

SONOMA COUNTY BOARD OF SUPERVISORS
Draft Conditions of Approval

Staff:	Brian Millar	Date:	July 23, 2019
Applicant:	Tracy Torano	File No.:	PLP18-0015
Owner:	Tracy Torano	APN:	140-100-008
Address:	21020 Geyserville Avenue, Geyserville		

Project Description: Request for a Zone Change from C3 (General Commercial) SR (Scenic Resources) to C2 (Retail Business and Service) SR (Scenic Resources) and Use Permit with Design Review to allow for a mixed-use development consisting of a new commercial retail building of 1,342+/- square feet with two 671+/- square foot one-bedroom residential units on the upper floor above the retail space, on a 6,750+/- square foot parcel currently served by public sewer and water.

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

FEES:

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 \$2,354.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of \$2,404.75 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.
2. At the time of submitting a building permit application, the applicant shall submit to Permit Sonoma a Condition Compliance Review fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.
3. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
4. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.

BUILDING:

"The conditions below have been satisfied BY _____ DATE _____

5. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, septic, and grading permit.
6. All construction activities shall meet the California Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.). Construction plans shall be subject to review and approval of PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

Any earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code) and erosion control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code and Building Ordinance (Chapter 7, Sonoma County Code.)

PRMD staff shall ensure plans are in compliance with all State and local code requirements prior to the issuance of a building permit. PRMD inspectors will ensure construction is compliant with all state and local code requirements.

7. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the 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.
8. The business operator shall post a sign that includes the phone number for a current job manager for the benefit of neighbors. The job manager can be contacted if there are any problems associated with the construction process site such as dust, storm water runoff, hours of operation, equipment noise, traffic issues or lack of compliance with any project conditions of approval.

HEALTH:

"The conditions below have been satisfied BY _____ DATE _____

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

Water and Sewer:

9. Connection shall be made to public sewer and water. Prior to building permit issuance and vesting the Use Permit the applicant shall submit a "Will Serve Letter" for water and sewer to the Project Review Health Specialist to verify compliance, except for a connection to a County operated sewer system where clearance for the sewer will come from the PRMD Sanitation Section. Note that Will Serve Letters in contradiction of a moratorium by the appropriate regulating agency are not acceptable.
Please submit: A copy of the "Will Serve Letter" for water and sewer to the Project Review Health Specialist to verify compliance, except for a connection to a County operated sewer system where clearance for the sewer will come from the PRMD Sanitation Section.
10. Toilet facilities shall be provided for patrons and employees prior to vesting the Use Permit.
Please submit: A copy of the Floor Plan showing the location of the restrooms, prior to issuance of building permits, to the Project Review Health Specialist.

Hazardous Materials:

11. Prior to building permit issuance the applicant shall submit a Site Safety and Work Plan for approval by the appropriate State or County agency overseeing the remediation.

Local Oversight Program, Case #00002428 closure notes from Geotracker,;

Site Management Requirements: Contingency planning is required for worker safety, protection of remaining groundwater monitoring wells, and waste disposal if excavating in areas of residual contamination. The Building Department has been notified. Newly proposed water supply wells may require siting and design by a qualified professional engineer or geologist. Sonoma County Permit and Resource Management Department has been notified. A soil and Groundwater Plan has been submitted and is on Geotracker, (available to caseworkers with jurisdiction).

Please submit: A copy of a letter of approval from the appropriate State or County agency overseeing the remediation to the Project Review Health Specialist.

Consumer Protection:

12. 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.

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

Noise:

13. Prior to the issuance of building permits, a Noise Study *Addendum with detailed noise mitigation measures for residential & commercial interiors and the common deck* shall be submitted to Project Review-Health. Upon PRMD concurrence with the *Addendum*, the noise mitigation measures shall be photocopied from the Noise Study *Addendum* and attached to the building plans submitted for plan check.
- Please submit:** A Noise Study *Addendum* from a qualified sound consultant, detailing noise mitigation measures for the residential & commercial interiors and the common deck, to Project Review -Health.

