

Resolution Number 23-03

County of Sonoma
Santa Rosa, California

January 26, 2023
DRH22-0008 Blake Hillegas

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES; UPHOLDING IN PART AND DENYING IN PART AN APPEAL OF DESIGN REVIEW COMMITTEE APPROVAL; AND ADOPTING CONDITIONS OF APPROVAL FOR PROPERTY LOCATED AT 3300 JUNIPER AVENUE, SANTA ROSA CA

WHEREAS, the applicant, Steve Petcavich with RGM Kramer Inc., on behalf of owner and operator West County Transportation Agency, filed application DRH22-0008 with the Sonoma County Permit and Resource Management Department (“Permit Sonoma”) for Design Review to permit Phase II of the West County Transportation Agency (“WCTA”) bus storage, maintenance, and administration facility on 5.27 acres at 3300 Juniper Avenue; APN 134-074-022; Supervisorial District No. 3; and

WHEREAS, the entire WCTA Project was approved by the Sonoma County Board of Supervisors on February 2, 1999, as a two-phase project to be located on three adjacent parcels at 3300 Juniper Avenue. As approved, Phase I would be constructed and operated on APNs 134-072-025 and 134-102-048; Phase II would be completed at an unspecified later date on APN 134-074-022; and

WHEREAS, when the Sonoma County Board of Supervisors approved the WCTA Project in February 1999, the Board adopted a Mitigated Negative Declaration (“MND”) for the project in accordance with the requirements of the California Environmental Quality Act (CEQA). The MND was published for public review on October 5, 1998 and identified potential impacts that would be significant unless mitigated. Draft mitigation measures were incorporated into the draft conditions of approval for the project to reduce identified impacts to less than significant. The Board of Supervisors determined that it was necessary to modify certain mitigation measures, and via its Resolution No. 99-0154 it adopted a modified MND together with modified mitigation measures that were incorporated into the project conditions of approval. Accordingly, the MND adopted for the WCTA Project is the published MND dated October 5, 1998, as modified by Res. No. 99-0154 and its exhibits (collectively, the “Final MND” or the “Adopted MND”), which are Attachments 17 and 18 in the materials for the Commission’s January 26, 2023 continued hearing on the appeal of DRH22-0008, final design review for Phase II of the WCTA Project; and

WHEREAS, the entitlements approved by the Board of Supervisors for the WCTA Project (PLP98-0050) included amendments to the land use maps of the General Plan and South Santa Rosa Area Plan to designate the project site as Public Quasi/Public land use; amendments to the site’s zoning to the PF (Public Facility) district; and a Use Permit; and

WHEREAS, the approved Use Permit was for a phased project. Phase I of the project was completed and has been in operation; and

WHEREAS, WCTA currently seeks Design Review approval for Phase II, which was approved and conditioned by the Board of Supervisors as a bus storage yard on APN 134-074-022 with no more than 80 vehicles on the Phase II parcel at one time; and

WHEREAS, Condition 42 of the 1999 conditions of approval provided, among other things, that the Design Review Committee (“DRC”) is required to review the Final Development Plans for the project, and that the plans must include a berm at least 6 feet high parallel to the north and west property lines of the Phase II parcel, with the berm center setback a minimum of 50 feet from the north property line. Condition 42 was incorporated into the conditions of approval as required mitigation for noise and visual impacts of the project that were identified in the Final MND; and

WHEREAS, on May 3, 2022, Permit Sonoma issued a grading permit for the project. However, Permit Sonoma later determined that the grading permit had been issued in error, because Phase II had not received DRC approval and the berms did not meet the minimum six-foot height requirement; and

WHEREAS, WCTA subsequently requested DRC review and approval. On August 3, 2022, DRC held a duly noticed public hearing on Phase II. After holding a public hearing on the Phase II proposal and taking public testimony, DRC closed the public hearing, found that the project was within the scope of the Final MND and in compliance with the 1999 Use Permit, and approved the project subject to revisions to lighting and landscaping; and

