

**SONOMA COUNTY PLANNING COMMISSION DRAFT
CONDITIONS OF APPROVAL, EXHIBIT A**

Staff: Eric Gage

File: PLP19-0044

Applicant: Springs Investors Group

Address: 135, 155, 175 West Verano Ave, Sonoma

Owner: Springs Investors Group

APN: 127-071-005, -012, -013

Date: July 15, 2021

Project Description: This project develops vacant infill site in an urban service area with a hotel and affordable multifamily rental apartments. The project includes the following entitlements: A General Plan Amendment to change land use designations from Recreation Visitor-serving Commercial to Urban Residential 20, A Zone Change from Recreation Visitor-serving Commercial (K) to High Density Residential (R3), Use Permit for new hotel use, building height increase, and walls within the front setback, and Design Review, and a Sign Program.

The project consists of a three-story, 120-room hotel with a rooftop observation deck and garden on the southern portion of the 5.9 acre property. The hotel also includes a café/bar on the roof deck, and swimming pool for guests. The height of the hotel at the highest point is 52 feet and 10 inches at tower elements. The housing project is located on the northern portion of the property and consists of a 100 percent affordable rental apartment complex of 72 units, in six buildings with a maximum height of 43 feet, with community rooms, landscaped courtyards and pedestrian paths. The project has a residential density of 22 units per acre and utilizes the Rental Housing Opportunity Density Bonus Program, to exceed the maximum residential density of the R3 (High Density Residential) zoning district of 20 units per acre. Fifteen percent of the units are restricted to very low income renters through an affordability agreement with the County. The remaining 85% with the exception of the manager's unit will be affordable to low, and very low income levels, to be determined by funding sources. The project includes a landscaped parklet of approximately 15,000 square feet on land owned by County Parks Department, but maintained by the applicant. The parklet property is located at the southwest corner of the project and contain passive recreation amenities such as benches, water fountains, historical and educational markers. The parklet extends offsite to the west to the entrance of the adjacent residential complex.

GENERAL

1. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50.00 for County Clerk processing, and \$2,406.75 because a Mitigated Negative Declaration was prepared, for a total of \$2456.75 made payable to Sonoma County Clerk and submitted to Permit Sonoma. If the required filing fee is not paid for a project, the project will not be operative, determined to be used in accordance with Sonoma County Code Section 26-92-130, or final, and any local permits issued for the project will be invalid. If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
2. If any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

3. This "At Cost" entitlement cannot be determined to be used in accordance with Sonoma County Code Section 26-92-130, 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. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to Permit Sonoma demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. Permit Sonoma shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by Permit Sonoma are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from Permit Sonoma, and shall not affect the original permit approval date or the term for expiration of the permit. The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

PERMIT SONOMA BUILDING

"The conditions below have been satisfied BY _____ DATE _____

5. The applicant shall apply for and obtain building related permits from Permit Sonoma for each new building or structure proposed. The necessary applications appear to be, but may not be limited to, building permit applications for each new building or structure. Construction inspections shall occur and the building permits finalized (or approved for occupancy) prior to occupancy of the altered structure.
6. The proposed uses and occupancies of all building areas shall be accurately identified on the proposed plans. Building areas and exterior areas shall identify all proposed uses and occupant loads associated with all proposed uses. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied.
7. The means of egress from all proposed occupied areas within the facilities (interior and exterior) shall comply with the applicable sections of the California Building Code (CBC).
8. The fire-resistance rating of proposed walls separating the proposed occupancies from adjacent uses, structures, and property lines shall comply with the applicable sections of the CBC.
9. A geotechnical investigation, in accordance with CBC Chapter 18, shall be submitted, providing site specific foundation design criteria and other geotechnical recommendations for development.
10. Minimum plumbing facilities for customers and employees, per the California Plumbing Code (CPC), shall be provided for all proposed building areas.

11. The California Business & Professions Code requires plans and calculations affecting structural elements or required exiting provisions to be prepared by California licensed design professionals (architects, engineers).
12. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division. Such accessibility requirements shall apply to all new construction and all interior and exterior routes of travel. All proposed guest rooms shall be on an accessible route, and adequate guest rooms with accessible mobility features and accessible communication features shall be provided, as required by CBC Section 11B-224. These guest rooms shall be adequately dispersed among various classes of guest rooms, as required per CBC 11B-224.5. Housing units and interior and exterior common areas of the proposed housing development shall meet applicable requirements of CBC Sections 11A and 11B.
13. If, after Building Division approval, any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

SONOMA COUNTY ENVIRONMENTAL HEALTH:

“The conditions below have been satisfied BY _____ DATE _____

14. A review and approval of building plans and/or specification sheets is required for the remodel/ addition of any new retail food facility equipment or expansion of any food storage or food processing areas prior to use of this area or equipment.
15. A review and approval of the operational plan is required for the storage and/or composting of food waste material produced from this site. A Solid Waste Facility Permit (SWFP) may be required prior to commencing operations. The SWFP must be consistent with CEQA requirements.

PERMIT SONOMA FIRE PREVENTION

“The conditions below have been satisfied BY _____ DATE _____

16. The subject property (or properties) must be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations prior to occupancy of the buildings and use of the property without written approval by the fire code official.
 - a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property (*or properties*) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
 - b. The Sonoma County Fire Prevention Division may charge and collect a fee for the inspection in an amount, as determined by the county, sufficient to pay its costs of that inspection.
 - c. The Building (s) shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.
17. 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.

- a. Emergency responder radio coverage
- b. Fire protection systems
- c. Hotels and motels
- d. Place of assembly
- e. Private fire hydrant: service, use or operation
- f. Refrigeration equipment regulated by CFC, (Chapter 6 105.6.38)
- g. Residential occupancy housing 10 or more occupants
- h. Special events

18. An annual schedule of special events shall be submitted to Sonoma County Fire for each calendar year, including the maximum number of participants, times and dates.
19. 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.
20. 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.
21. 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.
22. 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.
 - b. Emergency water supply for fire suppression may be provided in a naturally occurring or manmade containment structure for projects not served by a municipal water system, as long as the specified quantity and delivery rate is immediately provided.
23. Local Responsibility Area (LRA). Compliance with the general defensible space clearances per CCR Title 19 Div. 1, Chapter 1, Subchapter 1 §3.07.
24. Prior to occupancy, written approval that the required improvements have been installed shall be provided to Permit Sonoma from the County Fire Marshal/Local Fire Protection District.

PERMIT SONOMA SANITATION

"The conditions below have been satisfied BY _____ DATE _____

Sanitation Conditions:

Sonoma County Water Agency (Water Agency) operates Sonoma Valley County Sanitation District (District) under contract with District. References to District employees are understood to be Water Agency employees acting on behalf of District.

25. Sonoma County Water Agency (Sonoma Water) operates Sonoma Valley County Sanitation District (District) under contract with District. References to District employees are understood to be Water Agency employees acting on behalf of District.
26. Prior to issuance of building permits by the Permit Sonoma, the Applicant shall provide the Sanitation Section of Permit Sonoma with a statement from the Sonoma County Water Agency (SCWA), operators of the District, addressing the current and future levels of collection and treatment capacity within the District.

Preliminary review by Sonoma County Water Agency supports the need for a larger sewer main in Old Maple, with a length of approximately 800 feet of 8-inch pipeline. Compliance can be achieved by meeting the SCWA design standards, or by modeling sewer capacity. SCWA staff or a qualified consultant may provide this service at the applicant's expense.

Additionally, the Applicant shall implement any mitigation measures as directed by the SCWA, including but not limited to other sewer main pipe upsizing, sealing of manholes and/or mains, and sewer flow reductions in other parts of the sanitary sewer system.

27. Applicant shall obtain a Sonoma County Water Agency **Survey for Commercial/Industrial Wastewater Discharge Requirements** from Permit Sonoma, and shall submit the completed Survey, along with 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 County Water Agency per this Survey, the Applicant shall comply with the requirements of the Survey prior to occupancy of the proposed hotel. The issuance of building permits is contingent upon completion of the Survey.

28. All easements necessary for the installation of proposed sewer facilities shall be granted to the District, by separate document, and shall be shown on the required Improvement Plans prior to approval of the improvement plans by the Sonoma County Water Agency. A copy of each required easement for sewer construction shall be submitted with the Improvement Plans for the initial sewer design review.

