flooding.

The F2 zoning does not prohibit development or construction in the flood plain, but requires compliance with flood damage prevention standards in Chapter 7B of the County building regulations, including finished floor elevations at least one foot above the 100 year flood elevation or in this case, approximately 11 feet above existing grade. The main floor or mid-level of the Proposed Project clubhouse is approximately 12 feet above existing grade. The ground floor meets flood resistant design criteria, and contains parking, storage space, restrooms, a break room, and gun

vault. The Proposed Project must also meet Federal Emergency Management Act regulations that require technical justification and structural evaluation under hydraulic loading.

Construction of the Proposed Project will not increase flood risk because the drainage design is required to meet the zero net fill requirements of County code and shall not increase runoff. The Proposed Project must maintain natural drainage patterns, per Sonoma County Water Agency flood control criteria and the provisions of Chapters 11 and 11A of the County code, as well as Regional Water Quality Control Board regulations. Currently the only drainage courses within the proposed construction areas are sheet flow conditions that would be maintained after the Proposed Project is built. There would be enhanced water quality protection because of use of vegetated swales and bioretention areas. Flood waters would not be redirected by the Proposed Project improvements because there is no net displacement or modification of natural drainage areas. The levee system will be maintained to control flood waters and prevent tidal flooding. However, even in the event of a levee failure, dispersal of flood waters will not change significantly from existing conditions because natural drainage patterns and capacity are maintained, the new clubhouse is elevated in compliance with County code, and the footprint of additional development is small compared to the 978± acre size of the overall site.

With the mandatory conditions of approval, the Proposed Project complies with County code requirements relating to flood risk. The Proposed Project does not itself exacerbate potential future flooding impacts, including risks from sea level rise. The Proposed Project therefore has a less than significant environmental impact from drainage and flooding.

k. Noise.

A noise study was prepared for the 2012 Project by Rosen Goldberg Der and Lewitz (Rev'd. April 4, 2012). The closest nearby receptors are Ramsgate Winery, approximately 3500 feet from the closest hunting field and a residence across Highway 37 and 1300 feet from the hunting area. The sporting clay shooting course is more than 1.5 miles away from the closest residence. Because of distance between noise sources and receptors and the character of the noise from the hunting fields and clay course, noise impacts would comply with General Plan standards. The Proposed Project will not increase the use of the hunting fields or clay course in any significant way from existing use of those facilities, and noise from the clubhouse would occur primarily indoors at a lower decibel level than the hunting fields or clay course. Standard conditions

of approval require compliance with General Plan noise standards and a further noise study if valid complaints are received from nearby residents. Additional noise attenuation will be required if noise standards are exceeded.

I. Transportation/Traffic - Trip Generation and Circulation.

Appellants' comments on the Proposed Project traffic analysis concentrate on what Appellants consider a lack of safety improvements at the entrance to the site from State Route (SR) 37.

W-Trans transportation engineers prepared an Updated Focused Traffic Study (March 16, 2016), a Revised Updated Focused Traffic Study (July 11, 2017) and an Amendment to the Focused Traffic Study (September 22, 2017). The September amendment more clearly addresses potential p.m. peak hour traffic impacts associated with group activities for up to 40 participants and added trips associated with the activities. The W-Trans studies were reviewed and accepted as adequate by Caltrans. A Caltrans letter dated November 30, 2017 withdrew Caltrans' earlier letter dated November 16, 2017 and reiterated that Caltrans had received the three traffic studies and appendices and had no further comment. A peer review by an outside consultant retained by Permit Sonoma also found the studies to be adequate.

The W-Trans studies determined that there is no safety problem associated with the Proposed Project access, that a two-way left turn lane at the project's eastbound SR 37 access is sufficient to accommodate the use, including group activities, and that a westbound right turn taper or turn lane is not warranted. The collision history at the project entrance is .03 collisions per million vehicles, less than the state average rate of .23 collisions per million vehicles.

Trip generation for the Proposed Project is based on the current peak hour trips plus project-generated trips. The Hunt Club is required to file Hunter Usage Reports with the state, and current use data is taken from these reports from 2009 through 2016. The maximum capacity of the hunting fields at 64 persons and the shooting stations at 46 persons will also limit project trips.

Peak use would continue on weekend during the hunting season from October through February. Historic use data shows a peak weekday average of 31 and a peak weekend day average of 62 hunters in March 2010.

The Project Description and Conditions of Approval cap membership at 500, limit group activities to 24 per year with no more than 40 persons per activity, and place a 125-person-per-day limit on all Hunt Club use. Drop in visits not connected with hunting, shooting or fishing pond activities are not allowed, and no public use is allowed of any part of the new clubhouse. Public use of the hunting fields and the existing clubhouse is expected to remain at current levels.

No group events can be scheduled to start or end during the weekday p.m. peak period from 3-7 p.m., during the weekend midday peak traffic period from 12- 1 p.m., or to overlap with peak weekend hunting periods during the hunting season from 7 a.m.-12 p.m. Group events cannot be scheduled during the four largest annual raceway events at the Sonoma Raceway.

Based on the current peak hour trips and added trips from the Proposed Project, W-Trans concluded that the intersection of SR 37 and SR 121 currently operates unacceptably at LOS F during the weekday p.m. peak hour and acceptably at LOS D during the weekend midday peak hour, but that the operation would be the same with added traffic from the Proposed Project. The Proposed Project would increase average delay at this intersection by 2.8 seconds, a less than significant impact.

In the event of occasional queues that could back up from the intersection of SR 37 and SR 121, blocking left turn ingress and egress at the Noble Road entrance, W-Trans indicated that motorists would be moving at slow speeds or even stopped because of the queue and would generally be willing to allow turning movements.'

m. Traffic – Future SR 37 Improvements.

The SR 37 Transportation and Sea Level Rise Corridor Improvement Plan released in February 2018 ("SR 37 Corridor Plan") presents information on potential future regional plans for improving State Route 37 (SR 37). The plans are in a conceptual stage, no design has been selected, environmental review has not begun and funding is speculative.

As found in Section 2.2.g above, future SR 37 Improvements are not a probable future project for purposes of CEQA cumulative impact analysis.