WHEREAS, Kent Lawson and Kasia Nowak appealed DRC’s approval on August 15, 2022, alleging that it did not comply with the Board’s 1999 conditions of approval. The appellants requested that the Planning Commission not authorize bus driver employee parking and that it requires changes to the site plan, berm location, lighting, fencing and landscape design, due to alleged non-conformity with the 1999 Conditions of Approval as approved by the Board of Supervisors; and

WHEREAS, in accordance with the provisions of law, the Planning Commission opened the public hearing on the appeal on December 1, 2022, at which time all interested persons were given an opportunity to be heard. At the conclusion of the December 1 meeting, the Planning Commission continued the public hearing to January 5, 2023, to allow for additional information to be submitted, including on parking, lighting and fencing; to allow the applicant to modify its proposal and submittals; and to allow staff to prepare a revised resolution and conditions of approval based on the Commission’s preliminary direction; and

WHEREAS, the proposed Phase II design now includes storage for up to 71 bus spaces and 80 bus driver employee parking spaces; and

WHEREAS, the berm has been modified to meet the minimum 6-foot height requirement from all sides; and

WHEREAS, the inclusion of employee parking would not intensify the approved use because the project must continue to comply with the 80-vehicle limit required by Condition 32 of the 1999 Conditions of Approval. The current configuration will make parking more efficient for both parking and circulation, because bus drivers will not have to shuffle cars and buses between 71 total spaces. Condition 42 of the 1999 conditions of approval is not modified by this approval; and

WHEREAS, the continued hearing scheduled for January 5, 2023 was cancelled due to a local state of emergency, the hearing was rescheduled to January 26, 2023, for which all required public notice was provided in accordance with law; and

WHEREAS, in a duly noticed continued hearing on January 26, 2023, the Planning Commission held a public hearing and took additional public testimony on the appeal and regarding the applicant's proposal for Phase II of the Phase II development. The Commission considered all of the information presented by staff, the appellant, and the in applicant, including all testimony presented in writing and in the meeting, and voted _____ to approve Phase II as modified, upholding the appeal in part and denying the appeal in part.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. The project complies with General Plan land use designation of Public Quasi Public use in that the West County Transportation Agency is a Joint Powers agreement formed by multiple school districts.
2. The project is consistent with the Final MND and the 1999 Conditions of Approval as follows:
 - a) Phase II as approved includes a minimum six-foot tall earth berm paralleling the north and west property lines of the Phase II parcel (APN 134-074-022), with the centerline of the berm set back at least 50 feet from the northern property line, to reduce noise and visual impacts. Phase II as approved also requires the berm and 50-foot setback area are densely landscaped with evergreen trees and shrubs.
 - b) The approved Phase II Project remains subject to the 1999 conditions of approval regarding restrictions on uses, hours, positioning of buses for departure, and noise producing activities and equipment on the Phase II site.
 - c) The project remains conditioned to have hours of operation restricted to Monday through Friday 6am to 6pm only.
 - d) The project is conditioned to comply with the General Plan Noise Element.
 - e) As approved by the Commission, Phase II project lighting is required to automatically turn off during the hours of 6 p.m. to 6 a.m.. The project is further conditioned to require that this night lighting be fully shielded or include cut off fixtures to direct light downward and inward to prevent direct glare on the adjacent properties or roadways, consistent with the 1999 Conditions of Approval.
 - f) The project is conditioned to require a revised engineered drainage plan be submitted to the Permit Sonoma for review and approval to demonstrate consistency with the Final MND and 1999 conditions of approval.
 - g) The paved area on the Phase II parcel does not exceed the scope and limitations of the Final MND or the 1999 Conditions of Approval. The paved area will be used for parking and reasonable internal circulation. All other areas not utilized for such parking and driving will remain unpaved and landscaped or seeded.
3. Accordingly, based upon the information contained in the Final MND as defined herein and included in the project file, and based further upon all the evidence in the record before it,

the Commission determines that the Final MND for the WCTA Project, as approved by the Board of Supervisors on February 2, 1999, adequately addressed the potential impacts of the entire project in accordance with CEQA and that no further environmental review is required, based on the following findings made pursuant to California Code of Regulations, Title 14, Section 15162:

- a) That Phase II of the WCTA Project, as modified by the applicant and conditioned by the Commission, is within the scope of the Final MND, which considered both phases of the project.
- b) There are no substantial changes to the project that require major revisions of the Final MND due to the involvement of a new or substantially more severe significant environmental effect.
- c) There are no substantial changes with respect to the circumstances under which the Project is undertaken that require major revisions to the Final MND due to the involvement of a new or substantially more severe significant environmental effect. The Project has the same applicant, is for the same uses, and is on the same site as reviewed in the Final MND.
- d) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final MND was adopted, that shows that buildout of Phase II of the project will have a new or substantially more severe significant effect than previously disclosed in the Final MND. There is no evidence in the record that mitigation measures previously found to be infeasible are in fact feasible or that there are new, more effective mitigation measures or that the applicant has declined to adopt any mitigation measures necessary to reduce or avoid a significant impact.
- e) The mitigation monitoring program that was incorporated into the 1999 conditions of approval for the project will continue to apply to the project and is expressly carried forward and incorporated into this Design Review approval.
- f) Therefore, pursuant to CEQA Guidelines Section 15162, no subsequent CEQA document or analysis is required.

4. While use permit findings are not required for this design review approval because this project is part of the 1999 Use Permit approved by the Board of Supervisors for the multi-parcel, multi-phase WCTA project, the Planning Commission finds that the design of the project will not, under the circumstances of this particular case, be incompatible with nor be detrimental or injurious to property and improvements in the neighborhood. The particular circumstances in this case are:

- a) The design includes earthen berms and landscaping to mitigate noise and sufficiently screen the bus storage yard and employee parking lot from nearby residential uses. Landscaping has been added along the berm to ensure dense evergreen landscape screening.
- b) While the site plan includes 71 bus and 80 bus driver employee parking spaces, the size of the parking lot is in conformance with the initial project approval in that the footprint is generally the same due to reconfiguration of circulation and the conversion of large bus spaces to large bus and small bus spaces.
- c) The lighting levels are compatible in intensity of light, and measures are required to be implemented in the design to minimize impacts. Lower wattage lights, and lower height lights have been incorporated. More importantly, lights will automatically shut

off within the entire parking area from 6 p.m. to 6 a.m. Security lighting has also been designed to be compatible with the surrounding area.

- d) The berms and fencing will help screen the facility as required and the design is compatible with surrounding residential uses.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants approval of Phase II subject to the attached Exhibit A, Conditions of Approval as modified, upholding in part and denying in part the appeal of the approval of the Design Review Committee.

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

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

Commissioner Reed	Aye		
Commissioner Wiig	Aye		
Commissioner Deas	Aye		
Commissioner Koenigshofer	Aye		
Chair Carr	Aye		
Ayes: 5	Noes: 0	Absent: 0	Abstain: 0

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

SO ORDERED.

EXHIBIT "A"
Conditions of Approval/Mitigation Monitoring Plan
DRH22-0008 3300 Juniper Avenue
January 26, 2023

Building:

1. The applicant shall obtain all applicable permits from Building. These appear to include but may not be limited to site review, building permits, and grading permits.

Flood & Drainage:

2. Drainage improvements shall be designed by a civil engineer in accordance with the Water Agency's Flood Control Design Criteria for approval by the Director of Permit Sonoma and shall be shown on the improvement plans.
3. The developer's engineer shall include a site grading plan and an erosion control plan as part of the required improvement drawings.

