



# Notice of Final Action on a Coastal Permit

**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

Date: August 10, 2009

File: PLP08-0011  
Applicant: Sea Ranch Inn LLC  
Address: 1090 Ferguson Road  
City, State, Zip: Sebastopol CA 95472-9630  
Planner: Dave Hardy

This notice is being distributed to the Coastal Commission and those who requested notice. The following project is located within the Coastal Zone. A project decision has been completed.

**Project Description:** Request for a Use Permit, Coastal Permit, and a Variance to exceed height limits for several buildings for the proposed expansion at the Sea Ranch Lodge to include 60 lodging units, reuse of original Post Office building (8,504 square feet) with retail and commercial uses, and a new 23,882 square foot administration building, restaurant and lounge, on a 52 acre parcel.

**Project Location:** 60 Sea Walk Drive, Sea Ranch

**Assessor's Parcel Number:** 122-200-009

X  APPROVED by the Board of Zoning Adjustments on July 23, 2009.

**Conditions of Approval:** See attached.

**Findings:** The project, as described in the application and as conditioned, conforms with the plans, policies, requirements and standards of the Sonoma County Coastal Program. Specifically:

1. Based upon the information contained in the Initial Study included in the project file, it has been determined that although there may be potentially significant environmental effects resulting from this project. These impacts will be reduced to a level of insignificance because Mitigation Measures have been incorporated into the project as Conditions of Approval. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are:
  - a. The project is a commercial lodging activity at The Sea Ranch in an area designated for such a use in the General Plan, the Coastal Plan Land Use Map and the CT-Commercial Tourist zoning district, and is consistent with the plans and zoning.
  - b. The project has been designed to harmonize with the local area by incorporating sod roofs, avoiding significant portions of the meadow, and locating structures on the property so as to minimize impacts on views from Highway 1.
  - c. As noted in the traffic report for this project, the intersection of Highway 1 and Sea Walk Drive operates at Level of Service A at all times; with the proposed project and future growth at The Sea Ranch, the LOS for peak periods would drop to LOS B on the eastbound approach of Sea Walk Drive to Highway 1. This is within the County and Caltrans standard to maintain LOS C or D.

- d. The General Plan Circulation at Figure CT-1a does not identify any improvements for the section of Highway 1 in the vicinity of the project. No new improvements are proposed by the applicant, although the project is conditioned to require lengthened acceleration and deceleration tapers at the intersection of Sea Walk Drive and Highway 1 and widening the shoulder on the east side of Highway 1, as required by Caltrans. Retaining the existing access will avoid disturbance of a wetland that would occur if the driveway were re-located to the north end of the Lodge parking lot. The Traffic Study for the project indicates that even with the project and future conditions, the intersection of Highway 1 and Sea Walk Drive would not fall below LOS B. The Traffic Study for the project also concludes that a left turn lane is not warranted for this project, and Caltrans concurs.
- e. The project includes a privately owned package treatment plant that serves only this single project on this single property. The package plant has been reviewed and preliminarily approved by the North Coast Regional Water Quality Control Board, and provisions regarding operation, maintenance, eventual removal, and financing have been established by PRMD and will be applied as Conditions of Approval on the project.
- f. As discussed in the Aesthetics Section of the Mitigated Negative Declaration, the impact of the proposed development on the overall site is considered to be "subordinate," although the impact on the scenic views from the Black Point parking lot and trail is considered to be less than significant with mitigation. The mitigation includes extending the public access to the western end of Black Point to compensate for the impairment of the view from the trail by the new structures.
- g. The project conforms with the Visual Resource and Design Policies of the Local Coastal Plan for The Sea Ranch. The project has been reviewed by The Sea Ranch Design Committee, which has indicated its preliminary approval of the design in a letter dated July 11, 2009 (Exhibit L of the Staff Report). The project incorporates The Sea Ranch architectural vernacular of shed roofs oriented toward each other, wood siding and shingle roofs with no eaves, clustering of structures, and preservation of meadow space, and is therefore consistent with these policies that are directed toward new houses, not commercial development.
- h. The project is designed to avoid fully obstructing views by keeping rooftops low enough that travelers along Highway 1 can see over them to the ocean and the horizon. The redesign of the project to open up a view corridor from the Black Point parking lot reduces the impact on that view to less than significant.
- i. The lodge property is in an Urban Service Area, and therefore not considered "rural". The project contains fewer units than allowed by the Local Coastal Plan, thereby minimizing the number of structures, which are grouped into clusters. The bulk and height of the structures in the meadow are in keeping with the height of other residential units in The Sea Ranch, and the lodge/restaurant and Fireside Building are consistent with the height of neighboring structures and the original lodge itself, which is now non-conforming as to height.
- j. The project incorporates native plants, retains and enhances the hedgerows, and does not include landscaping that would block coastal views except to reinforce existing hedgerows that screen the main lodge area.
- k. A Biotic Study was prepared for the project and includes recommendations to avoid habitat and mitigate impacts by relocating plants. The project is designed to qualify for LEED platinum or gold designation.
- l. The project was referred to the Northwest Information Center and the Kashia Pomo tribe, and a Cultural Resources Study was prepared indicating that some impacts may occur. A project mitigation includes monitoring of earth-disturbing activities by an archaeologist and representatives of the Kashia Pomo tribe.
- m. A preliminary Geotechnical Report was included with the application and identifies measures to reduce potential impacts from earthquakes and landslides. Those measures are included as Conditions of Approval for the project. The project is not located in an existing or proposed Alquist-Priolo earthquake safety zone.