Sewer lines are not allowed to cross neighboring parcels without written findings from Sonoma Water to allow the crossing. Recordation of the findings, and an agreement, may be required.

29. The Applicant shall submit improvement plans to the Sanitation Section of Permit Sonoma for review and approval of the sanitary sewer design. Improvement plans shall be submitted electronically on-line at the Permit Sonoma website, and be printable to scale on 24 inch by 36

inch in size, and prepared by a licensed civil engineer registered in the State of California. Sanitary sewer facilities shall be designed and Improvement Plans prepared in accordance with SCWA Design and Construction Standards for Sanitation Facilities. The Applicant shall pay Plan Checking fees to the Sanitation Section of Permit Sonoma prior to the start of Improvement Plan Review.

- a. Please note that review of the sanitary sewer design is a separate review from that of the buildings, drainage and frontage improvements, and shall be performed by the Sanitation Section of the Permit Sonoma under a separate permit.
 - b. The public sewer main design originals shall be signed by the SCWA Chief Engineer prior to the issuance of any permits for construction of the sanitary sewer facilities. The design engineer shall submit improvement plans to the Sanitation Section of Permit Sonoma submitted electronically on-line at the Permit Sonoma website, and be printable to scale, on 24 inch by 36 inch for signature by SCWA. All sanitary sewer inspection permits shall be obtained from the Sanitation Section of Permit Sonoma prior to the start of construction.
30. The Applicant shall obtain a Sewer Disconnect Permit from the Sanitation Section of Permit Sonoma when disconnecting the existing structure, obtaining a Building Demolition Permit for the existing structure. Disconnection of the existing structure from the sewer shall be inspected by the Engineering Division of 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. Disconnection of the existing lateral shall be located at the sewer main.
 31. The Applicant shall construct sanitary sewer mains and appurtenances to ensure that sewer facilities are installed in accordance with Sonoma County Water Agency Design and Construction Standards for Sanitation Facilities, with applicable specific details shown on approved improvement plans.
 32. No building shall be connected to the new mainline sewer until the mainline sewer has been inspected and accepted by the Engineering Division of Permit Sonoma, and a Sewer Connection Permit has been issued for the building. The sewer construction permit shall be finalized PRIOR to building permit final or temporary occupancy.
 33. Prior to the start of construction within the County Road Right-of-Way of Old Maple Avenue and Verano Avenue, the Applicant shall have a licensed general contractor in possession of a valid Public Road bond obtain an Encroachment Permit from Permit Sonoma.
 34. 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 hotel rooms, office, restaurant seating & tables, kitchen space, spa, meeting rooms, etc., for the purpose of correctly calculating sewer use fees, as defined by Sonoma County Water Agency Sanitation Codes. Sewer use fees (including Connection and Annual Service fees) shall be paid prior to temporary occupancy, occupancy, and building permit final. No connection to sewer, building permit final, temporary occupancy, and occupancy shall be allowed until the sewer use fees are paid.
 35. 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.

36. All Sewer Fees per Sonoma Valley County Sanitation District Ordinances (latest revision) shall be paid to the Sanitation Section of Permit Sonoma prior to temporary occupancy, occupancy, and building permit final of the proposed hotel, and residential units.
37. The Applicant shall be responsible for the restoration of existing conditions including, but not limited to surfacing, landscaping, utilities and other public improvements that have been disturbed due to the construction of sanitary sewer facilities. Restoration shall be completed prior to the final of the sewer construction permit, unless otherwise specifically approved in advance by the Permit and Resource Management Department.
38. Sewer facilities that are constructed within the 100 year flood plan shall be constructed in accordance with flooding resistant details and standards contained in the Water Agency's Design and Construction Standards, for Sanitation Facilities (Sanitation Standards). All other sewer facilities outside of the buildings shall also be constructed in accordance with the Sanitation Standards.
39. In accordance with Section 3.09, of the Sonoma Valley County Sanitation District, Sanitation Code Ordinance, when shared laterals are proposed that the owner shall wright a letter to the District requesting the sharing of the laterals. If the request is granted, a 'Declaration of Restriction and Acknowledgment', provide by the District shall be recorded at the Recorder's Office as required by the District.
40. Prior to merging parcels, and the adjusting lot lines, the applicant shall provide a letter to the Sonoma County Water Agency clearly stating how the existing Equivalent Single-family Dwelling sewer billing units (ESD) are to be distributed to the resulting parcel. The letter shall be addressed to the Chief Engineer at the Sonoma County Water Agency, currently:

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

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

PERMIT SONOMA GRADING & STORMWATER

"The conditions below have been satisfied BY _____ DATE _____

41. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
42. A drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the grading and/or building permit application and be subject to review and approval by the Grading & Storm Water Section of the

Permit and Resource Management Department (Permit Sonoma) . The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all relevant existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the Drainage Report Required Contents (DRN-006) handout.

43. The proposed project is subject to storm water Low Impact Development (LID) regulations. Post-construction storm water LID best management practices (BMP's) to mitigate impacts to the quality and quantity of storm water discharges from the project site shall be incorporated into the drainage design of the project. A final Stormwater Control Plan (SCP) in compliance with the Bay Area Stormwater Management Agencies Association (BASMAA) post-construction manual, based upon the approved preliminary SCP dated **10/23/2019**, shall be submitted with the grading and/or building permit application and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) prior to the issuance of any grading or building permits. LID BMP's must be installed per approved plans and specifications, and working properly prior to finaling the grading permit and associated building permits.
44. The final Stormwater Control Plan (SCP) shall include, but not limited to, a Maintenance Agreement for Monitoring Storm Water BMP Facilities and Declaration of Covenants (Agreement). The Agreement shall be recorded and filed with Permit and Resource Management Department (Permit Sonoma) prior to finaling of the grading permit. Landowner shall accept sole responsibility for all inspection, maintenance, remediation, and replacement of the BMPs including any and all fees and costs arising therefrom. The Agreement shall include at the least the following Exhibits:
 - a. legal description of the subject property;
 - b. location map of BMPs on legally recorded document size either 8.5" x 14" or 8.5" x 11" that is measurable and legible and will include a site plan and details of BMPs, stamped and signed by a civil engineer, currently registered in the State of California;
 - c. an operation and maintenance plan regarding the specific drainage patterns and treatment facilities on the Property (O&M Plan). The O&M Plan will include, but not be limited to the following information:
 - i. identify the responsible parties,
 - ii. figures from the Stormwater Control Plan delineating the Drainage Management Areas on the Property and showing the locations of the bioretention facilities on legally recorded document size either 8.5" x 14" or 8.5" x 11" and that are legible
 - iii. copies of final construction drawings on legally recorded document size either 8.5" x 14" or 8.5" x 11", and
 - iv. schedule of maintenance activities. If any changes and/or modifications to the design or locations of the approved LID features are made after the Agreement is filed then the applicant shall submit a revised Agreement with the revised SCP to (Permit Sonoma) for review and approval. Any approved modifications will need to be incorporated into the final Agreement. Nothing herein shall be construed as a waiver of the other requirements applicant must comply with under the SCP.
45. Landowner shall submit to Permit and Resource Management Department (Permit Sonoma) annually the results of the Storm Water BMP inspection. Inspection shall include but is not limited to the Inspection and Maintenance Checklists, photo evidence of BMP existing conditions, and a

report of any maintenance activity, remediation, or replacement of BMP features.

46. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in compliance with Permit and Resource Management Department's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.
47. 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.
48. 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.
49. Residue or polluted runoff from the production areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Production areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.
50. 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.
51. No work shall be allowed within any Special Flood Hazard Area or within 25 feet of the top of bank of **Agua Caliente Creek**.
52. Grading and land disturbance shall be setback from streams a minimum of 25 feet from the top of stream bank.