Mitigation Monitoring for all Flood and Drainage Conditions: Permit Sonoma Drainage Review Specialist shall not give clearance for the grading or building permits to be issued until engineered drainage plans have been reviewed for conformance with County Standards.

Transportation and Public Works:

4. The developer/applicant shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width as necessary to create public right-of-way a total of fifty-two (52) feet, and described as twenty-six (26) feet, from the centerline of the proposed right-of-way per "City of Santa Rosa Southwest Area Plan" for Juniper Avenue along the eastern boundary of APN 134-074-022, and the western boundary of APN 134-072-025 & 134-072-048 on the developer/applicant's side of the road for the full length of the property's frontage, and twenty-six (26) feet of right-of-way from the centerline of the proposed extension of West Robles Avenue to the westerly edge of Juniper Avenue. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.
5. Right-of-way shall be dedicated using a Grant Deed. The developer/applicant shall have prepared a grant deed, together with the required descriptions and shall submit them to the County Surveyor for review and approval.
6. The developer/applicant shall construct new roadways with face-of-curb to face-of-curb widths or edge-of-pavement to edge-of-pavement widths on Juniper Avenue as follows: construct Juniper Avenue to a width of forty (40) feet projected northerly from the existing Juniper Avenue: this width will include the construction of standard curb and gutter. Where the roadway construction projects beyond the northerly boundary of APN 134-074-022, and if that parcel is developed in a later phase, The developer/applicant shall construct the roadway a minimum of 24.5 feet in width; this width shall include curb and gutter along the entire developer/applicant's frontage being developed in that phase.
7. The structural section of all road improvements shall be designed using a soils investigation which provides the basement soil's R value and expansion pressure test results. A copy of the soils report shall also be submitted with the first set of improvement plan check prints. The Traffic Index (TI) to be used for the pavement design of Juniper Avenue is 9.0.
8. The developer/applicant shall mill the existing pavement and overlay the existing pavement as necessary to make a smooth transition between the existing pavement and the new pavement.

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9. The developer/applicant shall construct concrete curb and gutter as necessary, along the developer/applicant's entire frontage on Juniper Avenue.
10. The developer/applicant shall construct five (5) foot sidewalks as necessary along the developer/applicant's entire frontage on Juniper Avenue.
11. Sidewalk warps shall be constructed to provide a clear four (4) foot walkway in areas where mailboxes, utility poles and pole guy wires are to be installed.
12. The developer/applicant shall construct storm drainage facilities to meet the standards of the Sonoma County Water Agency.
13. The developer/applicant shall implement the requirements of the National Pollutant Discharge Elimination System (NPDES) Program. (This condition is required of projects in the Santa Rosa Municipal Basin.)
14. To allow for the smooth and safe movement of passenger vehicles entering and exiting the public road that provides access to the property, the developer/applicant shall construct a "ramp" type driveway approach with a throat width of at least 35 feet. Once on the property, the driveway throat width may be reduced to 24 feet. The curb opening necessary to accommodate the curb face transition shall extend three (3) feet beyond the throat width on both sides of the driveway. Alternately, the developer/applicant may construct a "curb-return" type driveway with a 24-foot throat width and entrance curbs having a radius of 25 feet.
15. All improvements shall be constructed in accordance with the requirements of the City of Santa Rosa Standards, unless the County of Sonoma Department of Transportation and Public Works Standards are higher. Where the Department of Transportation and Public Works Standards are higher, the improvements shall be constructed to the Department of Transportation and Public Works Standards.
16. An erosion control plan (winterization plan) shall be prepared for the site and submitted as part of the improvement plans. Erosion control measures shall be installed as described in the erosion control plan.
17. Developer/applicant shall employ a Registered Civil Engineer, licensed in the State of California, to develop the plans for the required improvements. The scale of these improvement plans shall be 1-inch equals 40 feet and shall be submitted on 24 inch by 36 inch sheets for review. The plans shall include roadway cross-sections at a maximum interval between cross-sections of 50 feet.
18. Plan checking fees and inspection fees, including those involving off-site frontage improvements, shall be paid to Permit Sonoma prior to signature of the improvement plans by the Director of the Department of Transportation and Public Works.
19. A development fee (Traffic Mitigation Fee) shall be paid to Permit Sonoma, as required by Sections 26-98-010 through 26-98-100, inclusive, of the Sonoma County Code, before issuance of any building permit(s) associated with this application.
20. The developer/applicant shall submit improvement plans for all required improvements to Permit Sonoma for review and approval. Prior to the issuance