Solid Waste:

14. 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 34-foot turning radius at the trash enclosure and the dumpster must have 14 feet of overhead clearance with an additional 5 feet of clearance (total of 19 feet high) at the location where the bins are tipped.
- Please submit:** A design for trash enclosures and recycling areas for review and approval by the PRMD Building Plan Check Section. Provide the Building plan page and detail number for the trash enclosures to the Project Review Health Specialist.
15. **Prior to building permit issuance**, areas within refuse enclosures for *food facilities, food retailers, inns and hotels, and multiple housing units with seven (7) or more bedrooms*, shall
- Drain to the sanitary sewer system or other appropriately permitted disposal facility.
 - Container areas shall not be less than ten feet (10') wide, seven and one-half feet deep and six feet (6') high.
 - Gates, if installed on the container area, shall be double doors, opening at the center and level with the access road,
 - 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. Overhead clearance and overhangs, wiring or other obstructions on the approach to the container area must be at least fourteen feet (14") high and at least nineteen feet (19') high at the location where the bins are tipped. The containers for refuse and recyclables shall be of

sufficient size and adequate number to contain without overflowing all of the refuse and recyclables that are generated on the premises during the designated removal period per the Solid Waste Management Plan.

Please submit: A copy of a design and drainage for trash enclosures and recycling areas to the Project Review Health Specialist for review and approval.

PRIOR TO OCCUPANCY:

Consumer Protection:

16. 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.

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

Noise:

17. Prior to building occupancy, the design and final construction of the sound mitigation measures, as detailed in the Noise Study *Addendum*, must be approved in writing by the consultant.

Please submit: A letter of clearance from the Qualified Sound Consultant to the Project Review Health Specialist regarding conformance with the design and final construction of the sound mitigations to the Noise Study *Addendum*.

Solid Waste:

18. Prior to building occupancy the applicant shall submit a design for trash enclosures for review and approval to the Project Review Health Specialist.

19. 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.

Please submit: A copy of an approval letter from Sonoma County Environmental Health to the Permit Sonoma, Project Review-Health Specialist.

OPERATIONAL REQUIREMENTS:

Water:

20. A safe, potable water supply shall be provided and maintained.

USE FOR BUILDING PERMITS:

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

Consumer Protection:

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

Noise:

23. Noise shall be controlled in accordance with Table NE-2 (or an adjusted Table NE-2 with respect to ambient noise as described in General Plan 2020, Policy NE-1c,) as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: *Adjusted* Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric ¹ , dBA	Daytime ² (7 a.m. to 10 p.m.)	Nighttime ² (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	55	50
L25 (15 minutes in any hour)	60	55
L08 (4 minutes 48 seconds in any hour)	65	60
L02 (72 seconds in any hour)	70	65
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour. ² Adjusted +5 dBA for ambient above Table NE-2.		

24. Special events were not requested in this Use Permit and therefore are not authorized by this Use Permit.
25. 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.
26. 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:

27. 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:

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

29. 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 _____

Based on the information submitted with your referral and a review of the maps and data available to us in our office, we recommend the following conditions of approval as items subject to review by the Grading & Storm Water (G&SW) Section of the Permit and Resource Management Department ("Permit Sonoma"). Please consult G&SW staff prior to significantly modifying, altering or adding to the conditions of approval provided below.

30. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit Sonoma prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
31. 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 Sonoma. The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all relevant existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the Drainage Report Required Contents (DRN-006) handout.
32. 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 Sonoma for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in compliance with Permit and Resource Management Department's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.
33. The applicant shall provide grading plans, prepared by a civil engineer currently registered in the State of California, which clearly indicate the nature and extent of the work proposed and include all existing and proposed land features, elevations, roads, driveways, buildings, limits of grading, limits of disturbed area/total work, adequate grading cross sections and drainage facilities such as swales, channels, closed conduits, or drainage structures. The grading plans shall abide by and contain all applicable items from the Grading Permit Required Application Contents (GRD-004) handout.
34. As part of the grading plans, the applicant shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas/total work, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall abide by and contain all applicable items in the *Grading Permit Required Application Contents* (GRD-004) handout.

35. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Areas used for waste receptacles and outside washing areas shall be covered or separated from the rest of the project site by grade breaks that prevent storm water run-on. Any surface water flow from a waste receptacle or outside washing area shall not be permitted to enter the storm drain system without receiving appropriate treatment.
36. 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 Permit Sonoma prior to issuance of any grading permit for the proposed project.

WATER:

"The conditions below have been satisfied BY _____ DATE _____

37. Prior to approval of the Improvement Plans, the Applicant shall submit a letter from the water provider to the Sanitation Section of the Permit and Resource Management Department ("Permit Sonoma"), stating its ability and willingness to provide water service to the proposed project, and stating that the Applicant and the water supplier have entered into an agreement for water service.
38. Prior to approval of the Improvement Plans, the Applicant shall submit a letter from the water provider to the Sanitation Section of the Permit Sonoma, stating it has reviewed and approved of the Improvement Plans.

SANITATION:

"The conditions below have been satisfied BY _____ DATE _____

39. Sonoma County Water Agency (Sonoma Water) owns, operates, and manages the Geyserville Sanitation Zone.
40. Applicant shall obtain a Sonoma County Water Agency ("Sonoma Water") **Survey for Commercial/Industrial Wastewater Discharge Requirements** from the Sonoma County Permit and Resource Management Department ("Permit Sonoma"), for all business on site and shall submit the completed Survey, along with two (2) copies of the project site plan, floor plan and plumbing plan to the Engineering Division of Permit Sonoma.

If additional sewer pre-treatment, separate process and domestic wastewater lines, and/or monitoring facilities are required by the Sonoma Water per this Survey, the Applicant shall comply with the requirements of the Survey prior to occupancy of the proposed commercial space. The issuance of building permits is contingent upon completion of the Survey.

41. Prior to the start of any proposed construction within the State Right-of-Way of Hwy 128, the Applicant shall have a licensed general contractor in possession of a valid Encroachment Permit. Encroachment Permits shall be issued by California Department of Transportation.
42. In accordance with Section 3.09, of the Sonoma County Water Agency Sanitation Code ("Sanitation Code"), when shared laterals are proposed, the owner shall write a letter to Sonoma Water requesting the sharing of the laterals. If the request is granted, a 'Declaration of Restriction and Acknowledgment', provided by Sonoma Water shall be recorded at the Recorder's Office as required by Sonoma Water.

43. The Applicant shall obtain a Sewer Disconnect Permit from the Sanitation Section of Permit Sonoma. Disconnection of the existing structure from the sewer shall be inspected by the Engineering Division of Permit Sonoma to ensure that disconnection is conducted in compliance with Health and Safety Codes, and to preserve any sewer connection credit that may currently be assessed to the property.
44. The Applicant shall obtain a Septic Tank Destruction Permit from the Well and Septic Division of Permit Sonoma. The existing septic tank shall be destroyed in accordance with the requirements of Well and Septic.
45. The Applicant shall obtain a permit to construct sanitary sewer facilities prior to temporary occupancy, or occupancy of the proposed commercial space and residential units. The sewer design, and construction, shall comply with the Sonoma Water Design and Construction Standards for Sanitation Facilities and Sanitation Code. All sewer work shall be inspected and accepted by the Engineering Division of Permit Sonoma. If sewer main/s installed, the Record Drawings shall be accepted by the Sonoma Water and the Inspector before occupancy or temporary occupancy is approved for this project.
46. At the time of sewer permit issuance, the Applicant shall provide the Sanitation Section of Permit Sonoma with data related to the floor area of the building, differentiating warehouse space, office space, retail, etc., for the purpose of correctly calculating sewer use fees, as defined by Sanitation Code. Sewer use fees (including Connection and Annual Service fees) shall be paid prior to temporary occupancy, occupancy, and building permit final. No connection to sewer or temporary occupancy, or occupancy shall be allowed until the sewer use fees are paid.
47. Sewer Use Fees for sewer service shall be calculated at the prevailing Sewer Connection and Annual Sewer Service Charge rates in effect at the time of sewer permit issuance.
48. All Sewer Fees per Sonoma County Water Agency Ordinances (latest revision) shall be paid to the Sanitation Section of the Permit Sonoma prior to occupancy.
49. The Applicant shall be responsible for the restoration of existing conditions including, but not limited to surfacing, landscaping, utilities and other public improvements that have been disturbed due to the construction of sanitary sewer facilities. Restoration shall be completed prior to the final of the sewer construction permit, unless otherwise specifically approved in advance by the Permit Sonoma.
50. Prior to approval of this project by Permit Sonoma, the Applicant shall provide the Sanitation Section of Permit Sonoma with a statement from Sonoma Water addressing the current and future levels of collection and treatment capacity within the Sanitation Zone. If it is determined by Sonoma Water that a "Sewer Capacity Study" is warranted and required for the proposed project, the Applicant shall undertake to have this study prepared prior to final approval of the development.