53. Any waterway setbacks, including but not limited to building setbacks, grading setbacks, or riparian corridor setbacks, shall be clearly shown and noted on the grading/site plans.
54. A waterway setback analysis shall be prepared to determine the most stringent composite waterway setback, be submitted with the grading and/or building permit application and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department. The waterway setback analysis shall include several cross sections of **Agua Caliente Creek**. At a minimum, building, grading, riparian corridor, and floodway limits setbacks shall be included in the waterway setback analysis. The most stringent composite waterway setback shall be clearly shown and noted on the grading/site plans.
55. Before construction may begin near a waterway, a protective construction fence shall be placed in such a manner to allow the proposed development while preventing land disturbance adjacent to the waterway. The protective construction fence shall be shown and noted on the grading/site plans.
56. Drainage easements are required to convey storm water runoff through any neighboring properties. Drainage easements shall be clearly shown and noted on the grading/site plans. The applicant shall be responsible for obtaining or creating drainage easements necessary for the proposed project prior to grading or building permit issuance. Any proposed drainage easements shall be private easements unless otherwise approved by the Department of Transportation and Public Works.
57. If the cumulative land disturbance of the project is equal to or greater than one (1) acre, then the project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any grading permit for the proposed project.
58. The applicant is responsible to contact the San Francisco Bay Regional Water Quality Control Board and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work within 25 feet of a waterway.
59. The applicant is responsible to contact the California Department of Fish & Wildlife and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit work within 25 feet of a waterway.
60. The applicant is responsible to contact the U.S. Army Corps of Engineers and obtain any necessary permits or waivers for proposed work in or near a wetland or navigable waters. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work within 25 feet of a wetland or navigable waters.

PERMIT SONOMA ENCROACHMENT:

“The conditions below have been satisfied BY _____ DATE _____

- 61. Prior to the start of construction within a County Right-of-Way, the Applicant shall have a licensed general contractor in possession of a valid Public Road bond obtain an Encroachment Permit from Permit Sonoma.

PERMIT SONOMA PROJECT REVIEW HEALTH

“The conditions below have been satisfied BY _____ DATE _____

- 62. Prior to building permit issuance, connection shall be made to public sewer and water. Prior to building permit issuance, the applicant shall submit a “Will Serve Letter” for water and sewer to the Project Planner to verify compliance, except for a connection to a County operated sewer system where clearance for the sewer will come from Permit Sonoma Sanitation Section. Note that Will Serve Letters in contradiction of a moratorium by the appropriate regulating agency are not acceptable.
The applicant shall submit: A copy of the “Will Serve Letter” for public water and sewer connections 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 Permit Sonoma Sanitation Section.

- 63. 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.
Applicant shall submit: an e-mail of the approval from the Environmental Health & Safety Section or a copy of the Environmental Health Plan Check Approval to the Project Review Health Specialist to verify compliance with requirements of the California Retail Food Code (CalCode).

- 64. Prior to the issuance of building permits and the start of any construction, plans and specifications for any public swimming pool or spa must be submitted to, and approved by, the Environmental Health Section of the Health Services Department. This condition also applies to restrooms, showers, equipment rooms and fences associated with the pools or spa. Contact the Environmental Health Section at 565-6565 for information.
Applicant shall submit: A letter of approval from the Environmental Health Section to the Project Review Health Specialist verifying compliance with requirements of the State of California regulations on public swimming pools and spas.

- 65. Prior to building permit issuance, the applicant shall retain a certified acoustical engineer to participate in the development of final construction plans to ensure that the Residential Housing

Units and Hotel are designed with the appropriate noise-attenuating construction features to maintain an interior noise level of 45 dBA Ldn or less, as set forth in the Sonoma County General Plan 2020, Noise Element Policy NE-1b.

The Environmental Noise Assessment construction design recommendations include:

1. Project buildings exposed to 65 dBA environmental noise which shall have:
 - a. exterior windows and doors with a composite STC rating of 40+ or OITC rating of 30+
 - b. adequate forced air (heat and air conditioning) ventilation
2. Project buildings exposed to the building envelope noise sources which shall have:
 - a. wall/roof assemblies shall meet a composite STC rating of at least 50+ or a composite OITC rating of 40+.
 - b. rooftop mechanical equipment shielding shall be constructed without any cracks or gaps and shall have a minimum surface weight of 3 pounds per square foot.

The building plans shall be certified by the acoustical engineer with recommendations incorporated into construction documents, prior to issuance of a building permit.

The applicant shall submit: an e-mail or letter from the acoustic engineer to the Project Review Health Specialist certifying the building design meets the requirements of Sonoma County General Plan 2020, Policy NE-1b.

66. Prior to building permit issuance, the roof top mechanical equipment noise barrier walls shall be constructed in accordance with the September 12, 2019 Environmental Noise Assessment by Steve J. Deines and Dana M. Lodico of Illingworth and Rodkin. The design and final construction of the mechanical equipment barriers must be approved in writing by the consultant. Barrier height in relation to pad elevation must be certified by the project engineer.

Applicant shall submit: A letter of clearance from the sound consultant regarding conformance with the design and final construction of the sound wall with the Environmental Noise Assessment requirements, to the Project Review Health Specialist.

67. Prior to building permit issuance, areas within refuse enclosures for food facilities, food retailers, inns and hotels, commercial buildings with fifteen thousand (15,000) square feet of floor space or greater, 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.

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

68. Prior to occupancy, connection shall be made to public sewer and water.
Applicant shall submit: A "Will Serve Letter" to the Project Review Health Specialist to verify compliance.
69. 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.
Applicant shall 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).
70. Prior to the operation of any public swimming pool or spa, a Swimming Pool Permit must be obtained from the Environmental Health Division of the Health Services Department.
Applicant shall submit: a letter of approval from the Environmental Health Division to the Project Review Health Specialist verifying compliance with requirements of the State of California regulations on public swimming pools and spas.
71. Prior to occupancy and operation of the project, the design and final construction of the residential and hotel interior acoustic shielding must be approved in writing by the Acoustic Engineer Consultant.
Applicant shall submit: A letter of clearance from the Acoustic Engineer Consultant regarding conformance with the design and final construction of the residence, and confirming the interior sound requirements of 45 dBA (or less) have been met, to the Project Review Health Specialist.
72. The roof top sound barrier shall be constructed in accordance with the September 12, 2019 Environmental Noise Assessment by Steve J. Deines and Dana M. Lodico of Illingworth and Rodkin. Prior to building occupancy and project operation, the design and final construction of the sound Mitigation Measures must be approved in writing by the consultant.
Applicant shall submit: A letter of clearance from the Sound Consultant to the Project Review Health Specialist regarding conformance with the design and final construction of the sound mitigations to the Sound Report requirements.
73. Prior to occupancy and project operation, 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.
Applicant shall submit: A detailed copy of the trash enclosure building plans to the Permit Sonoma, Building Plan Check; Engineering, Grading & Storm Water Protection; and the Project Review-Health Specialist for review and approval.
74. A safe, potable water supply shall be provided and maintained.

FOR BUILDING PERMITS:

75. 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.

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

77. Obtain and maintain all required Public Swimming Pool or Spa Permits from the Sonoma County Environmental Health Division.

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

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric ¹ , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.		

79. Special events were not requested in this Use Permit and therefore are not authorized by this Use Permit.
80. If noise complaints are received from nearby residents, and they appear to be valid complaints in Permit Sonoma'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 Permit Sonoma that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.
81. 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.
82. 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.
83. 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.

COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS

"The conditions below have been satisfied BY _____ DATE _____

Right of Way Requirements:

84. The Applicant shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width:
- a. As necessary to create public right-of-way a total of thirty (30) feet wide on the Applicant's side of the road, as measured from the existing pavement centerline, for the full length of the property's frontage on Verano Avenue. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.
 - b. To contain all Public drainage facilities.
 - c. To contain the improvements described below.

85. The Public right-of-way described above shall be widened as necessary to contain the improvements required by this approval, such as curb, gutter and sidewalk, including all cuts and fills necessary to construct conditioned facilities.
86. The Applicant shall dedicate the Verano Avenue right-of-way as roadway easement. The Applicant shall have prepared an easement deed, together with the required descriptions and shall submit them to the County Surveyor for review and approval. A copy of the recorded deed shall be submitted to the Land Development Section of Permit Sonoma prior to clearance of these conditions.
87. Prior to approval of the Improvement Plans, the Applicant shall request the legal vacation of Old Maple Avenue along the Applicant's frontage, necessary to accommodate the project as designed. If the vacation is approved, the Applicant shall accept the portion of the right-of-way on the Applicant's side of Old Maple Avenue for use as project frontage. If, for any reason the vacation (or abandonment) proceedings are terminated or if they result in a sale or vacation (or abandonment) to someone other than the Applicant or the County of Sonoma, these conditions of approval shall be amended appropriately. Nothing set forth in this condition or in the County's approval of the Applicant's project shall in any way obligate the County of Sonoma to complete any vacation (or abandonment) proceedings requested by the Applicant pursuant to this condition.