of any Grading, Building, or Encroachment permits, the improvement plans shall be signed by the Director of the Department of Transportation and Public Works.

21. Prior to construction of any improvements that are to be made within County Road Right-of-Way, the developer/applicant must obtain an encroachment permit from Permit Sonoma.
22. The developer/applicant shall complete construction of all the required public improvements or enter into an improvement agreement and post acceptable security with the County of Sonoma, agreeing to complete the required construction of Phase 1 within the 24-month period following the approval of this application. The developer shall also complete construction of all required improvements or enter into an improvement agreement and post security with the County, agreeing to complete the required construction in all later phases within 24 months of initiating each phase. Included in the improvement agreement(s) shall be a requirement that the developer/applicant enter into an improvement maintenance agreement and post security with the County of Sonoma to guarantee the improvements for a period of one (1) year after acceptance of the improvements as being complete by the County.
23. If the Sonoma County South Santa Rosa Plan and City of Santa Rosa South West Area Plan are amended to delete Juniper Avenue as a through road, all project conditions regarding the dedication and improvement of Juniper Avenue on site may be waived/modified by the Department of Transportation and Public works to insure continued consistency with the aforementioned plans.

Mitigation Monitoring for all Transportation and Public Works Conditions: Permit Sonoma Road Improvement Specialist shall not give clearance for grading or building permits to be issued until the Director of Transportation and Public Works has signed the improvement plans and all required bonding is in place.

Health:

24. Connection shall be made to public water. The applicant shall submit a copy of a "will serve" letter to Project Review Health from the water agency approving connection for this project.
25. Toilet facilities shall be provided for employees.
26. Noise shall be controlled in accordance with the standards set in the Noise Element of the Sonoma County General Plan.

Planning:

27. All development shall be according to the approved plans and application per PLP98-0050 and updated per DRH22-0008, including the updated site plan dated 12/7/2022 and considered by the Planning Commission on 1/26/2022. The project may be developed in phases, with full development of APN's 134-072-025 & 048 as Phase I. DRH22-0008 consists of Phase II of PLP98-0050 to be constructed on APN 134-074-022. Phase I has been constructed on APN's 134-072-025 & 048.
28. The Design Review permit is approved as requested for:

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- a) On APNs 134-072-025 & 048, a school bus storage, maintenance, and administrative facility.
 - b) On APN 134-074-022, a school bus storage yard with bus driver parking. No employees shall be stationed on this parcel, no work shall occur on vehicles/equipment on this parcel, no hazardous materials shall be stored on this parcel, and no refueling activities shall occur on this parcel. All buses parked on this parcel shall be positioned so as to avoid the need for backing up when departing in the morning. Horn checks and backup beeper checks may not occur on this parcel.
29. The western lot (APN 134-074-022) shall be restricted to a maximum of 80 vehicles on it at any one time. The total site (APN's 134-074-022 and 134-072-025 & 048) shall be restricted to a maximum of 110 buses on it at any one time.
30. Hours of operation on APN 134-074-022 shall be limited to Monday through Friday from 6:00 a.m. to 6 p.m. Hours of operation on APNs 134-072-025 & 048 shall be limited to Monday through Sunday from 5:00 a.m. to 8 p.m.

Mitigation Monitoring for Planning Conditions noted above: Permit Sonoma Planning Specialist shall be responsible for responding to any complaints over violations of conditions regulating ongoing activity on site. Violations of these conditions may result in the project's use permit being scheduled for modification or revocation.