However, the Proposed Project does not require any highway improvements which would have to be modified by any later SR 37 improvements. In addition, the Proposed Project would not change existing constraints so as to preclude implementation of SR 37

improvement strategies when and if such strategies are further defined and adopted.

The widest SR 37 option for the road section along the Proposed Project frontage shown in the SR 37 Corridor Plan shows a roadway width of 94 feet. This could be accommodated by raising and widening the existing highway or by building a new raised highway on either side of the existing highway. All improvements in the Proposed Project are located much more than 94 feet from the current northern edge of SR 37. The proposed sporting clay shooting tower will be set back more than 1,000 feet from SR 37, and the new clubhouse will be set back more than 1,500 feet from SR 37. The existing Hunt Club operation requires access to SR 37, and future use will have a similar need for access. Any implementation of SR 37 improvement strategies, whether contained in the SR 37 Corridor Plan or as otherwise designed in future years, would have to consider Hunt Club access even without the Proposed Project.

2.6 The Board concurs with the analysis and conclusions in the MND and the staff analysis and recommendations and finds that with the imposition of the mitigation measures provided in the MND and conditions of approval attached hereto as Exhibit A and incorporated herein, all environmental impacts associated with the Proposed Project will be less than significant, including but not limited to the specific potential impacts described in Section 2.4 above. The Proposed Project does not have impacts that are individually limited but that would be cumulatively considerable when viewed in connection with the effects of past projects, other current projects and the effects of probable future projects. The Board finds that it has not received data, analysis or expert opinion to constitute a fair argument that the Proposed Project will result in any significant environmental effects that are not reduced to less than significant levels by mitigation measures and/or conditions of approval adopted herewith and incorporated herein by reference. Therefore, an EIR is not required for the Proposed Project.

Section 3. General Plan, Planning and Zoning Compliance

3.1 The Board finds that the Proposed Project is consistent with the General Plan in that a hunting club and accessory uses, as proposed, are allowed in the LEA General Plan land use designation and the Proposed Project is generally consistent with other applicable policies of the Plan. The primary use of both parcels will continue to be agricultural. New Parcel B will consist of 152.9 acres, with approximately 89 acres in hay and 25 acres in olive trees. New Parcel A will consist of 825.6 acres, with approximately 785.8 acres in hay production and the remainder in open space.

3.2 The Board finds that the Proposed Project is consistent with the General Plan Safety Element regarding flood protection, because the Proposed Project design and site plan meet the requirements of F2 Flood Plain zoning for elevation of the main floor space, zero net fill and no disruption or reduction of floodwater dispersal capacity. The construction will comply with

performance standards and restrictions in FEMA's National Flood Insurance Program regulations as adopted in Chapter 7B of the County code. Feasible and appropriate conditions of approval and mitigation measures are imposed on the Proposed Project to reduce flood hazards from the Proposed Project.

3.2 The Board finds that the Proposed Project is consistent with the Sonoma County Zoning Code, and the LEA B6 100, F2, RC 50/25, SR zoning because the code allows hunting clubs and ancillary uses by Conditional Use Permit. The Proposed Project is designed and conditioned to comply with zoning requirements, including the Flood Plain, Riparian Corridor, and Scenic Resource Combining zones. The dining, kitchen, demonstration kitchen, bar, lounge, pro shop and related facilities in the clubhouse are only permitted as accessory uses to support the hunting, shooting and fishing uses of the Hunt Club by its members and will not be open to the public. Therefore, the dining and kitchen facilities are not considered a restaurant use. The Conditions of Approval cap membership at 500 members, and no more than 40 persons at a time may attend scheduled group activities. Total use of all facilities is limited to 125 persons per day. Group activities are not allowed to start or end during afternoon peak traffic periods, or the weekend midday peak hour, cannot overlap with peak morning hunting and shooting periods during hunting season, and cannot occur during any of the four largest annual events at the Sonoma Raceway.

3.3 The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are:

- a. The design is compatible with the scenic corridor and scenic landscape unit requirements; the design meets requirements of the flood plain combining zone for elevation of new structures and other flood resistant design criteria as required by Chapter 7B of the county code;
- b. Drainage improvements are required to ensure there will be no net increase in runoff, natural drainage patterns will be maintained and there will be no increased impact from stormwater or floodwater dispersal over the site and adjacent lands;
- c. Agricultural and open space use will remain the primary use of the land on both parcels;
- d. Traffic impacts are limited because the number of members using hunting and shooting facilities is limited by the capacity of the fields, group activities are limited to a maximum of 40 persons, and group activities will not start or end during the weekday afternoon 3-7 p.m. peak period or the midday weekend peak of 12-1 p.m., and will not overlap peak weekend 7 a.m. to 12 p.m. hunting and shooting periods during hunting season. Group activities

will not be scheduled during any of the four largest annual events at the Sonoma Raceway.

- e. After modification of the parcels by lot line adjustment, there will be no net loss of agricultural or open space land on the parcel under a land conservation contract; and
- f. The project hydrogeologic report and supplemental information show that there is adequate water for the project, the potential for harmful salt water intrusion is minimal and horizontal and vertical separations between project wells and the nearest streams and neighboring wells are large, such that the project has minimal potential to cause significant well interference or stream impacts.

3.4 The Proposed Project is subject to approval of a lot line adjustment of land under a Land Conservation Act contract. The Proposed Project meets the criteria of Government Code section 51257 for this lot line adjustment because the contracted parcel would be under contract for at least 10 years, there will be no net decrease in land under contract, at least 90% of the land currently under contract will remain under contract, the contracted parcel will be large enough to sustain its agricultural use, long term agricultural viability will be maintained, the lot line adjustment is not likely to result in adjacent land being removed from contract, and the project will not result in a greater number of developable parcels than existed prior to the adjustment.

3.5 The Proposed Project lot line adjustment meets the requirements of the General Plan, Chapter 25 of the County Subdivision Ordinance and 26-88-190 of the Zoning Code because the proposed lots meet minimum lot size requirements of the LEA B6 100 General Plan and Zoning designation, access will be maintained, the lot pattern supports sound land use, and the adjustment will not result in an increase in subdivision or development potential.

Section 4. Additional Finding.