Required Improvements:

88. The Applicant shall construct or install improvements described as follows:
 - a. Supplement the width of Verano Avenue on the Applicant's side to create the improved roadway described below. The improvements shall extend for the full frontage of the Applicant's property as well as along the adjoining parcel fronting Verano Avenue beginning at the westerly side of the proposed bus turnout (fronting APN 127-141-028) and extending easterly to the intersection of Main Street. The road width and striping shall generally follow that shown in "Appendix G – On-Site Circulation Exhibits: TWLTL Striping and Truck Turning Templates" of the project's Traffic Impact Study dated April 16, 2021 with the completed roadway design to match that described below on: northerly side of Verano Avenue:
 1. One-twelve (12) foot wide paved travel lane.
 2. A portion of one-twelve (12) foot wide two-way left turn lane/left turn lane (at Main Street intersection).
 3. One-minimum four (4) foot wide Class II Bicycle Lane. This lane may include a maximum of one (1) foot of gutter pan width.
 4. Two (2) foot wide concrete curb and gutter per County standards on the northerly side of Verano Avenue.
 5. A minimum of five (5) foot wide sidewalk, including facilities for persons with disabilities, along the northerly side of Verano Avenue. The existing Class 1 multi-use path shall remain on the northerly side of Verano Avenue. The sidewalk and multi-use path may be

combined into one, new ten (10) foot wide concrete path, which shall be constructed of concrete on the easterly side of the hotel entry roundabout extending to Main Street. On the westerly side of the hotel entry roundabout the existing eight (8) foot wide asphalt path may remain. The combination path noted above is subject to approval of Sonoma County Regional Parks Department.

6. The final road shall have sufficient section to provide for a Traffic Index of 8.0.
7. The Applicant shall construct a full bus turnout on Verano Avenue fronting the parcel westerly of the project site (the "Park Parcel", APN 127-141-028) per the following criteria:
 - a) The berth area shall have a minimum width of 10 feet and a length of 50 feet. The 10 foot berth width shall allow a bus to stop without extending into the Class II bike lane.
 - b) An eight (8) foot wide landing (inclusive of curb width) as the bus landing area and bus shelter pad adjacent to the bus turnout.
 - c) An eight (8) inch thick reinforced concrete slab for the berth area per County standard 216.
 - d) A passenger waiting shelter shall be provided on the bus landing area as specified by Sonoma County Transit.
 - e) An Americans with Disabilities Act (ADA) compliant connection shall be made to the bus landing from Old Maple Avenue at its easterly terminus to the bus landing area constructed in such a manner that transit users and Class I bike path users shall be separated.
 - f) The Class I bike path shall be shifted northerly of the bus landing area to discourage conflicts between transit users and path users. Modifications to the Class I bike path shall maintain ADA compliance and be subject to review and approval by Sonoma County Regional Parks.
 - g) The design shall be subject to review and approval of Sonoma County Transit and the Sonoma County Department of Transportation and Public Works.
8. Additional improvements made to the Park Parcel may require additional roadway improvements along Old Maple Avenue such as curb and gutter to accommodate drainage or define the roadway edge. These improvements are subject to review and approval of Sonoma County Regional Parks and the Sonoma County Department of Transportation and Public Works.

The improvements may vary depending upon the location and condition of the existing improvements. Depending on the existing conditions, the improvements may consist of widening, reconstruction, overlay, etc, all as necessary to create the required widths and structural section(s).

Note: The two (2) foot wide gutter pan may be used as part of the shoulder or one (1) foot of the gutter pan width may be part of the Class II bike lane, but shall not be considered part of the travel lane.

- b. Supplement the width of Verano Avenue on the southerly side to create the improved roadway described below. The improvements shall extend for the length required to create a two-way left turn lane from the existing midblock crossing to the intersection of Main Street. The road width and striping shall generally follow that shown in “Appendix G – On-Site Circulation Exhibits: TWLTL Striping and Truck Turning Templates” of the project’s Traffic Impact Study dated April 16, 2021 with the completed roadway design to match that described below on: southerly side of Verano Avenue:

1. One-twelve (12) foot wide paved travel lane.
2. The remaining portion of one-twelve (12) foot wide two-way left turn lane/left turn lane (at Main Street intersection).
3. One-minimum four (4) foot wide Class II Bicycle Lane. This lane may include a maximum of one (1) foot of gutter pan width.
4. Asphaltic concrete (AC) dike per Caltrans standards on the southerly side of Verano Avenue.
5. The existing bus turnout shall be preserved.
6. The final road shall have sufficient section to provide for a Traffic Index of 8.0.

The improvements may vary depending upon the location and condition of the existing improvements. Depending on the existing conditions, the improvements may consist of widening, reconstruction, overlay, etc, all as necessary to create the required widths and structural section(s).

89. The structural section of all road improvements shall be designed using a soils investigation which provides the basement soil’s R-value and Expansion Pressure test results. A copy of the soils report shall be submitted with the first set of improvement plan check prints. The Traffic Index (TI) to be used for the pavement design of Verano Avenue, is 8.0. A soils report for public road purposes is not required for a design based on an R-value of 5.0.
90. The Applicant shall mill, repair and overlay the existing pavement as necessary to make a smooth transition between the existing pavement and the new pavement. Pavement conforms shall be minimized to the maximum extent feasible in travel lanes.
91. 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.
92. Any storm water treatment facilities proposed within the public right-of-way are subject to review and approval by DTPW. Construction of such facilities within the public right-of-way is subject to a Maintenance and Indemnification Agreement tied to the subject property in perpetuity. DTPW

prefers treatment facilities be constructed outside public right-of-way or be a design that does not impact sight lines or maintenance crews

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

Curb, Gutter and Sidewalk:

94. The Applicant shall construct concrete curb and gutter as necessary, along the Applicant's entire frontage on Verano Avenue as well as along the frontage of the adjoining parcel, APN 127-071-004 (the parcel easterly of the project site).
95. The Applicant shall construct a five (5) foot minimum sidewalk as necessary, along the Applicant's entire frontage on Verano Avenue as well as along the frontage of the adjoining parcel, APN 127-071-004 making an ADA compliant connection to Main Street from the project's proposed roundabout entry. The existing Class 1 multi-use path shall remain on the northerly side of Verano Avenue. The sidewalk and multi-use path may be combined into one, new ten (10) foot wide concrete path with approval from Sonoma County Regional Parks Department.
96. Sidewalk warps shall be constructed to provide a clear four (4) foot walkway around surface obstructions. If the combined pathway is constructed, a minimum of eight (8) feet is required around surface obstructions.
97. 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:

98. The Applicant shall construct a ramp type concrete driveway entrance for the hotel with a throat width of at least thirty-six (36) feet, reinforced to accommodate commercial activity (see County Standard Detail 808) and per the following:
 - a. The curb opening necessary to accommodate the curb face transition shall extend three (3) feet beyond the throat width on both sides of the driveway.
 - b. The driveway shall enter the public road as close to perpendicular as possible, but in no case shall the driveway enter the public road at more than 20 degrees from perpendicular.
 - c. The minimum sight distance for vehicles entering and exiting each driveway shall be in accordance with current AASHTO requirements for the speed traveled on the public road servicing the property (Verano Avenue). Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve minimum sight distance at the driveway.
 - d. The entry shall be surfaced with asphalt concrete, or approved non-tracking surface a minimum distance of 25 feet from the back of sidewalk and accommodate the Class I bike path.