31. All areas where buses are driven or parked on the western lot (APN 134-074-022) shall be fully paved. Areas on the lot that are not utilized for parking or landscaping shall have the natural grass cover retained to avoid any dust being created on site.

Mitigation Monitoring: Permit Sonoma Planning Specialist shall not allow startup of the use on the western lot until all of the required landscaping and paving has been completed.

32. As shown on the December 7, 2022 revised plans, six 8' x 8' tree wells with trees shall be installed where parking lot striping was previously removed.

33. Juniper Avenue at the north end of the property shall be blocked with an emergency vehicle access crossing only, until such time as the north end of Juniper Avenue is improved to County Safety Standards.

Mitigation Monitoring: Permit Sonoma Planning Specialist shall not sign off the grading permit until the required improvements are shown on the plans.

34. If buried archaeological indicators are uncovered during grading on site, all work shall halt and a qualified archaeologist and Permit Sonoma shall be consulted.

Mitigation Monitoring: Permit Sonoma Planning Specialist shall be responsible for ensuring a stop work order is immediately issued if notified buried resources have been uncovered.

35. The westerly portion (one acre) of APN 134-074-022 shall be permanently set aside for wetlands mitigation and an open space easement shall be recorded over it. If an alternative wetlands mitigation site is found at a later date that is recommended by the State Department of Fish and Game and approved by the County Permit Sonoma Department, the applicant may apply to rescind the open space easement over APN 134-074-022 after a new open space easement has been applied over the alternative site. Wetland areas to be disturbed on the eastern portion of the parcel shall be mitigated through creation of at least an equal amount of new wetland area in the

set aside area. Alternately, the applicant shall purchase an equal value of Wetlands Mitigation Bank Credits. All applicable U.S. Army Corps of Engineers and Fish and Game permits shall be obtained prior to disturbance of any wetland area.

Mitigation Monitoring: Permit Sonoma Planning Specialist shall not sign off the grading permit until all required easements have been recorded and all applicable State and Federal permits have been obtained for the fill and creation of wetlands on site as proposed.

36. All applicable county development fees shall be paid prior to building permit issuance and start-up of the use.

Mitigation Monitoring: Permit Sonoma shall not sign off the building permit, nor shall the use be initiated, until all required clearances from agencies collecting development impact fees have been obtained.

37. The Final Development Plan(s) shall be reviewed by the Design Review Committee. The plans shall include a berm at least 6 feet high parallel to the north and west property lines of the western lot (APN 134-074-022), with the berm center setback a minimum of 50 feet from the north property line. The berm and setback area shall contain a dense evergreen landscape screening which shall shield the buses from view in those directions. The 8-foot tall chain link fence proposed parallel to the berms on the north and west property lines is approved and shall be installed on the inside of the berms and shall not include slats. The center cross bar shall be removed from the fences if not required to support design loads. No slats shall be utilized on the easterly 8-foot tall fence on Juniper Avenue provided the fence is screened by landscaping as proposed. A chain link fence with slats or other view blocking fence design at least 6 feet in height shall surround all other areas that are not shielded by the berm, such as along the south property line. Other perimeter and front yard areas shall also be fully landscaped and irrigated. All required berms, landscaping and fencing on each individual lot shall be fully installed prior to any use of that lot.

Mitigation Monitoring: Building or grading permits shall not be issued by the PERMIT SONOMA Planning Specialist until Final Design Review of all required plans has been completed. The PERMIT SONOMA Planning Specialist shall not permit startup of the use on each lot until the required landscaping on each lot has been completed and inspected.

38. The final landscape plans as reviewed by the Planning Commission on December 1, 2022 and January 26, 2023 shall include shrub and tree planting, including a 100% increase in the number of pepper trees (from 11 to 22 total) along the northerly border, and 3 live oaks at the northwest corner in proximity to where redwoods were recently removed. Additional shrubs shall be planted along or near the top of the berm. Apply minimum compaction to berm for better initiation of plant root systems, while meeting minimum engineering requirements.