Mitigation measure to limited capacity of the existing sewer system may be required by the Sonoma Water. The applicant shall be required to pay for all mitigation measures, unless otherwise agreed upon with Sonoma Water.

51. Prior to approval of the improvements plans, the applicant shall provide a letter to Sonoma Water clearly stating how the existing Equivalent Single-family Dwelling (ESD) sewer billing units are to be distributed to the resulting proposed structures. The letter shall be addressed to:

Jay Jasperse
Chief Engineer
Sonoma County Water Agency (Sonoma Water) 404 Aviation Boulevard
Santa Rosa, CA 95403

Lynne Roselli and Kathy Badger at the same address shall be cc. Additional ESD may be required.

TRANSPORTATION AND PUBLIC WORKS:

The conditions below have been satisfied BY _____ DATE _____

52. This proposal accesses the public road system using a road under State of California jurisdiction. If Caltrans determines that improvements to the roadway are necessary, the Applicant shall obtain a State of California Encroachment Permit before making any improvements, including driveway, within State highway right of way.
53. Landscaping proposed within the public right-of-way is subject to review, approval and an ongoing maintenance agreement with Caltrans. The Applicant shall provide evidence of an issued Caltrans encroachment permit for installation of the improvements as well as proof that ongoing maintenance of the landscaping within the right-of-way has been incorporated into the encroachment permit or a maintenance agreement with Caltrans.

Right of Way Requirements:

54. The Applicant shall offer right-of-way to the State of California, free of encumbrances, and of sufficient width:
- a. To construct and maintain 32-foot radius curb faces, sidewalks, sidewalk warps, utilities, etc. along the property frontage and at all intersections.
 - b. To contain all Public drainage facilities.
55. The Applicant shall dedicate right-of-way as required by the State. A copy of the recorded deed shall be submitted to the Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s).

Required Improvements:

56. Storm drainage facilities shall be designed and constructed in accordance with Sonoma County Water Agency design standards. Drainage improvements shall be reviewed and cleared by the Grading & Storm Water Section of Permit Sonoma (PRMD).
57. An approved storm drain label shall be placed on all surface storm drain structures within the public right-of-way. The Permit Sonoma (PRMD) inspector will provide approved labels.

Curb, Gutter and Sidewalk:

58. The Applicant shall construct concrete curb and gutter as necessary, along the Applicant's entire frontage on SR 128 (aka Geyserville Ave and Depot St).
59. The Applicant shall construct minimum five (5) foot sidewalks as necessary, along the Applicant's entire frontage on SR 128 (aka Geyserville Ave and Depot St) in compliance with the Americans with Disabilities Act (ADA). Sidewalks shall conform to existing walks or paths at the property line or within public right-of-way beyond the property line.
60. Sidewalk warps shall be constructed to provide a clear 4-foot walkway around surface obstructions.
61. Americans with Disabilities Act (ADA) compliant pedestrian ramps shall be constructed at all improved intersections. Refer to Caltrans Standard Plan RSP A88A and A88B, and Sonoma County Department

of Transportation and Public Works Construction Standards 224A and 224B for details.