4.1 The findings and determinations set forth in this resolution are based upon the record of these proceedings. References to specific statutes, ordinances, regulations, standards, reports, or documents in a finding or determination are not intended to identify those sources as the exclusive basis for the finding or determination.

NOW, THEREFORE, Be It Further Resolved that based on the information contained in the full record of these proceedings and the findings and determinations set forth in this resolution, the Board hereby declares and orders as follows:

1. The findings and determinations set forth in this resolution are true and correct, supported by substantial evidence in the record, and adopted as set forth above.

2. The Mitigated Negative Declaration and Mitigation Monitoring Program are approved and adopted.
3. The use permit is granted for the Proposed Project as described set forth in the revised Project Description dated April 6, 2018 and subject to the modified conditions of approval contained in Exhibit "A" hereto and incorporated herein.
5. The Board consents to withdrawal of the Appeal filed by Appellants.
6. The Lot Line Adjustment shown in the site plan/exhibit entitled "Lands of Kenwood-BPSC Hunt Club, LLC, LLA Proposed Adjustment Exhibit, 6600 Noble Road, Sonoma, CA, APN 068-190-007," Sheet 2, prepared by Huffman Engineering & Surveying, dated November 3, 2017, is approved.
7. The Clerk of the Board is designated as the custodian of the documents and other material that constitute the record of the proceedings upon which the Board's decisions herein are based. These documents may be found at the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, CA 95403.

Supervisors:

Gorin: Aye Rabbitt: Absent Zane: Aye Hopkins: Aye Gore: Aye

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

So Ordered.

Exhibit A
SONOMA COUNTY BOARD OF SUPERVISORS
Conditions of Approval

Date: April 24, 2018
Applicant: Kenwood-BPSC Hunt Club LLC
Address: 6600 Noble Road, Sonoma

File No.: PLP15-0060
APN: 068-190-005, -007, -008, -009, -013, -015 and -017 and 068-180-008

Project Description: Use Permit Modification to expand the existing Black Point Sportsman's Hunt Club, an existing public use bird hunting club with a sporting clay course on two legal parcels totally 978.5 acres including 893 acres of hay land. Lot A is 825.6 acres and is under a Type II Land Conservation (Williamson Act) contract with 799.8 acres of hay. Lot B (152.9 acres) is not under contract and tidal wetlands transecting Lot A and approximately 93 acres of hay.

The proposed expansion includes a new private membership, 26,802-18,620 square foot clubhouse with associated parking and landscaping to be located within an existing developed area of the site, a 1.5 acre casting pond, and an 85 foot tall sporting clay shooting tower to be located within the existing sporting clay shooting course.

The existing farm and hunt club contains an 8,500 +/- square foot clubhouse/dog kennel with up to 50 dogs, a 280 square foot bird house with a 5,000 square foot netted bird pen, and a 960 square foot care taker's residence.

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

1. 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 ~~\$2,216.25~~ 2,280.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of ~~\$2,266.25~~ 2,330.75 made payable to Sonoma County Clerk** and submitted to PRMD. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code.) NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.

BUILDING:

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

2. The applicant shall apply for and obtain building permits from PRMD for new buildings. Construction inspections shall occur and the building permit(s) finalized prior to occupancy of new or remodeled structure(s).
3. Due to the project scope, the California Business & Professions Code requires plans and calculations to be prepared by California licensed design professionals (architects, engineers).
3. Prior to removal of any existing structure, the applicant shall apply for and obtain a demolition permit for each structure being removed.
4. A soils report is required for this project.
5. Buildings located on sites that include an F-2 zoning designation must conform to FEMA requirements for buildings constructed within a flood zone in addition to compliance with prescriptive requirements of the code. Technical justification shall be provided for meeting these requirements through hydraulic analysis and structural evaluation of buildings under imposed hydraulic loading.
6. Any structures to be constructed as part of the required grading, such as retaining or sound walls,

shall require separate building applications and permits.

7. All required paths of travel (parking lots, sidewalks) shall comply with State and Federal accessibility guidelines. Grading plans submitted to PRMD shall include sufficient details of features to validate compliance.
8. All buildings, structures, sidewalks, curbs, and related facilities, intended for use by the public, shall be accessible to and usable by persons with disabilities.
9. Accessible parking shall be provided for both assigned and unassigned and/or visitor spaces per CBC requirements.
10. Where recreational facilities or activities are provided they shall be accessible or, when allowed by the Building Code, there shall be provisions for equivalent facilitation of the facilities or activities.
11. This project is required to comply with wildland-urban interface (WUI) regulations, Chapter 7A of the CBC. These regulations apply to building materials, systems and/or assemblies used in the exterior design and construction of new buildings.
12. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent CBC as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.
13. The Project shall be designed and constructed complying with Sonoma County's adopted version of the California Green Building Standards Code. This jurisdiction requires plan and construction compliance reviews to be performed by third party CALGreen Special Inspectors. The following links are provided for additional information on compliance with CALGreen:
 - ☐ <http://www.sonoma-county.org/prmd/docs/handouts/bpc-042-Residential-New-Construction-Updated-2013-CALGreen-Checklist.pdf>
 - ☐ <http://www.sonoma-county.org/prmd/docs/handouts/cni-041-CALGreen-Special-Inspection-Agency-Recognition-List.pdf>
14. 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. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

HEALTH:

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

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

Water:

15. Prior to building permit issuance the applicant shall have the property water supply system plans 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 2013 California Plumbing Code and subsequent editions adopted by Sonoma County. A copy of the report must be submitted to the Project Review Health

Specialist for review.

If the applicant has been required to do a cross-connection control survey by the California State Water Resources Control Board, Division of Drinking Water, then a copy of that survey may be submitted to meet this condition within 120 days after occupancy.

16. Prior to the issuance of any building permit an Easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 a.m. to 5:00 p.m. All Easement language is subject to review and approval by PRMD Project Review staff and County Counsel prior to recordation.

Septic:

17. Prior to building permit issuance and vesting the Use Permit, the applicant shall obtain a permit for the new clubhouse sewage disposal system. The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis, percolation and wet weather testing may be required. Wet weather groundwater testing may also be required. The sewage system shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit and any additional sources from the parcel plumbed to the disposal system, and shall include the required reserve area.