- n. The project conforms to the Public Access and Public Recreation Policies of the Coastal Act, specifically P.R.C. 30610.6(f).

The Board of Zoning Adjustments makes the following findings regarding the Variance:

1. The Variance to allow construction of the new lodge building, the Fireside Room building, and the South Cluster at heights exceeding the 24-foot commercial height limit conforms to the requirements of state law in that there are special circumstances that apply to the subject property, including the following:
  - a. Significant wetlands which have been avoided and preserved on the northern portion of the Property, the bluff area, and the northwest corner of the property.
  - b. Bluff-top setbacks due to geological conditions.
  - c. View easements established by state law (the "Bane Bill", section 30610.6 of the Public Resources Code).
  - d. A Pacific Gas and Electric Company easement that bisects the site.
  - e. The public parking lot and trail to the beach on dedicated easements intended to provide beach access consistent with the provisions of the Bane Bill.
2. Construction will not confer special privileges on the subject property because there are other properties with identical CT, CC zoning and with structures that exceed the 24-foot height limit cited by the applicant, including:
  - a. The existing Sea Ranch Lodge, which has a height of 32'-6".
  - b. The Timber Cove Inn, which has a wing with a height of 42'-6" in a bluff top setting.
  - c. The Stewarts Point General Store, which has a height of 32'.
  - d. The Bodega Coast Inn, which has an existing building height of 28', and an approved expansion of with a height of 32'.
3. Exceeding the height limit will not have an effect on coastal views because of the existing hedgerows surrounding the buildings and because the South Cluster is also screened from Highway 1 by the Post Office building and because there are overriding considerations as set forth above in the section about special circumstances. Additional considerations include the fact that height of the Lodge building was increased to accommodate three units that otherwise would have been located in the meadow, thereby reducing the scope of land disturbance.

X  Not Appealable.

County of Sonoma  
Santa Rosa, California

July 23, 2009  
PLP08-0011 Dave Hardy

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,  
COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A  
MITIGATED NEGATIVE DECLARATION AND GRANTING A  
USE PERMIT, COASTAL PERMIT AND VARIANCE TO  
OLMSTED AND ASSOCIATES, FOR SEA RANCH INN, LLC,  
FOR PROPERTY LOCATED AT 60 SEA WALK DRIVE, SEA  
RANCH; APN 122-200-009.