39. All working drawings shall conform to the designs approved by the County Design Review Committee. Working drawings shall be submitted to the County Permit Sonoma Department to review conformance prior to issuance of a building permit. Working drawings that conform to approved designs will be stamped approved for construction by Permit Sonoma.

Mitigation Monitoring: Permit Sonoma Department shall not sign off building permits until all construction drawings have been received and checked for compliance with the approved project and conditions.

40. Prior to being allowed use of the site or occupancy of the building, the applicant shall provide to Permit Sonoma a written statement signed by his or her engineer/contractor verifying that the grading and or drainage improvements are completed in accordance with the plans approved by the Sonoma County Water Agency, Permit Sonoma Department and the City of Santa Rosa.

Mitigation Monitoring: Permit Sonoma Department shall not sign off grading or building permits until clearance is received from the Drainage Review Specialist of the PERMIT SONOMA that the proposed work schedule for grading and drainage improvements meet all requirements of the Flood Control Design Criteria and accepted engineering practices.

41. The improvement drawings shall include provisions for street lighting and shall be submitted for approval by Permit Sonoma. The plan shall specify light standards appropriate to each street. Conduit, pull boxes, street light foundations and standards shall be installed based on the approved plan, prior to Final Building Inspection or occupancy of the buildings. This condition may be waived or modified by the County PERMIT SONOMA based upon the status of the streetlight and maintenance assessment district in the project area.

Mitigation Monitoring: Permit Sonoma shall not sign off the building permit for occupancy until a site inspection of the property has been conducted that indicates all required street light improvements have been installed according to the approved plans and Public Works' standards.

42. An exterior security lighting plan shall be submitted to Permit Sonoma for review and approval. Exterior lighting shall be internal only and not "wash out" onto adjacent properties nor be a source of glare onto adjacent streets. Generally, lighting should be located at the periphery of the property and shall not be flood lights. The lighting shall be installed in accordance with the approved lighting plan as required by the Design Review Committee during the construction phase. **Mitigation Monitoring:** Permit Sonoma shall not sign off the Building Permit for issuance nor shall the use be initiated until an exterior night lighting plan has been submitted that is consistent with the approved plans and County Design Standards. Permit Sonoma shall not sign off the Building Permit for occupancy until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, Permit Sonoma shall conduct a site inspection and require the property be brought into operating compliance with the approved plans or procedures to revoke the permit and terminate the use shall be initiated.

43. The lighting plan, as reviewed by the Planning Commission on December 1, 2022 and January 26, 2023 showing pole fixture maximum heights of 20 feet on the employee parking side and 27 feet on the bus parking side is permitted provided the lights are shut off between 6 p.m. and 6 a.m. Details shall be provided demonstrating a warmer color temperature (2700 Kelvin or less) for all fixtures, back shields on fixtures oriented to the south, and lens cut offs to avoid light trespass on adjacent properties. Up to ~~two~~ 27-foot tall motion activated security lights directed south and with back shields, and not exceeding 1 candle foot illumination, may be provided in the bus parking area provided that the applicant first provide a feasibility analysis of lowering the night lighting fixtures on the proposed poles and lower them if feasible.

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44. Utility distribution facilities, except surface mounted transformers, pedestal mounted terminal boxes, meter cabinets, concealed ducts, fire hydrants, and streetlights shall be placed underground. Appropriate easements shall be provided to facilitate these installations. Improvement plans submitted to the County shall reflect this condition.

Mitigation Monitoring: Permit Sonoma shall not sign off the Improvement Plans or Building Permit until all applicable utility easements have been dedicated and undergrounding of utilities is specified in the project's construction documents.

45. All underground utilities within the road rights-of-way, on-site driveways and parking areas shall be installed prior to pavement and street construction.