If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. The Project Review Health Specialist shall receive a final clearance from the Well and Septic Section that all required septic system testing and design elements have been met.

18. Application for wastewater discharge requirements shall be filed by the applicant with the San Francisco Bay Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water Quality Control Board shall be submitted to the Project Review Health Specialist prior to building, grading for ponds or septic permit issuance (if the Regional Water Board Water Resource Engineer or Environmental Specialist have objections or concerns then the applicant shall obtain Waste Discharge Requirements prior to building permit issuance). A copy of the Waste Discharge Permit shall be submitted to the Project Review Health Specialist prior to issuance of a Certificate of Occupancy or project operation and vesting the Use Permit.

19. Prior to building permit issuance and vesting the Use Permit, the applicant shall have a capacity/wastewater flow analysis from the 2 bedroom house, kennel, bird washing area, hunters restrooms, office and proper functioning of the wastewater system inspection completed by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system's ability to accommodate the peak flows from all sources granted in the Use Permit.

Any necessary system expansion or modifications, and demonstration of reserve areas, shall be done under permit and the current standards from the PRMD Well and Septic Section and may require both soils analysis, groundwater and percolation testing. If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. The Project Review Health Specialist shall receive a final clearance from the Well and Septic Section that all required septic system testing and design elements have been met.

20. Toilet facilities shall be provided for patrons and employees prior to vesting the Use Permit. A copy of the Floor Plans showing the location of the restrooms in the clubhouse shall be submitted to the Project Review Health Specialist prior to issuance of building permits.

Consumer Protection:

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

Contact the Department of Health Services, Environmental Health & Safety Section at 565-6565 for information and instructions. An e-mail of the approval from the Environmental Health & Safety Section or a copy of the Plan Check Approval shall be presented to the Project Review Health Specialist to verify compliance with requirements of the California Retail Food Code (Cal Code).

22. Prior to building permit issuance, a long term, on-going Noise Monitoring Plan shall be submitted to the PRMD Project Review Health Specialist and found to be acceptable. Implementation of the on-going Noise Monitoring Program shall be required upon request of PRMD.

Solid Waste:

23. Prior to building permit issuance, the applicant shall submit a design for trash enclosures and recycling areas for review and approval by the PRMD Building Plan Check Section. (Fees may apply.) Note that trash trucks must have at least a 32-foot turning radius at the trash enclosure and the dumpster must have 16 feet of overhead clearance.
24. Prior to building permit issuance, areas within refuse enclosures for food facilities, food retailers, inns and hotels shall drain to the sanitary sewer system or other appropriately permitted disposal facility. The outside perimeter of the trash enclosure shall be graded to prevent storm water from draining into the sanitary sewer system. The trash enclosure shall be covered with a roof or awning. The Project Review Health Specialist shall receive a copy of an approval letter from the Solid Waste Section of the Division of Environmental Health.

Vector Control:

25. A Mosquito and Vector Control Plan acceptable to the Marin-Sonoma Mosquito and Vector Control District (telephone 707-285-2200) shall be submitted prior to bringing the public onto a property with ponds. The Project Review Health Specialist shall receive a copy of the Mosquito and Vector Control Plan and an acceptance letter from the Marin-Sonoma Mosquito and Vector Control District.

PRIOR TO OCCUPANCY:

Water:

26. Prior to occupancy, 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 Project Review Health Specialist shall receive a letter from the Cross Connection Control Specialist stating that backflow prevention has been installed as recommended.
27. Prior to occupancy, a water well serving this project shall be fitted with a groundwater level

measuring tube and port, or electronic groundwater level measuring device. Water meter(s) to measure all groundwater extracted for the permitted use shall be installed on the water system. A Site Plan showing the location of the well with the groundwater level measuring device and the location of the water meter(s) shall be submitted to the PRMD Project Review Health Specialist.

28. Prior to occupancy, any new or existing water well serving this project shall be fitted with a water meter to measure all groundwater extracted for this use.

Septic:

29. Prior to building occupancy, all wastewater plumbing shall be connected to a sewage disposal system that has been constructed under permit for the proposed use by the PRMD Well and Septic Section. The Project Review Health Specialist shall receive a final clearance from the District Specialist that all required septic system testing, design elements, construction inspections and any required operating permits have been met.

Consumer Protection:

30. Prior to the operation of any retail food facility, a Food Industry Permit must be obtained from the Environmental Health Division of the Health Services Department. The PRMD Project Review Health Specialist shall receive a letter of approval from the Environmental Health Division to verify compliance with requirements of the California Retail Food Code (Cal Code).

OPERATIONAL REQUIREMENTS:

Water:

31. 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.
32. A safe, potable water supply shall be provided and maintained.
33. [Water usage shall be metered and limited so that the combined usage from well PW1 \(landscape\) and from well PW2 \(domestic\) does not exceed 540,000 gallons per year with PW2 not exceeding 291,000 gallons per year.](#) The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored quarterly and reported to PRMD in January of the following year pursuant to Section WR-2d of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance. If the County determines that groundwater levels are declining in the basin, then the applicant shall submit and implement a Water Conservation Plan, subject to review and approval by PRMD.
34. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Project Review staff at least once every five years.

Septic:

35. Maintain the Annual Operating Permit for any package treatment plant, alternative (mound or pressure distribution) or experimental sewage disposal system installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.
36. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.

37. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by PRMD.
38. Portable toilets and portable hand-washing facilities shall be placed and maintained for employees as needed during construction, 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 applicant 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 Facility Permits from the Sonoma County Environmental Health Division for the food and beverage handling activities approved in this Use Permit. Contact the Environmental Health Division at 565-6547 for information and instruction sheet. Note that no food service exceeding the limits specified under the planning conditions shall be authorized on this site by the issuance of any retail food facility permit, catering permit, mobile food vendor permit or building permit.
40. Obtain and maintain all required Food Industry Permits from the Sonoma County Environmental Health Division prior to serving any food.

Noise:

41. Noise shall be controlled in accordance with Table NE-2 ~~(or as adjusted Table NE-2 with respect to for ambient conditions and impulsive noise noise as described in compliance with 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 40	45 35
L25 (15 minutes in any hour)	55 45	50 40
L08 (4 minutes 48 seconds in any hour)	60 50	55 45
L02 (72 seconds in any hour)	65 55	60 50
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 4 minute 72 seconds in any hour.		