Intersections of Roads and Driveways:

62. To allow for the smooth and safe movement of passenger vehicles and occasional trucks entering and exiting the public road that provides access to the property, the Applicant shall construct ramp-type driveway approaches with a minimum throat width of 14 feet to the satisfaction of Caltrans. The driveways shall enter the public road as close to perpendicular as possible, but in no case shall the driveway enter the public road at more than 20 degrees from perpendicular. The curb opening shall transition three (3) feet beyond the throat width on both sides of the driveway. The Applicant shall surface the entry with asphaltic pavement between the edge of the existing pavement and the right-of-way line or a minimum of 25 feet, whichever is greater. Location: Public roadway entries from SR 128 (aka Geyserville Ave and Depot St). The driveway improvements shall be in place prior to occupancy or commencement of the new activity.
63. The applicant shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum Caltrans required sight distance at any project driveway where it intersects a public roadway.
64. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum Caltrans required sight distance at each driveway.
65. The Applicant shall construct a stabilized entrance for on-site construction activity to meet the following criteria prior to issuance of building permits:
 - a. The entrance surface shall be stabilized to prevent tracking of gravel and mud onto the public road.
 - b. The minimum sight distance for vehicles entering and exiting the construction entrance shall be in accordance with current Caltrans requirements for the speed traveled on the public road(s) providing construction access. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum Caltrans required sight distance at each driveway.

Traffic Control Devices:

66. The Applicant shall install a standard size Parking Area Guide Sign (D4-1) near the intersection of SR 128 (aka Geyserville Ave and Depot St) in accordance with Caltrans requirements for sign installation and as approved on the Caltrans encroachment permit for the project's improvements.

Fees:

67. The Applicant shall pay Traffic Mitigation fees to the County of Sonoma, as required by Chapter 26, Article 98 of the Sonoma County Code, prior to issuance of a building permit for any new building. Evidence of payment shall be submitted to the Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions.

Processing:

68. The Applicant shall obtain an Encroachment Permit issued by Caltrans prior to constructing any improvements within State highway right-of-way.

Completion of Required Improvements:

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

FIRE AND EMERGENCY SERVICES:

"The conditions below have been satisfied BY _____ DATE _____

70. Due to the scope of this project a Fire Services Pre-Construction meeting is required.
71. The subject property (*or properties*) must currently be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
72. If this project is determined to be a "Project" according to the California Environmental Quality Act (CEQA), the Sonoma County Fire and Emergency Services shall be listed as a Responsible Agency for purposes of review and comment.
73. Where no applicable standards or requirements are set forth within the California Fire Code, the Sonoma County Code, or other laws, codes, regulations, and ordinances adopted by the jurisdiction; compliance with applicable standards of the National Fire Protection Association shall be used in addition to the codes, regulations and ordinances adopted by the jurisdiction to meet the intent of the codes.
74. The subject property (*or properties*) must currently be in full compliance with Zoning regulations, Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.

Operational Permits

75. Applicable Fire Code operational permits shall be obtained prior to the initiation of any activity where an operational permit is required by the California Fire Code as adopted and amended by Sonoma County Code.
1. Fire hydrants and valves
 2. Fire protection system
 3. LP-gas Storage and use over 500 gallons water capacity and Operation of cargo tankers that transport LP-gas
 4. Private fire hydrant: service, use or operation
 5. Residential occupancy housing 10 or more occupants
76. An annual fire safety inspection is required for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay its costs of that inspection.