99. The Applicant shall construct a ramp type concrete driveway entrance to access the affordable housing project with a throat width of at least twenty-four (24) feet, reinforced to accommodate commercial activity (see County Standard Detail 808) and per the following:
 - a. The curb opening necessary to accommodate the curb face transition shall extend three (3) feet beyond the throat width on both sides of the driveway.
 - b. The driveway shall enter the public road as close to perpendicular as possible, but in no case shall the driveway enter the public road at more than 20 degrees from perpendicular.
 - c. The minimum sight distance for vehicles entering and exiting each driveway shall be in accordance with current AASHTO requirements for the speed traveled on the public road servicing the property (Verano Avenue). Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve minimum sight distance at the driveway.
 - d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the back of sidewalk and accommodate the Class I bike path.
100. The Applicant shall construct a ramp type concrete driveway entrance for the adjacent parcel easterly of the affordable housing entry (APN 127-071-004) with a throat width of at least thirty (30) feet, reinforced to accommodate commercial activity (see County Standard Detail 808) and per the following:
 - a. The curb opening necessary to accommodate the curb face transition shall extend three (3) feet beyond the throat width on both sides of the driveway.
 - b. The driveway shall enter the public road as close to perpendicular as possible, but in no case shall the driveway enter the public road at more than 20 degrees from perpendicular.
 - c. The minimum sight distance for vehicles entering and exiting each driveway shall be in accordance with current AASHTO requirements for the speed traveled on the public road servicing the property (Verano Avenue). Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve minimum sight distance at the driveway.
 - d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the back of sidewalk and accommodate the Class I bike path.
101. The driveway improvements shall be in place prior to occupancy or commencement of the new activity.
102. 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 AASHTO required sight distance at any project driveway where it intersects a public roadway.
103. The Applicant shall construct a stabilized entrance for on-site construction activity to meet the following criteria prior to issuance of building permits:

- a. The entrance shall be of sufficient width to accommodate two-way traffic.
- b. The entrance surface shall be stabilized to prevent tracking of gravel and mud onto the public road.
- c. The minimum sight distance for vehicles entering and exiting the construction entrance shall be in accordance with current AASHTO 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 AASHTO required sight distance at each driveway.

Traffic Control Devices:

104. The Applicant shall install:

- a. Traffic control devices as required by the Department of Transportation and Public Works, including items such as traffic signs, roadway striping, pavement markers, etc.
- b. Traffic barricade where road pavement ends on Old Maple Avenue, as required by the Department of Transportation and Public Works.
- c. Existing striping in the roadway segment to be improved shall be removed per County Standard Signing, Striping and Markings Specifications and the improved area shall be subject to a Type II Slurry Seal per Caltrans Specifications prior to placing new striping.
- d. Traffic striping as required by the Department of Transportation and Public Works per California Manual on Uniform Traffic Control Devices to create the two-way left turn lane recommended by the project's Traffic Impact Study extending from the mid-block crossing westerly of the project entry to Main Street left turn pocket as well as to restripe the left turn pocket on eastbound Verano Avenue at Main Street.

Improvement Standards:

105. The Applicant shall employ a Registered Civil Engineer, licensed in the State of California, to develop plans for the required improvements. The scale of these improvement plans shall be a minimum 1 inch equals 20 feet, and shall be submitted electronically on ANSI D 22.0 x 34.0-inch printable sheets for review. The Plans shall include roadway cross-sections, at a maximum interval between cross-sections of 50 feet.

Fees:

106. 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.

107. The Applicant, his or her personal representatives, and project consultants are advised that the issuance of building permits is subject to the payment of a development fee (Traffic Mitigation Fee) as required by Chapter 26, Article 98 of the Sonoma County Code. The fee is computed

multiplying project Average Daily Traffic (ADT) by the commercial and residential fee in effect at the time of permit issuance. For the hotel portion of the project only, per interpolation of the weekday and weekend trips provided in the Traffic Impact Study provided for this project, the hotel portion of the project will generate 550 ADT.

Processing:

- 108. Plans for all required improvements shall be submitted to the office of the County Surveyor in Permit Sonoma for review and approval; said office will coordinate review of the plans with DTPW. An initial review by DTPW and agreement in concept for the proposed improvements shall be required prior to the issuance of any grading permit for the project. Either the public road improvement plans shall be signed by the Director of DTPW prior to the issuance of a building permit or the Applicant shall obtain signed approval from the Director of DTPW. The improvement plans shall be signed by the Director of DTPW prior to the issuance of an encroachment permit for public road improvements.
- 109. The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma prior to constructing any improvements within County road right-of-way.
- 110. Prior to acceptance of the public road improvements, the Applicant shall ensure that the project engineer signs the record drawing block on the public improvement plans after noting any record changes. The signed record drawings shall be scanned at a minimum 400 DPI and a PDF of the record plans shall be provided to DTPW at the Applicant's expense.

Completion of Required Improvements:

- 111. The Applicant shall complete construction of all the required public improvements and 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.

COUNTY REGIONAL PARKS:

"The conditions below have been satisfied BY _____ DATE _____

- 112. Provide Regional Parks with two copies of design and construction plans for approval. Detailed plans to include grading, hardscape, drainage, planting, irrigation, water service, and site amenities.
- 113. Approved plans to be submitted to Permit Sonoma for issuance of a grading permit and any other permitting requirements.
- 114. Provide notification of construction schedule, and allow opportunities for inspection and approval of substitutions or potential change orders. Inspections may include, but not be limited to rough and finish grading, subgrade compaction, planting layout and irrigation pressure testing prior to backfilling.
- 115. Maintain safe pedestrian and bicycle circulation along the Central Sonoma Valley trail running

along the north side of Verano Ave. during construction.

116. Final built condition of the parklet shall afford open and safe connection between the hotel project and the existing public pathways and sidewalks, namely the multi-use, Central Sonoma Valley trail running along the north side of Verano Ave., and shall comply with County water efficiency landscape requirements and accessibility requirements per the American Disabilities Act.
117. Licensee shall maintain and require all of its contractors and sub-contractors performing activities related to the development of the parklet to comply with public contracting and pay prevailing wage.
118. Upon completion of the improvements, a letter certifying that construction was in conformance with the plans and conditions shall be submitted to the County by Licensee.
119. Installation shall be in accordance with the highest standards employed by the County.
120. Workmanship and materials will have a one year guarantee free of defects from the time project is accepted as complete and final.
121. No other uses shall be permitted on the property.
122. Licensee shall perform regular activities related to maintaining the safety, care and cleanliness of the parklet landscaping and associated amenities.
123. Regular maintenance shall be in accordance with the standards employed by the County for similar facilities including but not limited to the following:
 - Maintenance of the planting areas and pathways such as trimming, fertilizing, irrigating and control of weeds in adherence with the County's Integrated Pest Management Plan.
 - Maintenance and repair of drip irrigation system as needed for efficiency.
 - Trash and litter control throughout the premises.
 - Repair and replacement of damaged or worn site features such as the drinking fountain, benches, bike repair station, and signage.

PERMT SONOMA PLANNING:

The conditions below have been satisfied BY _____ DATE _____

124. The development shall be constructed and operated in accordance with the proposal statement and project plans located in File No. PLP19-0044 as modified by these conditions. The residential unit mix and affordability levels shall be consistent with the project plans and proposal statement.
125. The residential component of the project fulfills the hotel's requirement for workforce housing. Therefore, the housing project must begin construction before the hotel construction can commence. Permit Sonoma staff shall not sign off on the hotel building permit prior to issuance of the building permit for the residential apartments. Any sign off of hotel building permits by Permit Sonoma staff prior to issuance of the building permit for the residential apartments shall not be valid.

126. Hours of operation for commercial deliveries, and refuse disposal activities shall be limited to 7 a.m. to 8 p.m.
127. Prior to issuance of the building permit for residential structures that cross the property line between two parcels, Applicant shall apply for, obtain approval for, and record a voluntary lot merger for Assessor Parcel Numbers 127-071-005 and 127-071-012.
128. The housing developer shall enter into and record Affordable Housing Agreements (AHA) with the County Community Development Commission (CDC) for all parcels containing proposed deed restricted affordable housing units. Prior to issuance of building permit, the applicant shall submit a fully executed Affordable Housing Agreement to provide 71 affordable units with a minimum of eleven units (15% of 71) deed restricted for very low income residents in accordance with Section 26-89 of the Sonoma County Code. Affordable units shall be deed restricted for a 55 year term. Very low income units shall be restricted to low income households at 50% of Area Median Income. Low income units shall be restricted to 80% the Area Median Income.
129. Following the completion of the entitlement approval process for the development, Applicant shall request that Permit Sonoma send the CDC a referral that identifies the specific units to be restricted as very low income units, the number of bedrooms of each unit, and the income group for which the units would be reserved, the Conditions of Approval listing the incentives granted to the project, and any approved variations from the affordability requirements of the Housing Element or Zoning Code.
130. The Applicant shall request that the CDC prepare the AHAs after Permit Sonoma delivers the approved referral and the developer submits AHA applications along with the required application fee. The Applicant shall request that the CDC then provide a copy of the AHAs to the developer for review by its attorney prior to recording. There is a yearly \$75 monitoring fee for each affordable unit under contract.
131. The hotel 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.
132. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of Permit Sonoma or the Planning Commission, as appropriate. Such changes may require a new or modified Use Permit and additional review.
133. 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.
134. All grading and development on site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the drip-line, and replacement of damaged or removed trees. The project's grading and landscape plans shall detail all tree protection implementation measures.