42. Noise shall be measured at the exterior property line of any affected residential or sensitive land use.
43. Amplified sound and the very loud musical instruments (such as horns, drums and cymbals) are

not permitted outdoors. The quieter, non-amplified musical instruments (such as piano, stringed instruments, woodwinds, flute, etc.) are allowed outdoors when in compliance with the Noise Element of the Sonoma County General Plan.

44. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.

Solid Waste:

45. 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:

46. Smoking is prohibited in any public area, in any dining area, service area (including entry lines or ticket purchase lines) and in any enclosed area that is a place of employment (Sonoma County Code 32-6). "No Smoking" signs shall be conspicuously posted at the point of entry into every building where smoking is prohibited by Chapter 32 of the Sonoma County Code. The California Health and Safety Code (section 113978) also requires the posting of "No Smoking" signs in all food preparation areas, all retail food storage areas, and all food utensil washing areas. Note that Health and Safety Code section 113781 definition of food includes any beverage intended for human consumption.
47. 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.

GRADING AND STORM WATER:

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

48. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department 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.
49. 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. 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 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.

50. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water levels and pollutant discharges in compliance with PRMD's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Drainage improvements shall not adversely affect adjacent properties or drainage systems.
51. 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, 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.
52. The proposed project is located within a Special Flood Hazard Area (SFHA) and is affected by flooding from Sonoma Creek. No fill shall be placed within a SFHA, unless an engineering analysis demonstrates that no reduction in the flood storage capacity within the SFHA will result from the fill placement and related improvements. Any land subject to inundation by a SFHA shall be delineated and shown on the grading plans as "SUBJECT TO INUNDATION" in one-inch lettering. The base flood elevation is estimated to be at 11 feet above mean sea level. The grading plans shall show all elevations based upon the North American Vertical Datum of 1988 (NVGD 88).
- Mitigation Monitoring: PRMD will not issue building permits for habitable structures, except in accordance with building requirements.
53. 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, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages and minimize adverse impacts to 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.
54. Grading and land disturbance shall be setback from streams a minimum of 25 feet from the top of stream bank.
55. 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.

TRANSPORTATION AND PUBLIC WORKS:

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

56. Prior to issuance of any building permit which results from approval of this application, a development fee (Traffic Mitigation Fee) shall be paid to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code.

FIRE:

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

57. Due to the scope of this project a Fire Services Pre-Construction meeting is required at the applicant's cost.
58. Prior to any construction, or changes in use, applicable Fire Code construction permits required by the California Fire Code as adopted and amended by Sonoma County Code shall be obtained from the Sonoma County Fire and Emergency Services Department.
59. Prior to any business operation, applicant shall provide evidence to Sonoma County Fire that applicable Fire Code Operational Permits required by Chapter 1, Division II of the California Fire Code as adopted and amended by Sonoma County Code will be obtained from the fire code official.
- a. **Fire hydrants and valves.** CFC Sec. 105.6.1
 - b. **Storage and use of LP gas.** CFC Sec. 105.6.2
 - c. **Places of assembly.** CFC Sec. 105.6.34
 - d. **Private fire hydrants.** CFC Sec. 105.6.35
 - e. **Emergency responder radio coverage.** CFC Sec. 105.6.47(7)
 - f. **Fire protection systems.** CFC Sec. 105.6.47(8)
 - g. **High-rise buildings.** CFC Sec. 105.6.47(9)
60. Prior to Use Permit approval, applicant shall provide evidence to Sonoma County Fire that the fire service features for buildings, structures and premises will comply with the California Fire Code as adopted and amended by Sonoma County Code. Including but not limited to the following:
- a. **Site Plan.** Provide a Site Plan showing the location of all property lines, easements, underground and overhead utilities, propane tanks, emergency generators, parking areas, existing and proposed buildings and towers, and water storage tanks.
 - b. **Access roads:** Approved (CFC) fire apparatus access roads shall be provided.
 - i. Facilities having a gross building area of more than 62,000 square feet shall be provided with at least two separate and approved fire apparatus access roads.
 - ii. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. CFC Sec. D105.1.
 - iii. Required access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) not less than 20 feet in width (26 feet for aerial access) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of all buildings as measured by an approved route around the exterior of the building or facility.

- iv. Where a bridge is part of a fire apparatus road the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Approved signs indicating the load carrying capability of bridges shall be provided at each end of bridges.
- v. Where gates or similar barriers are installed across access roads, gates shall be installed in compliance with fire regulations and provided with an approved lock as required by the fire code official.
- c. **Premises Identification:** Approved road names, address numbers, building numbers and other building identification shall be provided including a site directory at the driveway entrance.
- d. **Fire Protection Water Supplies:** An approved (NFPA 1142 and/or CFC) water supply system capable of supplying the required fire flow for fire protection shall be provided to premises.
 - i. Minimum fire flow shall not be less than 1500 gallons per minute.
 - ii. Fire hydrants shall be spaced not less than 300 feet apart along fire access routes. County Fire Code Appendix C, Table C105.1 footnote "f".
- e. **Fire Pump.** An approved fire pump complying with NFPA 20 (2013) shall be provided.
- f. **Automatic Sprinkler Systems.** All new structures shall have an NFPA 13 (2013) automatic sprinkler system.
- g. **Fire Alarm.** Provide an approved fire alarm system per NFPA 72 (2013). CFC Sec. 907.
- h. **Standpipe.** The schematic drawings indicate a 3 story hunting clubhouse and three (3) 85 ft. high shooting towers. Provide NFPA 14 (2013) Class III standpipes at the following locations:
 - 1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
 - 2. Buildings that are three or more stories in height.
- Exceptions:**
 - 1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
- i. **Provide fire safety and evacuation plans** for Group A occupancies and high-rise structures. CFC Sec. 404.2.
- j. **Towers:**
 - i. Buildings with a floor level more than 75 ft above the lowest level of fire department access shall comply with CBC Sec. 403.
- k. **Fireplaces.** Three (3) outdoor fireplaces and one indoor fireplace are shown. Indicate fuel type and demonstrate compliance with CFC Sec. 603 as required.
- l. **Provide emergency or standby power** per CFC 604 including but not limited to illuminated EXIT signs, emergency exit illumination, accessible means of egress elevators, high rise structures.