WHEREAS, the applicant, Olmsted and Associates, for Sea Ranch Inn, LLC, filed an application with the Sonoma County Permit and Resource Management Department for a Use Permit, Coastal Permit, and a Variance to exceed height limits for several buildings for the proposed expansion at the Sea Ranch Lodge to include 60 lodging units, reuse of original 8,504 square foot Post Office building, with retail and commercial uses and a new 23,882 square foot administration building, restaurant and lounge on a 52 acre parcel located at 60 Sea Walk Drive, Sea Ranch; APN 122-200-009; Zoned CT (Commercial Tourist), CC (Coastal Combining); Supervisorial District No 5; and

WHEREAS, a Mitigated Negative Declaration was prepared and posted for the proposed project in accordance with the appropriate law and guidelines; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on July 23, 2009, at which time all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Adjustments makes the following findings regarding the Use Permit and Coastal Permit:

The project is consistent with the Sonoma County General Plan for the following reasons:

1. Based upon the information contained in the Initial Study included in the project file, it has been determined that although there may be potentially significant environmental effects resulting from this project. These impacts will be reduced to a level of insignificance because Mitigation Measures have been incorporated into the project as Conditions of Approval. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are:
  - a. The project is a commercial lodging activity at The Sea Ranch in an area designated for such a use in the General Plan, the Coastal Plan Land Use Map and the CT-Commercial Tourist zoning district, and is consistent with the plans and zoning.

- b. The project has been designed to harmonize with the local area by incorporating sod roofs, avoiding significant portions of the meadow, and locating structures on the property so as to minimize impacts on views from Highway 1.
- c. As noted in the traffic report for this project, the intersection of Highway 1 and Sea Walk Drive operates at Level of Service A at all times; with the proposed project and future growth at The Sea Ranch, the LOS for peak periods would drop to LOS B on the eastbound approach of Sea Walk Drive to Highway 1. This is within the County and Caltrans standard to maintain LOS C or D.
- d. The General Plan Circulation at Figure CT-1a does not identify any improvements for the section of Highway 1 in the vicinity of the project. No new improvements are proposed by the applicant, although the project is conditioned to require lengthened acceleration and deceleration tapers at the intersection of Sea Walk Drive and Highway 1 and widening the shoulder on the east side of Highway 1, as required by Caltrans. Retaining the existing access will avoid disturbance of a wetland that would occur if the driveway were re-located to the north end of the Lodge parking lot. The Traffic Study for the project indicates that even with the project and future conditions, the intersection of Highway 1 and Sea Walk Drive would not fall below LOS B. The Traffic Study for the project also concludes that a left turn lane is not warranted for this project, and Caltrans concurs.
- e. The project includes a privately owned package treatment plant that serves only this single project on this single property. The package plant has been reviewed and preliminarily approved by the North Coast Regional Water Quality Control Board, and provisions regarding operation, maintenance, eventual removal, and financing have been established by PRMD and will be applied as Conditions of Approval on the project.
- f. As discussed in the Aesthetics Section of the Mitigated Negative Declaration, the impact of the proposed development on the overall site is considered to be "subordinate," although the impact on the scenic views from the Black Point parking lot and trail is considered to be less than significant with mitigation. The mitigation includes extending the public access to the western end of Black Point to compensate for the impairment of the view from the trail by the new structures.
- g. The project conforms with the Visual Resource and Design Policies of the Local Coastal Plan for The Sea Ranch. The project has been reviewed by The Sea Ranch Design Committee, which has indicated its preliminary approval of the design in a letter dated July 11, 2009 (Exhibit L of the Staff Report). The project incorporates The Sea Ranch architectural vernacular of shed roofs oriented toward each other, wood siding and shingle roofs with no eaves, clustering of structures, and preservation of meadow space, and is therefore consistent with these policies that are directed toward new houses, not commercial development.
- h. The project is designed to avoid fully obstructing views by keeping rooftops low enough that travelers along Highway 1 can see over them to the ocean and the horizon. The redesign of the project to open up a view corridor from the Black Point parking lot reduces the impact on that view to less than significant.
- i. The lodge property is in an Urban Service Area, and therefore not considered "rural". The project contains fewer units than allowed by the Local Coastal Plan, thereby

minimizing the number of structures, which are grouped into clusters. The bulk and height of the structures in the meadow are in keeping with the height of other residential units in The Sea Ranch, and the lodge/restaurant and Fireside Building are consistent with the height of neighboring structures and the original lodge itself, which is now non-conforming as to height.