135. Permit Sonoma shall not sign off the grading or building permit for issuance until the project grading and landscape construction documents clearly show all tree protection measures (as required in the County Tree Protection Ordinance). Permit Sonoma shall not sign off the grading or building permit for occupancy until a site inspection has been conducted, and the applicant has provided written verification from the project's landscape architect or contractor, that the tree protection measures were complied with.
136. A Water Conservation Plan shall be submitted for all buildings and landscaping prior to building permit issuance, subject to Permit Sonoma review and approval. The Water Conservation Plan shall include all reasonably feasible measures to reduce water demand to the maximum extent feasible and enhance water resource recovery to maintain sustainable water supplies. Measures that must be evaluated include: installation of low-flow fixtures, best available conservation technologies for all water uses, rainwater and stormwater collection systems and graywater reuse. Landscaping plans must comply with the County Water Efficient Landscape Ordinance. Prior to Building Permit Issuance a Landscape Permit application shall be submitted for all new and rehabilitated landscapes, as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). Verification from a qualified irrigation specialist that landscaping plan complies with the County Ordinance shall be provided prior to building permit issuance. The measures in the plan shall be implemented by the applicant and verified by Permit Sonoma staff prior to Certificate of Occupancy or operation of the use.
137. 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. Landscape plans shall be subject to 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. An Encroachment Permit and/or a Maintenance Agreement with the County shall be required prior to final of grading or building permits.
138. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.
139. Notwithstanding any overriding countywide ordinance providing automatic permit extension, in any case where a Use Permit has not been used within three (3) 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 three 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.

PRIOR TO BUILDING PERMIT ISSUANCE:

140. The applicant shall include these Conditions of Approval and Mitigation Measures on separate sheets of plan sets to be submitted for building and grading permit applications.
141. The project shall obtain Final Design Review Committee review and approval of the project. All

items outlined in the Design Review Committee's June 3, 2018 Record of Action shall be addressed.

142. Trees shall not be planted within sewer easements. Trees and shrubs planted near such easements shall include a continuous root barrier. The root barrier design detail shall be included on the construction plans.
143. Prior to building permit issuance a landscape permit application shall be submitted for all new and rehabilitated landscapes, as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). Compliance with these regulations shall be verified by Permit Sonoma staff prior to Certificate of Occupancy. Reference form PJR-091.
144. The applicant shall demonstrate that the project exceeds 2019 CALGreen + Tier 1 Checklist Requirements by implementing an elective in each category beyond the statutory requirement to comply with General Plan Objective OSRC 14.4 to reduce greenhouse gas emissions.

MITIGATION MEASURES

145. Mitigation Measure AIR-1:

The following dust control measures shall be included in the project:

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

Mitigation Monitoring AIR-1:

Dust control measures shall be listed on all grading, building or improvement plans prior to issuance of grading or building permits.

146. Mitigation Measure AIR-2:

Prior to building permit issuance, the developer shall provide a construction equipment list and schedule that demonstrates a reduction in TACs from construction equipment by 85%, such as using all construction equipment meeting Tier 3 engine standards with Tier 3 diesel particulate filters at minimum.

Mitigation Monitoring AIR-2:

The construction equipment list and supporting calculations will be reviewed and approved by Permit Sonoma staff prior to issuance of building permits.

147. Mitigation Measure BIO-1:

If proposed work is within 40 meters (130 feet), outside the stream channel of Aqua Caliente Creek, there is the potential for FYLF to potentially be impacted if present. In addition, it is possible the California giant salamander could be present therefore the same mitigation measures recommended for FYLF are recommended for the salamander and include the following (Riggs, 2017):

- All vegetation clearing shall be done by hand under the supervision of a qualified biologist.
- Prior to any work, protocol-level surveys are recommended to determine if adult FYLF are present within the project area. Survey methodology must be provided to CDFW for review and approval at least 30 days prior to implementing the survey. No project activities shall begin until foothill yellow legged frog surveys have been completed using a method approved by CDFW, and results have been submitted to CDFW for review and approval. The survey shall encompass the project area, upland habitat within and adjacent to the project area no less than 150 feet from the streambed, and 500 feet upstream and downstream of the project area. Survey methodology shall target all life stages and shall include wet and dry stream surveys. Egg mass surveys shall be conducted weekly between March and June.
- If any life stage of FYLF is found either during surveys or during the course of activities, CDFW and the County shall be notified, and all activities shall cease until a qualified biologist CDFW approves any avoidance measures necessary to avoid adverse impacts to the species. Additional avoidance measures shall include installation of wildlife exclusion fencing between the outfall and the stream channel to prevent FYLF from entering the work area and/or biological monitoring during all work occurring within the riparian habitat.

Monitoring Measure BIO-1:

Permit Sonoma staff shall review the results of any pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species. All mitigation measures shall be noted on the final project plans.

148. Mitigation Measure BIO-2:

Tree removal and roadway construction should be initiated during the non-nesting season from September 1 to January 31. If work cannot be initiated during this period, or if there is a break in activity lasting more than 7 days after February 1 then nesting bird surveys should be performed by a qualified biologist within 500 feet of proposed activities no more than 7 days before initial ground disturbance. If nests are found, a no-disturbance buffer should be placed around the nest until young have fledged or the nest is determined to be no longer active by the biologist. The size of the buffer may be determined by the biologist based on species and proximity to activities; larger buffers up to 500 feet are recommended for special status raptor species.

Monitoring Measure BIO-2:

Prior to issuance of grading permits during the breeding season, Permit Sonoma staff shall review the results of any pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species. All mitigation measures shall be noted on the final project plans.

149. Mitigation Measure BIO-3:

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

Monitoring Measure BIO-3:

Prior to issuance of grading permits during the bat maternity roosting season, Permit Sonoma staff shall review the results of any pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species. All mitigation measures shall be noted on the final project plans.

150. Mitigation Measure BIO-4:

Only the minimum amount of vegetation from coast live oaks to be preserved will be pruned or removed that is necessary to construct the project. Where possible, vegetation will be tied back in lieu of cutting. Native vegetation that must be removed will be cut at or above grade to facilitate re-growth. Any pruning that is done, including for utility line clearance, will conform to the American National Standard for Tree Care Operation Tree, Shrub, and Other Woody Plant Maintenance Standard Practices, Pruning (ANSI A300 Part 1)-2008 Pruning), and the companion publication Best Management Practices: Tree pruning (ISA 2008). Roots will only be unearthed when necessary.

The following are the arborist's project-specific mitigation measures for the project:

- a. Any work or construction activities performed under the drip line of preserved oaks will need review and approval from the project arborist.
- b. 4-foot high orange plastic fence to be installed at the drip line or as otherwise approved by the project arborist.
- c. In areas where construction in tree protection zones is approved by the project arborist, the trees shall be protected with a strapped barrel stave-like surrounding of 2"x4"'s around the full circumference of the tree trunk.

- d. Parking vehicles, storing materials, supplies or construction equipment will not be allowed unless otherwise approved by the project arborist.
- e. Any trenching required within the root zone shall be done by hand or air spaded as directed by the project arborist.
- f. Any existing roots that must to be cut or removed will be done so as directed and approved by the project arborist.
- g. Any pruning or limb removal that needs to occur will be done so as directed and approved by the project arborist.

Mitigation Monitoring BIO-4:

The arborist conditions will be printed on the building permit plans prior to issuance of the building permit.

151. Mitigation Measure BIO-5:

Project activities shall be conducted in such a way that no disturbance to the banks of Agua Caliente Creek occur. No vegetation shall be disturbed or removed from the stream bank. Sediment shall be prevented from entering creek. Streambank shape and form shall not be disturbed or altered.