- m. **Elevator Emergency Operation.** Elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation. CFC Sec. 607.1.
 - n. **Required Exits.** Drawing A101 – 1st Floor Plan. Provide 2 exits with the required exit separation if required at the Group S-2 enclosed parking garage. CBC/CFC Sec. 1015.2 and Table 1021.2(2).
 - o. **Group A Exit Doors.** Drawing A102 – 2nd Floor Plan. The exterior exit doors serving the Group A Lounge and Dining Rooms shall be side hinged, outswinging with panic hardware. CBC Sec. 1008.1.2 and 1008.1.10.
 - p. **Exterior Exit Stairways** shall be protected if required per CBC/CFC Sec. 1026.6.
 - q. **3 Story Stairways** are shown at Lines 7/A and 2.5/C.
 - i. Such stairways shall generally be enclosed in 1-hour fire-resistive stair enclosures. CBC Sec. 1009.2.2 and 1022.2.
 - ii. Such stairways shall generally (a) lead directly to the exterior of the building or (b) shall be extended to the exterior of the building with an exit passageway per CBC Sec. 1009.2 and 1022.1; alternatively, demonstrate compliance with 1027.1 if applicable.
61. Applicant shall provide evidence to Sonoma County Fire that there are enough parking spaces to support the proposed activity without compromising emergency access.
62. Prior to any business operation, applicant shall provide evidence to Sonoma County Fire that the prevention, control and mitigation of dangerous conditions related to storage, dispensing, use and handling of hazardous materials will be in accordance with the California Fire Code as adopted and amended by Sonoma County Code.
63. Applicant shall provide evidence to Sonoma County Fire that demonstrates compliance with the California Fire Code as adopted and amended by Sonoma County Code. This condition may be met by obtaining County Fire approval of a fire protection plan prepared by a qualified individual.

PLANNING:

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

64. This Use Permit supersedes the current Use Permit for a hunting club PLP11-0047, but incorporates the previously permitted uses, including: a public use bird hunting club; sporting clay course; a 8,500 square-foot club house/dog kennel with up to 50 dogs; a 280 square-foot bird house with a 5,000 square-foot netted bird pen; and gun sales in accordance with federal license 9-68-097-08-7C-03952 to club members and public recreational hunters/shooters registered to use the club; and a 960 square-foot 2-bedroom caretakers residence. The existing bird hunting clubhouse, clay shooting course, fly fishing pond, and dog kennels shall be available to the general public on the public use days (Mondays and Tuesdays) and on other days on an as available basis.

The expanded use includes a new private membership ~~26,802~~18,620 square-foot clubhouse with associated parking and landscaping to be located within an existing developed area of the site, a

1.5 acre fishing pond, and an 85 foot tall sporting clay shooting tower to be located within the existing sporting clay shooting course. The new clubhouse will contain a commercial kitchen with demonstration area, bar, ~~demonstration kitchen~~, lounge, and a hunter's pro shop and a training room as accessory uses open to club members. The height of the clubhouse shall be limited to 35 feet and two stories, and it shall be designed within a maximum footprint of 12,100 sq. ft., with a total maximum indoor square footage of 18,620 sq. ft. and a maximum of 2,480 sq. ft. of outside deck. Rooms designed for gathering spaces and service on the main floor that include the Bar and Main Room, Kitchen, Dining Room and Private Lounges will not exceed a total of 5,100 square feet, with no single room being more than 2,450 square feet. The ground floor shall include a Lower Lobby that will not exceed 1,155 square feet. On the ground floor, "Unfinished Space" up to 2,390 sq. ft. in area can be allowed for locker room expansion, storage or office expansion. The Unfinished Space cannot be used for assembly, dining or meal preparation, or food or wine storage. Revised plans shall be subject to approval by the Permit Sonoma staff and by the Sonoma County Design Review Committee.

The total club membership shall not exceed 500, including 425 regular memberships, and 25 corporate memberships which allow 3 individuals to use each membership. The total use of all facilities shall be limited to a maximum of 125 persons per day.

The new fishing pond and existing clay shooting course will generally be for club members, except on Mondays and Tuesdays when they shall be available for public use. Public access to hunting, fishing, and the sporting clay course on Mondays and Tuesdays shall not be limited, except by a maximum daily limit of 125 persons and capacity of the hunting fields and shooting stations. Hours of operation of the hunting club houses are approved seven days a week from 7 am to 9 pm March – September and from 7 a m to 7:30 pm October - February. Hours of operation for the hunting, shooting and fishing stations are approved within the defined operating hours and from ½ hour before sunrise to ½ hour after sunset. The club may host up to 24 scheduled hunting, fishing, and shooting group activities per year for groups up to a total of 40 persons, including family, and guests. ~~No special events are permitted, except e~~One annual Cultural Event may be permitted, subject to review and approval of a Cultural Event Zoning Permit. There shall be an attendant at the gate during the Cultural Event to regulate attendance in accordance with the maximum daily limit of 125 persons. The facility shall not be rented out to third parties for hunting, shooting, fishing, or events.

65. The kitchen, demonstration kitchen, food and beverage service dining room, lounge, bar, and pro shop in the new clubhouse shall be accessory to and available only to private club members, and shall be used by club members only in conjunction with shooting, hunting or fly casting/fishing activities. The new clubhouse facilities shall not be open to club member drop-in visits during which the member(s) do not also make use of the shooting, hunting or fly casting/fishing facilities. No part of the new clubhouse facilities shall be available to the general public or operated as a restaurant.
66. Scheduled group activities must consist of organized shooting or fly fishing activities and associated vintner member food and beverage gatherings, cooking demonstrations and hunting, shooting, and fishing instructional programs. Scheduled group activities shall not exceed 24 a year with a maximum of 40 participants. Food and wine gatherings, dinners, or cooking demonstrations shall be associated with hunting, shooting or fishing activities and shall not be conducted as stand-alone activities.
67. The applicant shall not schedule group activities to start or end during the weekday evening peak period from 3-7 pm. Prior to issuance of a building permit, the applicant shall provide a list of planned group activities for the year demonstrating that no group activities will be scheduled to start or end during the weekday evening peak period from 3-7 pm. Prior to issuance of a building permit, a declaration of restriction in a form acceptable to the Director and County Counsel

prohibiting scheduled group activities from starting or ending during the weekday evening peak period from 3-7 pm. shall be recorded in the Official Records of the County of Sonoma subject to Permit Sonoma review and approval.