- j. The project incorporates native plants, retains and enhances the hedgerows, and does not include landscaping that would block coastal views except to reinforce existing hedgerows that screen the main lodge area.
- k. A Biotic Study was prepared for the project and includes recommendations to avoid habitat and mitigate impacts by relocating plants. The project is designed to qualify for LEED platinum or gold designation.
- l. The project was referred to the Northwest Information Center and the Kashia Pomo tribe, and a Cultural Resources Study was prepared indicating that some impacts may occur. A project mitigation includes monitoring of earth-disturbing activities by an archaeologist and representatives of the Kashia Pomo tribe.
- m. A preliminary Geotechnical Report was included with the application and identifies measures to reduce potential impacts from earthquakes and landslides. Those measures are included as Conditions of Approval for the project. The project is not located in an existing or proposed Alquist-Priolo earthquake safety zone.
- n. The project conforms to the Public Access and Public Recreation Policies of the Coastal Act, specifically P.R.C. 30610.6(f).

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments makes the following findings regarding the Variance:

- 1. The Variance to allow construction of the new lodge building, the Fireside Room building, and the South Cluster at heights exceeding the 24-foot commercial height limit conforms to the requirements of state law in that there are special circumstances that apply to the subject property, including the following:
  - a. Significant wetlands which have been avoided and preserved on the northern portion of the Property, the bluff area, and the northwest corner of the property.
  - b. Bluff-top setbacks due to geological conditions.
  - c. View easements established by state law (the "Bane Bill", section 30610.6 of the Public Resources Code).
  - d. A Pacific Gas and Electric Company easement that bisects the site.
  - e. The public parking lot and trail to the beach on dedicated easements intended to provide beach access consistent with the provisions of the Bane Bill.
- 2. Construction will not confer special privileges on the subject property because there are other properties with identical CT, CC zoning and with structures that exceed the 24-foot height limit cited by the applicant, including:

- a. The existing Sea Ranch Lodge, which has a height of 32'-6".
  - b. The Timber Cove Inn, which has a wing with a height of 42'-6" in a bluff top setting.
  - c. The Stewarts Point General Store, which has a height of 32'.
  - d. The Bodega Coast Inn, which has an existing building height of 28', and an approved expansion of with a height of 32'.
3. Exceeding the height limit will not have an effect on coastal views because of the existing hedgerows surrounding the buildings and because the South Cluster is also screened from Highway 1 by the Post Office building and because there are overriding considerations as set forth above in the section about special circumstances. Additional considerations include the fact that height of the Lodge building was increased to accommodate three units that otherwise would have been located in the meadow, thereby reducing the scope of land disturbance.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring Program set forth in the Conditions of Approval. The Board of Zoning Adjustments certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and County Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment of the Board.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby grants the requested Use Permit, Coastal Permit, and Variance, as described in the Project Description attached hereto as Exhibit "A", and subject to the Conditions of Approval attached hereto as Exhibit "B".

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

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments' action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

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

Commissioner Bennett	Aye
Commissioner Cook	Aye
Commissioner Schaffner	Aye
Commissioner Davis	No
Commissioner Williams	Aye

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

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

SO ORDERED.



Specialist have objections or concerns then the applicant shall obtain Waste Discharge Requirements prior to building permit issuance). A copy of the Waste Discharge Permit shall be submitted to the Project Review Health Specialist prior to issuance of a certificate of occupancy or project operation. An application may be printed from:  
<http://www.waterboards.ca.gov/northcoast/geninfo/genwinerywdr/wine.html>