Construction Permits

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

79. The facility operator shall develop an emergency response plan consistent with Chapter 4 of the 2013 California Fire Code as adopted and amended by Sonoma County Code. Fire safety plans, emergency procedures, and employee training programs shall be approved by the fire code official.
ACCESS
80. To facilitate locating an emergency and to avoid delays in response; all existing and newly constructed or approved roadways and buildings whether public or private shall provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during an emergency, and shall be constructed and maintained as required by Sonoma County Fire Safe Standards and the California Fire Code, as adopted and amended by Sonoma County Code.
- a. All buildings shall be identified by approved address numbers, posted on signs clearly visible and legible from the roadway and at interchanges, as required by the California Fire Code as adopted and amended by Sonoma County Code, and as required by Sonoma County Fire Safe Standards.
 - b. Any newly created or approved roadways, newly constructed roadways, extended roadways, and reconstructed or improved roadways shall be constructed and maintained in compliance with the California Fire Code, as adopted and amended by Sonoma County Code, and as required by Sonoma County Fire Safe Standards.

Water Supply

81. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code as adopted and amended by Sonoma County Code.
- a. Fire hydrants shall be installed as required by the California Fire Code as adopted and amended by Sonoma County Code.

Occupancy

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

PLANNING:

"The conditions below have been satisfied BY _____ DATE _____

83. This Permit allows a Zone change from C3 (General Commercial, Highway) SR (Scenic Resources) to C2 (Retail Business and Service) SR (Scenic Resources) and a Use Permit with Design Review for the construction of a mixed-use development consisting of a new commercial retail building of 1,342+/- square feet with two 671+/- square foot one-bedroom residential units on the upper floor, above the retail space, on a 6,750+/- square foot parcel currently served by public sewer and water located at 21020 Geyserville Avenue, Geyserville. The project shall be operated in accordance with the proposal statement and site plan located in File No. PLP18-0015 as modified by these conditions.
84. This Permit (PLP18-0015) shall supersede all prior Permits, upon implementation or when all the pre-operational conditions have been met and this Permit is vested.
85. This project 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 this Permit, subject to enforcement.
86. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.

87. Prior to issuance of any grading or building permit, final design review by the Design Review Committee is required to assure the final design of the building and the materials used are consistent with the design themes and characters of the buildings existing in downtown Geyserville. The applicant shall also provide analysis of peak demand use of public (on-street) parking in the Geyserville town center addressing availability of parking spaces.

Mitigation Monitoring:

The Permit and Resource Management Department shall not issue any grading or building permits until the project has been review by the Design Review Committee and found to be consistent with the design themes and character of the buildings existing in downtown Geyserville.

88. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review by PRMD and the Design Review Committee. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut of automatically after closing and security lighting shall be motion sensor activated.

Mitigation Monitoring:

The Permit and Resource Management Department shall not issue the Building Permit until an exterior night lighting plan has been submitted that is consistent with the approved plans and County standards. The Permit and Resource Management Department shall not sign off final occupancy on the Building Permit until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke or modify the permit. (Ongoing)

89. All building and/or grading permits shall have the following note printed on grading or earthwork plan sheets:

NOTE ON PLANS:

"In the event that cultural resources are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, fire pits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code."

Mitigation Monitoring:

Building/grading permits shall not be approved for issuance by Permit Sonoma - Project Review Staff until the above notes are printed on the building, grading and improvement plans.

90. All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code). All construction activities shall meet the California Building Code regulations for seismic safety. Construction plans shall be subject to review and approval of Permit Sonoma prior to the issuance of a building permit. All work shall be subject to inspection by Permit Sonoma and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

Mitigation Monitoring:

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

91. Permit Sonoma would verify post-construction storm water Best Management Practices installation and functionality, through inspections, prior to finalizing the permit(s). The owner/operator shall maintain the required post-construction Best Management Practices for the life of the development. The owner/operator shall conduct annual inspections of the post-construction Best Management Practices to ensure proper maintenance and functionality. The annual inspections shall typically be conducted between September 15 and October 15 of each year.

Mitigation Monitoring:

Permit Sonoma shall conduct an inspection of the project site to ensure implementation of the required Best Management Practices.