68. The applicant shall not schedule group activities during the (4) four largest annual raceway events at Sonoma Raceway.
69. The applicant shall not schedule group activities which overlap with peak weekend hunting/shooting periods during the hunting season from 7 a.m. to 12 p.m., or during the midday peak traffic period from 12 p.m. to 1 p.m.
70. Prior to issuance of a grading or building permit for the new clubhouse, a restrictive covenant shall be recorded on the 825.6 acre hay farm/bird hunting parcel (Lot A) requiring public use bird hunting for a reasonable fee on Mondays and Tuesdays, and on other days on an as available basis, to comply with the Land Conservation Act.
71. Prior to issuance of a grading or building permit, a deed restriction in a form acceptable to County Counsel and PRMD shall be recorded to protect existing scenic and open space features of the proposed Lot B, as shown on the map identified as Lands of Kenwood-BPSC Hunt Club, LLC, LLA Proposed Adjustment Exhibit, 6600 Noble Road, Sonoma, CA, APN: 068-190-007, sheet 2, dated September 18, 2017, considered as part of this use permit application. The deed restriction shall preclude development of said Lot B, other than the structures and facilities proposed with this application and shown on said map, subject to modifications, if any, made to said map and/or the structures and facilities shown on said map by the Board of Supervisors prior to approval of the lot line adjustment. PRMD staff shall ensure that the above condition is listed on all grading, building and improvement plans. PRMD shall ensure that documentation of recordation of the required deed restriction is submitted to PRMD prior to the issuance of a grading or building permit.
72. The applicant shall control peak clubhouse, hunting, shooting, and fishing activity not to exceed current peak activity of an average of 31 hunters per weekday and 62 hunters per weekend day. The applicant shall monitor and report peak activity to Permit Sonoma on a monthly basis to demonstrate existing user activity for hunting and shooting, and confirm that the new club house and fly casting pond do not result in a substantial increase in the peak use of the facility. Should the reports show a substantial increase in intensity of use over existing operations, in the judgment of Permit Sonoma, the permit shall be subject to further review and possible revocation by the Board of Zoning Adjustments.
73. The property owner/applicant and successors in interest shall maintain all the levees along the periphery of the site to prevent flooding from tidal waters and to ensure life safety.
74. This Use Permit approval is contingent upon Board of Supervisors approval of Lot Line Adjustment file LLA15-0037. The use shall be operated in accordance with the revised proposal statement dated September 22, 2017 and plans located in File No. PLP15-0060 as modified by these conditions. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
75. The sale or transfer of guns shall be limited to club members only and may include recreational hunters/shooters purchasing bird cards, but shall not be open to the general public. All gun sales or transfers shall be in accordance with federal, state and local regulations, including but not limited to federal license number 9-68-097-08-7C-03952. The club owner/operator shall maintain a Second Hand Gun Dealer License from the Sonoma County Sheriff.

76. The public day use price for birds shall not exceed \$35-45 dollars per bird, adjusted to market rate, or as otherwise modified by the Board of Supervisors in its review of the Lot Line Adjustment and Land Conservation Act contract modification for the reconfigured lots.
77. Public access and bird hunting shall continue to be available on the hay farm/bird hunting parcel under the land conservation contract for a reasonable fee on Mondays and Tuesdays and on other days, on an as available basis. Any requirement or fee charged for public recreational use of land as defined in Government Code 51201(n) shall be reasonable and shall not have the effect of unduly limiting its use by the public.
78. The sporting clay shooting course and fly fishing pond shall also be available to the public for a reasonable fee on Mondays and Tuesdays, and on other days, on as available basis.
79. Prior to Permit Sonoma stamping the grant deed(s) for the Lot Line Adjustment, the property owner shall submit all application materials and applicable filing fees to rescind and replace the existing Non-Prime Land Conservation Act Contract on Lot A to a new Non-Prime Land Conservation Act Contract on reconfigured Lot A. Once the Lot Line Adjustment grant deeds are recorded, Permit and Resource Management Department can proceed with processing the new contracts.
80. Prior to issuance of building or grading permits or vesting the new private clubhouse and casting pond, the applicant shall record a lot line adjustment (LLA 15-0037) and a new replacement land conservation contract on the newly configured 825.6 acre (Lot A) hay farm/bird hunting parcel in conformance with Government Code Section 51257 and the County's Uniform Rules. There shall be no net loss of land under contract and at least 90% of the originally contracted land shall remain under contract.
81. All lands under contract, 825.6 acre (Lot A) shall remain consistent with the Land Conservation Act and Uniform Rules at all times, including but not limited to compliance with public recreational use, agricultural production, and minimum income requirements.
82. The hunting area shall continue to be delineated with a minimum setback of 900 feet from Highway 37 edge of pavement. The club owner shall maintain the setback in the field, display a map of the hunting area in the clubhouse, and provide maps to hunters and club members annually.
83. Any sporting clay shooting stations oriented to Highway 37 shall maintain a minimum setback of 1,350 feet from the highway edge of pavement.
84. The hunting area boundary as depicted on the site plan and modified by these conditions, shall be clearly marked with post signs every 500 feet, except where the hunting boundary is already delineated by a water way.
85. Prior to issuance of a grading or building permit, the applicant shall obtain Final Design Review approval.
86. The edge of the proposed parking lot shall be moved out of the RC (Riparian Corridor) setback area.
87. Prior to issuance of a grading or building permits, an exterior lighting plan shall be submitted for staff review and approval. Flood lights are not permitted. Exterior lighting shall be dark sky compliant, low mounted, downward casting, fully shielded, and shall not exceed 100 watts per fixture. Lighting shall not wash out structures or any portions of the site. Lighting shall shut off

automatically after closing and security lighting shall be motion-sensor activated. All outdoor lighting on buildings or in parking areas including existing lighting shall be arranged to prevent direct glare or illumination towards neighboring properties.