6. A plan for the periodic draining of the swimming pool (for maintenance of the pool and/or for water quality issues) is required. If the water is to be disposed of into the wastewater disposal system, then the system must be sized accordingly, or if the pool is going to be drained onto the land surface then stormwater regulations must be met.
7. In room Jacuzzi tubs, hot tubs, or any other over-size tub designed for use by two or more persons, or any common area Jacuzzi or hot tub, or Vichy Shower shall not be allowed unless they are specified in the septic system analysis and additional capacity in the septic system is allocated for their use.
8. Prior to building permit issuance the applicant shall abandon any existing septic tanks that are not accepted for the new disposal system under permit and inspection from the Well and Septic Section of PRMD. The Project Review Health Specialist shall receive a copy of the "finalized" abandonment permit.
9. Toilet facilities shall be provided for patrons and employees.
10. Prior to building permit issuance, a permit for the installation of monitoring wells shall be obtained from PRMD. The design consultant shall prepare a Final Groundwater Determination Layout and Sampling Program as per North Coast Regional Water Quality Control Board (NCRWQCB) Waste Discharge Requirements, Sonoma County Planning Project Conditions, and Operational Permit requirements from Sonoma County.
11. Back-up power is required for all elements of the wastewater collection, treatment and disposal system.
12. Gas and odors shall be contained into a collection system and treated as described in the Wastewater Feasibility Study. A professionally engineered Hydrogen Sulfide/Oxygen Monitoring Program including sensors with alarms for the gas collection system and any personnel entering confined spaces is required to meet all OSHA standards. The engineered monitoring program shall be submitted to a qualified OSHA consultant for review and comment.
13. An on-going Nuisance Odor Monitoring Program shall be prepared and submitted. If any odor complaints are received by Sonoma County related to the wastewater disposal system and appear to be valid in the opinion of PRMD, the owner/operator shall immediately activate the Nuisance Odor Monitoring Program and take whatever additional measures necessary to render odors to less than nuisance levels.
14. Prior to building permit final approval, the grease trap currently utilized for the restaurant must be demonstrated to be completely watertight. If not watertight, it shall be removed and replaced (properly sized) under permit and inspecting from PRMD. A properly sized and watertight grease trap shall be incorporated into the exterior plumbing for the new spa facility under permit and inspection from PRMD.
15. Wastewater samples shall be collected, tested, and reported at the frequency required by the NCRWQCB and the Operational Permit from PRMD.
16. Prior to building permit issuance, a Financial Assurance Plan by the developer shall be submitted for review and approval by PRMD and with concurrence from the NCRWQCB. The Financial Assurance Plan shall be Peer Reviewed by private consultants as well as the NCRWQCB and State Department of Health Services. Recommendations resulting from State Agency or Peer Review and concurrence by PRMD shall be incorporated into conditions. The financial requirements for operation shall be recorded with the property Deed.

17. Prior to operation, the applicant's consultant shall prepare a very detailed and specific Operations, Maintenance and Procedure (OMP) Manual for the wastewater operators of the package plant. This OMP Manual shall be submitted to PRMD and the NCRWQCB for review and approval prior to the commencement of operations. Prior to PRMD approval, the OMP Manual shall go through peer review by a private entity selected by PRMD and paid for by the applicant. The OMP Manual shall be amended to incorporate recommended changes from peer review or NCRWQCB that receives PRMD concurrence.
18. A California Licensed Water Treatment Plant Operator (Grade One, or service provider acceptable to PRMD) shall maintain all components of collection, treatment, disposal and shall have access to a complete set of all laboratory testing results and all monitoring well water level records. The operator shall be empowered to cease disposal of wastewater whenever conditions appear to not meet requirements. The operator shall be required to communicate verbally and in writing with the NCRWQCB and PRMD when operational conditions do not meet requirements and corrections have not been completed within 24 hours. This reporting requirement is in addition to any other reporting requirement specified in law or required by a Waste Discharge Requirement from the NCRWQCB.
19. The entire wastewater collection, treatment, storage, and disposal system for the Sea Ranch Lodge property shall have a valid Operational Permit, issued by PRMD. The owner must agree to the Operational Permit Conditions, including an Easement Agreement for inspection purposes, submittal of a monthly Self-monitoring Reporting Program (due by the 15th of each month), and payment of all related yearly fees.
20. The Sea Ranch Lodge facility will be subject to a Mandatory Closure Agreement in the case that public health conditions may arise or groundwater contamination conditions occur, such as, but not limited to: treatment system leakage, treatment plant failure, treatment plant spill, collection system leakage, collection system surface failure, loss of power, catastrophe, or recision of Waste Discharge Requirements by the NCRWQCB. The owners will agree to mandatory closure of the entire facility until such time as the problem shall have been successfully mitigated, and fees and fines have been paid for. The Mandatory Closure Agreement shall be prepared for recording and submitted for review to PRMD, and recorded after approval.
21. Prior to building permit issuance, an Emergency Plan shall be developed that addresses the availability of back-up personnel and actions to be taken in the event of treatment plant failure, loss of power, fire, flood, earthquake or other similar events.
22. Prior to building permit issuance, plans for the treatment and disposal facilities shall be prepared by a Registered Civil Engineer. An independent engineering consultant, selected by PRMD and paid by the applicant, shall review the plans. If changes to the plan are warranted, than these modifications shall be incorporated into the design. The design engineer shall inspect the construction and shall verify that construction was according to plans.
23. A final letter by the Registered Civil Engineer shall be submitted to the County approving use of the collection, treatment, storage, and disposal system.
24. Prior to occupancy of any phase of the project, all of the waste water treatment plant and disposal facility will have been constructed, approved by the design engineer, accepted by the Water Quality Control Board, and a properly trained and licensed California Waste Water Treatment Plant Operator (or service provider acceptable to PRMD) shall be available for operation.