Mitigation Monitoring BIO-5:

Prior to issuance of grading permits, Permit Sonoma staff shall review the areas of ground disturbance, results of any pre-construction surveys, and any measures recommended by the biologist to avoid sensitive habitat. All mitigation measures shall be noted on the final project plans.

152. Mitigation Measure CUL-1:

Prior to ground-disturbing activities, the project applicant/contractor shall ensure that an archaeological resources and tribal cultural resources sensitivity and awareness training program, Worker Environmental Awareness Program (WEAP), is provided for all personnel involved in project construction, including field consultants and construction workers. The WEAP will be developed in coordination with a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, as well as culturally affiliated local Tribe's Tribal Heritage Preservation Officer or designated representative for Cultural Monitoring.

The WEAP shall be conducted before any project-related construction activities begin in the project area. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for archaeological resources and tribal cultural resources that could be located at the project area and will outline what to do and who to contact if any potential archaeological resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values.

153. Mitigation Measure CUL-2:

A Tribal Monitor and qualified archeologist are required to be present onsite during all grading and ground disturbance work. Prior to submittal of the application for Grading Permit or any other ground disturbing activity, the applicant shall coordinate with the Tribal Representative for Graton

Rancheria Tribe to identify a Tribal Monitor and qualified archeologist to monitor ground disturbing activities, and provide contact information for the Tribal Monitor to Permit Sonoma.

154. Mitigation Measure CUL-3:

The unanticipated discovery protocol for archeological resources and human remains reproduced below will be required to be printed on all building and grading permits on grading or earthwork plan sheets:

“A Tribal Monitor is required to be present during all grading or other ground-disturbing work. The Tribal Monitor must be present on site before the start of any ground-disturbing work, including scraping. 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. Artifacts associated with prehistoric sites may include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. The Tribal Monitor and Permit Sonoma Project Review Staff shall be notified in the event that cultural resources are discovered. Permit Sonoma Staff should consult with the appropriate tribal representatives from the tribes known to Permit Sonoma to have interests in the area to determine if the resources qualify as Tribal Cultural Resources (as defined in Public Resource Code § 21074). If determined to be a Tribal Cultural Resource, Permit Sonoma would further consult with the appropriate tribal representatives and project proponents in order to develop and coordinate proper protection/mitigation measures required for the discovery. Permit Sonoma shall refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma - Project Review Staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Evaluation and mitigation shall be at the applicant’s sole expense.

If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains, and the contractor/applicant must immediately notify Permit Sonoma Staff, the Tribe’s THPO or designated representative, and the County Coroner pursuant to State law so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated and the appropriate provisions of the California Government Code and California Public Resources Code would be followed.”

Mitigation Monitoring CUL-1, -CUL-2, -CUL-3:

Prior to issuance of building or grading permits, the contact information for the designated Tribal Monitor shall be provided to Project Review staff, and a Worker Environmental Awareness Program training has occurred and confirmed by the designated Tribal Monitor, and the above unanticipated discovery protocols notes pertaining to are printed on the building, grading and improvement plans. The applicant shall provide a contact with a qualified Tribal Monitor representing the Graton Rancheria Tribe to monitor ground disturbing activities to Permit Sonoma.

155. Mitigation Measure GEO-1:

All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code). All

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

Mitigation Monitoring GEO-1:

Prior to issuance of building or grading permits, Project Review staff shall verify that the above notes are printed on applicable building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about code requirement.

156. Mitigation Measure GEO-2:

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

Mitigation Monitoring GEO-2:

Permit Sonoma Plan Check staff will ensure plans are in compliance with geotechnical requirements. Permit Sonoma inspectors will ensure construction is in compliance with geotechnical requirements.

157. Mitigation Measure GEO-3:

The project site will be inspected following the first heavy rain, during the middle of the rainy season and at the end of the rainy season following construction. During each visit, areas of significant erosion or erosion control device failure shall be noted and appropriate remedial actions taken.

Mitigation Monitoring GEO-3:

The project site shall be inspected by County staff after storm events that produce 1 inch of rain or greater within 24 hour period in the Santa Rosa area. During every inspection, areas of significant erosion or erosion control device failure shall be noted and appropriate remedial actions will be taken as soon as practical. If erosion control measures appear to be effective for three consecutive site inspections following 1-inch storm events, then site inspections will only be required following storm events that result in 2 inches of rain, or greater, within a 24-hour period in the Santa Rosa area.

At the end of the rainy season, County staff shall re-inspect the site and evaluate the effectiveness of the erosion control measures that were used. If there were problem areas at the site, recommendations will be made to improve methods used in subsequent projects.

158. Mitigation Measure GEO-4:

The applicant shall submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as an integral part of the grading plan. The Erosion and Sediment Control Plan shall be subject to review and approval of the Permit Sonoma prior to the issuance of a

grading permit. The Plan shall include temporary erosion control measures to be used during construction of cut and fill slopes, excavation for foundations, and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment Control Plan shall include the following measures as applicable:

- a. Throughout the construction process, ground disturbance shall be minimized and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
- b. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
- c. All erosion control measures shall be installed according to the approved plans prior to the onset of the rainy season but no later than October 15th. Erosion control measures shall remain in place until the end of the rainy season, but may not be removed before April 15th. The applicant shall be responsible for notifying construction contractors about erosion control requirement.

Mitigation Monitoring GEO-4:

Building and 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.

159. Mitigation Measure GEO-5:

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

Mitigation Monitoring GEO-5: Permit Sonoma shall be consulted if a paleontological resource is discovered onsite, and shall review and approve paleontologist-recommended measures to recover or preserve any data or paleontological resources before ground-disturbing activities may continue.

160. Mitigation Measure GHG-1a: Solar Hot Water Heaters.

The Hotel Owner shall install a solar hot water heater system on the hotel roof. The system at minimum shall be 53 kilowatt-thermal (approximately 820 square feet) in size. GHG emission reductions achieved through implementation of this measure will be monitored and enforced through Mitigation Measure GHG-1d and GHG-1e below.

161. Mitigation Measure GHG-1b: Reduce Natural Gas Use in Hotel Kitchens.

The Hotel Owner shall install enough TurboChef electric ovens and induction cooktops at the hotel kitchens to cook approximately 75 percent of all food without the use of natural gas. The Hotel

Owner shall use the electric cooking appliances as much as feasible and shall not exceed 2,600 therms of natural gas use in the hotel kitchens each year. The Hotel Owner shall submit their annual Pacific Gas and Electric utility bills to Permit Sonoma for review and approval. GHG emission reductions achieved through implementation of this measure will be monitored and enforced through Mitigation Measure GHG-1d and GHG-1e below.

Mitigation Monitoring GHG-1a, -GHG-1b:

Building permits shall not receive final approval by Project Review staff until the above noted mitigations are implemented. These design features shall be submitted to the County for review and approval and be included on the proposed Project drawings submitted for the construction-related permit or on other documentation submitted to the County.

162. Mitigation Measure GHG-1c: Partnership with Rental Car Companies to Offer Discounted Rentals to Hotel Guests for Electric Vehicles.

The Hotel Owner shall partner with at least one rental car company providing service to hotel guests in the region to offer discounted rentals for electric vehicles to hotel guests. The Hotel Owner shall clearly advertise this discount on their booking website and shall notify all potential guests of this discount via email, phone, or other method of communication. The Hotel Owner shall keep a record of all guests who utilize this discount to rent an electric vehicle and shall submit these records to the Permit Sonoma on an annual basis for review and approval. GHG emission reductions achieved through implementation of this measure will be monitored and enforced through Mitigation Measure GHG-1d and GHG-1e below.

163. Mitigation Measure GHG-1c, -GHG-1d: Purchase Greenhouse Gas Offset Credits.

Prior to issuance of the building permit for each building's construction, the project applicant shall provide proof that at least 1,082 greenhouse gas (GHG) offset credits have been purchased and retired on behalf of the proposed Project. This represents the amount of credits required for the proposed Project to result in no more than 756 MTCO_{2e} per year. The applicant shall purchase and retire 1,082 GHG offset credits annually for every year of project operations into perpetuity, unless the project Applicant can provide substantial evidence, through implementation of Mitigation Measure GHG-1e below, that the proposed Project would achieve the 756 MTCO_{2e} annual threshold with fewer annual credit purchases.