88. A Water Conservation Plan shall be submitted for all buildings and landscaping prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall include all reasonably feasible measures to reduce water demand to the maximum extent feasible and enhance water resource recovery to maintain sustainable water supplies. Measures that must be evaluated include: installation of low-flow fixtures, best available conservation technologies for all water uses, rainwater and storm water collection systems and gray water reuse. Landscaping plans must comply with the County Water Efficient Landscape Ordinance. Prior to Building Permit Issuance a Landscape Permit application shall be submitted for all new and rehabilitated landscapes, as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). Verification from a qualified irrigation specialist that landscaping plan complies with the County Ordinance shall be provided prior to building permit issuance. The measures in the plan shall be implemented by the applicant and verified by PRMD staff prior to Certificate of Occupancy or operation of the use.

Water conservation shall include a 10,000 gallon rainwater recapture system and a 10,000 gallon gray water system in order to reduce site water use.

89. The following dust control measures shall be included on the plans and implemented during construction:
- A. Water or other dust palliative shall be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust. Increased watering frequency during windy conditions.
- B. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
- C. Paved roads will be swept as needed to remove any visible soil that has been carried onto them from the project site.

Mitigation Monitoring: PRMD will ensure that the above dust control measures are included as notes on the grading and construction plans.

90. The following notes shall be included on building or grading plans for ground disturbing activities:

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

removal, preservation and/or recordation in accordance with accepted professional archaeological practice.

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

Mitigation Monitoring: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement to cease construction if archaeological materials are found during ground disturbing activities. The project planner shall work with the applicant in reviewing and revising construction plans if archaeological materials are found. (Ongoing during construction)

91. A pre-construction survey for ground-nesting birds shall be performed 14 days prior to the start of construction. A qualified avian biologist will conduct passerine nest surveys prior to ground disturbing activities, or other construction activity at the project site to locate any active nests that could be affected by the project. If land-clearing activities are performed between August 16 and January 31, outside of the nesting season, no preconstruction surveys for nesting birds are warranted. Active nests will be identified, located and described and protective measures will be implemented. Protective measures will include establishment of clearly delineated (i.e., Visi-barrier, orange construction fencing) exclusion zones around each nest site. The active nests sites within exclusion zones will be monitored on a weekly basis throughout the nesting season to identify any signs of disturbance or nest abandonment. If signs of nest disturbance or abandonment are observed, work may be halted or other protection measures implemented at the discretion of the biologist. The barriers marking exclusion zones will remain in place until the young have left the nest and are foraging independently or if the nest is no longer active.

Mitigation Monitoring: PRMD Project Review will not sign off on grading, demolition, or building permits prior to implementation of the above mitigation measure.

92. Prior to demolition of existing structures at the project site, a qualified bat biologist, who holds a CDFW collection permit and a Memorandum of Understanding with CDFW allowing the biologist to handle and collect bats, shall conduct bat surveys to determine presence of bats. Depending on the proposed timing of demolition and the bat biologists initial survey of the site, necessary protocols, including possible delay of demolition should bats be present, shall be implemented under the supervision of the bat biologist. Prior to building permit issuance a letter from the project biologist shall be provided demonstrating the status of the bat survey and the protocols that are to be followed to ensure protection.

Mitigation Monitoring: PRMD Project review will not sign off on grading, demolition, or building permits prior to implementation of the above mitigation measure.

93. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation.
94. Two-Year Review. A review of activities under this Use Permit shall be undertaken by the director two (2) years after commencement of the new clubhouse to determine compliance with the Conditions of Approval applicable to hunting, shooting, and fly casting activities, including

organized shooting and promotional activities. The applicant shall control peak clubhouse, hunting, shooting, and fly casting activity to be consistent with the project description and environmental review and these conditions of approval. The applicant shall monitor and report peak activity to Permit Sonoma on a monthly basis. If the report shows a substantial increase in peak activity over the project description, further environmental analysis may be required.

The director shall give notice of this Use Permit review to all owners of real property within three hundred feet (300') of the subject site plus any additional property owners who have previously requested notice. The director shall allow at least ten (10) days for comment. If the director determines that there is credible evidence of non-compliance with the Conditions of Approval or the use constitutes a public nuisance, the director shall refer the matter to the Board of Zoning Adjustments for possible revocation or modification of the Use Permit. Any such revocation or modification shall be preceded by a public hearing noticed and heard in compliance with the Zoning Code. This Use Permit review shall not include any other aspect of the original Use Permit approval, unless other Conditions of Approval have not been met, violations have occurred, or the use constitutes a public nuisance.

95. Annual Report. After commencement of organized group activities, the owner/operator shall submit a report each year to PRMD by January 15th describing the number of group activities that occurred during the previous year, the day, date, time, and duration of each activity, the number of persons attending each activity, the purpose of each activity, and any other information required by the director. The annual report shall also include a schedule of the proposed group activities for the coming year.
96. Staff Training. Within 90 days from issuance of a Certificate of Occupancy or if no building permit is required, within 90 days of issuance of the Use Permit, all owners, managers, and employees selling alcoholic beverages at the establishment shall complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program shall meet the standards of the California Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. New owners, managers, and employees shall complete the training course within 30 days of the date of ownership or employment and every third year thereafter. Records of successful completion for each owner, manager, and employee shall be maintained on the premises and presented upon request by a representative of the County.
97. The applicant shall pay all applicable development fees prior to issuance of building permits. Should the County adopt a program for systematically monitoring winery events, Applicant shall be subject to such monitoring program unless the Director of Permit Sonoma determines program to be inappropriate.
Unless and until Applicant becomes part of such winery-event monitoring program (in which case Applicant will share program costs pursuant to the formula articulated by such monitoring program), Applicant shall provide reasonable reimbursement to the County for the costs of intermittent on-site inspections to ensure compliance with all Conditions of Approval.
98. Construction of new non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.
99. At the time of submitting a building permit application, the applicant shall submit to PRMD a Condition Compliance Review fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.

100. This "At Cost" entitlement is not vested until all permit processing costs are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs are paid in full.
101. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
102. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the condition(s) is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

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

103. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) year after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.