Mitigation Monitoring: Permit Sonoma shall not sign off the Improvement Plans or Building Permit until the project's construction documents specify appropriate development phasing.

46. Public utility easements shall be shown on the working drawings.

Mitigation Monitoring: Permit Sonoma shall not sign off the Improvement Plans or Building Permit until all applicable easements are shown on the project's construction documents.

47. Prior to Building Permit issuance, a Fire Safety Plan shall be reviewed and approved by the County Fire Marshal. Said plan shall include, but not be limited to, emergency vehicle access and turnaround at the building site, address visibility, water storage or fire hydrant location/flow, flammable/hazardous materials storage, roofing materials, fire break maintenance and compliance with the Uniform Fire Code. Prior to occupancy, written approval that the required improvements have been installed shall be provided to Permit Sonoma from the County Fire Marshal.

Mitigation Monitoring: Permit Sonoma shall not sign off the Building Permit for issuance or occupancy until appropriate written approvals have been obtained from the County Fire Marshal or designee.

48. Prior to issuance of a Building Permit, the APPLICANT/DEVELOPER shall post security in the form of a bond, cash deposit or other form acceptable to the County Counsel to assure that the required landscape planting and irrigation improvements are completely constructed in accordance with the construction documents approved by the Design Review Committee. The APPLICANT/DEVELOPER shall enter into an agreement with the County which provides for the landscape planting and irrigation improvements to be completed in accordance with the construction documents approved by the Design Review Committee within twenty-four (24) months of the date that Final Design Review approval for that phase of the project was granted by the Design Review Committee, or prior to Final Inspection or occupancy of the building(s), whichever occurs first.

Mitigation Monitoring: Permit Sonoma shall not sign off the Building Permit for issuance until any applicable security and improvement agreement for landscaping has been legally executed and placed on file at the department.

49. Prior to the release of security posted to insure the installation of landscape planting and irrigation improvements, and prior to Final Inspection or occupancy of the building, the applicant shall provide to Permit Sonoma, a written statement signed by the Landscape Architect, Nurseryman, or Landscape Contractor who prepare the construction documents for the landscape planting and irrigation improvements, which are approved by the Design Review Committee, verifying that the landscape planting and irrigation improvements are completed in accordance with the approved drawings.

Mitigation Monitoring: Permit Sonoma shall not sign off the Building Permit for occupancy or release any related improvement securities until a site inspection has been made and a letter received from the applicant's landscape architect or contractor that all landscape improvements are

in substantial compliance with the approved plan.

50. The APPLICANT/DEVELOPER shall be responsible for controlling dust and debris such that dust and debris do not drift or spill over onto adjacent properties or roadways. Dust, odors or debris nuisance may, at the discretion of Permit Sonoma, result in the issuance of a Stop Work Order, or abatement proceedings being initiated.

Mitigation Monitoring: Permit Sonoma shall conduct an on-site investigation if complaints are received that the use consistently creates a dust, odor or debris nuisance. If determined significant by Permit Sonoma, the applicant shall modify the use to correct the problem, or procedures to revoke the permit and terminate the use shall be initiated. Monitoring of this condition to be ongoing.

51. Prior to issuance of the building permit, the applicant shall submit to the Permit and Resource Management Department a condition compliance review fee of \$3,029 550 (fee is subject to change).
52. Any proposed modification, alteration, and/or expansion of the project as approved shall require the prior review and approval of Permit Sonoma or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified design review or Use Permit and full environmental review.
53. 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 project constitutes a nuisance.

In any case where a design review permit has not been used within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two (2) 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 26-465.1 of the Sonoma County Code.

Mitigation Monitoring for Planning Conditions: Permit Sonoma Planning Specialist shall not give clearance for any grading or building permits to be issued until the applicant has submitted proof of meeting all Planning Conditions. Permit Sonoma Department shall respond within one week to any complaints over violations of the Planning Conditions.