92. The construction plans and final drainage report shall be prepared by a civil engineer, registered in the State of California, be submitted with the grading or building permit application or improvement plans, as applicable, and be subject to review and approval by the Grading & Storm Water Section of the Permit Sonoma prior to the issuance of any grading or building permits.

Mitigation Monitoring:

Permit Sonoma shall not issue the Grading Permit until the Drainage Review Section receives, reviews and approves the construction plans and final drainage report.

93. The approximately six-foot long curb frontage between the project's SR 128 driveway and the site's eastern property line should be marked with red paint, slightly offsetting parking from the driveway and helping to maintain visibility between exiting drivers and oncoming westbound traffic.

Mitigation Monitoring:

Prior to issuance of building permits PRMD staff will ensure that a note is placed on the building plans requiring the above mitigation.

94. Prior to issuance of the building permit, the applicant shall submit a Water Conservation Plan for all landscaping, subject to PRMD review and approval. The Water Conservation Plan shall comply with all provisions of the County Low Water Use Landscaping Ordinance. Verification, from a qualified irrigation specialist, that landscaping complies with the State Model Efficiency Ordinance shall be provided prior to Building Permit issuance. The measures in the Plan shall be implemented and verified by PRMD staff prior to the issuance of any Certificate of Occupancy.
95. The applicant shall submit a Greenhouse Gas Reduction Plan for PRMD review and approval that identifies measures the applicant has or will implement to reduce greenhouse gas emissions in the

long-term operations of the approved project. The Greenhouse Gas Reduction Plan shall include bicycle parking facilities and a solar power installation.

Mitigation Monitoring: Building/grading permits shall not be approved for issuance by Project Review Staff until the Greenhouse Gas Reduction Plan has been approved and incorporated into the design and construction documents for the project.

96. Landscape plans shall be subject to final Design Review approval prior to issuance of grading or building permits. Landscaping shall consist of a mixture of trees, shrubs and groundcover in accordance with an approved landscape plan. All landscaping shall be automatically irrigated with primary irrigation lines and equipment located on private property.
97. Construction activities for this project shall be restricted as follows:
- a. All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
 - b. All construction activities, including the start-up of equipment shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturday. If work outside the times specified above becomes necessary, the applicant shall make a written request to PRMD.
 - c. The delivery of materials or equipment shall only occur during approved construction hours. A sign(s) shall be posted on the site regarding the allowable hours of construction, and include the developer's and construction manager's phone numbers for public contact.
 - d. Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
 - e. The developer shall designate a Project Manager with authority to implement this mitigation prior to issuance of a building/grading permit. The Developer and Project Manager shall be responsible for taking prompt action to address any complaints.
98. The following dust control measures shall be included in the project:
- 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.
 - b. Trucks hauling soil, sand and other loose materials over public roads shall have covered loads, or loads shall be at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.
 - c. Paved roads shall be swept as needed to remove any visible soil that has been carried onto them from the project site.

Mitigation Monitoring:

PRMD staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits.

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 for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order.

99. The undergrounding of new utilities is required. Deviation from this requirement is subject to review and approval of the Director of the Permit and Resource Management Department.
100. The applicant/owner shall be required to maintain in good condition all street frontage improvements along the property to the face of curb, including any landscape areas, sidewalks, or surface drainage contained within the public right of way.
101. All easements shall be shown on the working drawings.
102. During construction, hazardous materials shall be stored away from drainage or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.
103. A concrete washout area, such as a temporary pit, shall be designated to clean concrete trucks and tools. At no time shall concrete waste be allowed to enter waterways, including creeks and storm drains.
104. Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.
105. Portable toilets utilized during construction shall be located and maintained to prevent the discharge of pollutants to the environment.
106. Any proposed modification, alteration, and/or expansion of the use authorized by this Permit shall require the prior review and approval of the Permit and Resource Management Department or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Design Review permit and full environmental review.
107. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation or modification.
108. In any case where a Use Permit has not been used within two (2) years after the date of the granting thereof, 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.
109. 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 Planning Commission as appropriate. Such changes may require a new modified Use Permit and additional environmental review.
110. 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 regulations.