Each year, the 1,082 purchased credits may be retired in a single tranche for the entire project, or in separate tranche by each Project applicant (i.e., the hotel owner and the housing owner) in amounts that total 1,082.

The retired credits must have been verified by an approved registry and be consistent with the requirements for compliance offset protocols as established by California Code of Regulations, title 17, section 95972. An approved registry is an entity approved by CARB to act as an "offset project registry" to help administer parts of the Compliance Offset Program under CARB's Cap and Trade Regulation. GHG offset credits shall be real, verifiable, quantifiable, enforceable, permanent, and additional as set forth in California Health and Safety Code §38652(d)(1) and (d)(2) and as defined by California Code of Regulations, Title 17, sections 38562 and 95802. The reductions from the offset credits shall take effect in the following locations in order of priority to the extent feasible: (1) Sonoma Valley; (2) Sonoma County; and (3) the boundaries of the Bay Area Air Quality Management District. If credits are not feasibly available from projects occurring within the County or Air District boundaries, then credits may be obtained for reduction measures in the State of California. All offset credits shall be verified by a third party accredited by CARB. In the

unlikely event that an approved registry becomes no longer approved by CARB and the offset credits cannot be transferred to another approved registry, the Project applicants shall comply with the rules and procedures for retiring and/or replacing offset credits in the manner specified by the applicable Protocol, Standard or Methodology, including (to the extent required) by purchasing an equivalent number of credits to recoup the loss.

Mitigation Monitoring GHG-1d:

Contracts for purchase of credits for the first year of project operation shall be entered into prior to issuance of the building permit for each building's construction, and the Applicant shall provide the third-party verification report concerning those credits, and the unique serial numbers of those credits showing that they have been retired prior to issuance of the building permit for each building's construction. The County shall confirm receipt of verification reports and serial numbers prior to permit issuance.

For each subsequent year of project operations, the Project applicants shall jointly or individually, on a pro-rata basis, purchase and retire the 1,082 GHG offset credits. The project applicants shall, on an annual basis no later than June 30 of each year, provide the third-party verification report concerning those credits, and the unique serial numbers of those credits showing that they have been retired. The County shall confirm receipt of verification reports and serial numbers. The verification report shall be approved by the Permit Sonoma.

164. Mitigation Measure GHG-1e: Optional GHG Reduction Plan and Annual Report

At any time during the life of the Project, the Project Applicants can reduce the annual carbon offsets obligation of 1,082 GHG offset credits per year if they can demonstrate Project emissions are being adequately reduced by other means. To do so, the Project applicants (i.e., the hotel owner and the housing owner) shall retain a qualified air quality consultant to develop a GHG Reduction Plan (Plan) in accordance with the requirements of this mitigation measure for County review and approval and shall implement the approved GHG Reduction Plan. The applicants may do this jointly or separately.

The combined or separate GHG Reduction Plan(s) shall demonstrate how each applicant shall mitigate its pro-rata share of GHG emissions for the proposed Project, so that the Project will result in no more than 756 MTCO_{2e} per year on average, including emissions from employee transportation, over the life of the Project. The hotel construction and operations are estimated to produce 61 percent of the Project's GHG emissions and the housing construction and operations are estimated to produce 39 percent of the Project's GHG emissions. Based on current estimates, this means that the hotel owner must mitigate 61 percent of the estimated 1,213 MTCO_{2e} per year in needed reductions (including reductions from Mitigation Measures GHG1-a through GHG1-c), or 740 MTCO_{2e} per year, and the housing operator must mitigate 39 percent of 1,213 MTCO_{2e} per year, or 473 MTCO_{2e} per year. Each GHG Reduction Plan shall, at a minimum, include all of the following items:

- a. a detailed GHG emissions inventory for the portion of the proposed Project (i.e., the housing or the hotel use) under a "business-as-usual" scenario absent implementation of GHG reduction measures as set forth below,
- b. an "adjusted" GHG emissions inventory for the Project, documenting the anticipated GHG reductions resulting from implementation of the GHG reduction measures,
- c. requirements for ongoing monitoring and reporting to demonstrate that the GHG reduction measures under the approved Plan have been implemented and the amount of

- resulting reductions, and
- d. requirements to demonstrate that all GHG reductions are achieved in the State of California. The Plan must be approved by Permit Sonoma.

The Project's GHG estimates presented in the Plan(s) must be based upon final design and shall include all sources of Project emissions consistent with all categories of sources identified in this report. The emission factors for electricity and transportation will be based on those commonly used at the time the Plan is completed, along with the incorporation of vehicle emission standards and building energy standards in effect at the time. Any construction emissions still remaining from the 30-year amortization period considered herein shall be included.

As with this GHG Technical Report, the GHG Reduction Plan will determine the annual incremental GHG emissions that must be mitigated by the proposed Project to meet the requisite County GHG threshold of 2.7 MTCO₂e/SP, equivalent to 756 MTCO₂e per year based on the Project's service population of 280.

Mitigation Monitoring GHG-1e: In order for the proposed Project's annual mitigation obligation to be adjusted (i.e., fewer GHG offset credits required), the Project Applicants' GHG Reduction Plan(s) must be reviewed and approved by the County Permit Sonoma.

Mitigation Monitoring GHG-1e:

Subsequent to the GHG Reduction Plan(s) being approved by Permit Sonoma, the Project Applicants shall jointly or individually, on a pro-rata basis, implement the GHG Reduction Plan and, on an annual basis no later than June 30 of each year, shall prepare an Annual GHG Report summarizing how the Plan has been implemented. If GHG offset credits are being used for mitigation, the Annual GHG Report will incorporate the annual reporting required under Mitigation Measure GHG 1-e, providing the third-party verification report concerning the offset credits, and the unique serial numbers of those credits showing that they have been retired. The County shall confirm receipt of verification reports and serial numbers. The verification report shall be approved by the Permit Sonoma.

The GHG Reduction Plan shall be considered fully attained when the Permit Sonoma makes the determination, based on substantial evidence, that the proposed Project is unlikely to exceed the 756 MTCO₂e/year threshold at any time in the future, without the use of carbon GHG offset credits.

Permit Sonoma shall have the discretion to reasonably modify the timing of reporting, with reasonable notice and opportunity to comment by the applicants, to coincide with other related monitoring and reporting required for the proposed Project.

165. Mitigation Measure NOISE-1:

All plans and specifications or construction plans shall include the following notes:

- a) All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- b) Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. and

motorized equipment shall be limited to the hours of 7:00 a.m. and 5:00 p.m. on weekdays. All construction activities shall be restricted to the hours of 9:00 a.m. and 7:00 p.m. on weekends and holidays. Construction activities shall be limited to non-motorized activities on Sundays and holidays, and motorized equipment shall be limited to the hours of 9:00 a.m. and 5:00 p.m. on Saturdays. If work outside the times specified above becomes necessary, the applicant shall notify the Permit Sonoma Project Review Division as soon as practical.

- c) There will be no start up of machines nor equipment prior to 7:00 a.m, Monday through Friday, or 9:00 am on Saturdays; no delivery of materials or equipment prior to 7:00 a.m nor past 5:00 p.m, Monday through Friday or prior to 9:00 a.m. nor past 5:00 p.m. on weekends and holidays and no servicing of equipment past 7:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer- and contractors mobile phone number for public contact 24 hours a day or during the hours outside of the restricted hours.
- d) Pile driving activities shall be limited to 7:30 a.m. to 5:00 p.m. weekdays.
- e) Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
- f) The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Manager will notify neighbors located adjacent to the construction site of the construction schedule in writing. The Project Managers 24-hour mobile phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g. starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

166. Mitigation Measure NOISE-2:

Construction activities for this project shall be restricted as follows:

All plans and specifications or construction plans shall include the following notes:

- a) Place operating equipment on the construction site as far as possible from vibration sensitive receptors.
- b) Use smaller equipment to minimize vibration levels below the limits.
- c) Minimize use of vibrating rollers. Avoid using vibratory rollers and tampers near sensitive areas.
- d) Modify/design or identify alternative construction methods to reduce vibration levels below the limits.
- e) Avoid dropping heavy objects or materials near shared property lines.

Mitigation Monitoring NOISE-1, NOISE-2:

Permit Sonoma Project Review Division staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. Permit Sonoma staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be

investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.