Consumer Protection:

25. Prior to the issuance of building permits and the start of any construction, the applicant shall apply for a food facility permit or exemption. Plans and specifications for any food facility that provides food or beverage to the public must be submitted to, and approved by, the Environmental Health Division of the Health Services Department prior to occupancy.

26. 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 Division 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 Division at 565-6544 for information. The PRMD Project Review Health Specialist shall receive a letter of approval from the Environmental Health Division to verify compliance with requirements of the State of California regulations on public swimming pools and spas.

Noise:

27. All pumps relating to the wastewater collection, treatment and disposal system shall be enclosed as described in the wastewater feasibility study.

Vector Control:

28. A Mosquito and Vector Control Plan acceptable to the Marin-Sonoma Mosquito and Vector Control District (telephone 707-285-2200) shall be submitted prior to the construction of any ponds or tanks. The Project Review Health Specialist shall receive a copy of the Vector Control Plan and an acceptance letter from the Marin-Sonoma Mosquito and Vector Control District.

OPERATIONAL REQUIREMENTS:

Water:

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

Septic:

30. Maintain the Annual Operating Permit for any alternative (mound or pressure distribution) or experimental sewage disposal system installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.
31. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
32. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required.
33. Connection shall be made to public sewer if and when it becomes available.

Hazardous Materials Program:

34. Comply with applicable AB2185 (Hazardous Materials Handling) requirements and maintain any applicable permits for these programs from the Hazardous Materials Division of Sonoma County Department of Emergency Services.

Consumer Protection:

35. Obtain and maintain all required Food Industry Permits from the Sonoma County Environmental Health Division prior to serving any food.
36. Obtain and maintain all required Public Swimming Pool or Spa Permits from the Sonoma County Environmental Health Division.

Noise:

37. Noise from the emergency back-up generator and any special events shall be controlled in accordance with the following as measured at the exterior property line of any affected residential or sensitive land use:

Hourly Noise Metric <sup>1</sup> , 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 (5 minutes in any hour)	60	55
L02 (1 minute in any hour)	65	60

<sup>1</sup> 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 1 minute in any hour.

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

**BUILDING:**

Solid Waste:

39. Prior to building permit issuance, the applicant shall submit a design for trash enclosures and recycling areas for review and approval by the Building Plan Check Section of PRMD. (Fees may apply.) Note that pursuant to the County Code, trash trucks must have at least a 32-foot turning radius at the trash enclosure and the dumpster must have 16 feet of overhead clearance. Please note that the Local Enforcement Agency (at Environmental Health) bills at an hourly rate for enforcement of violations of the solid waste requirements.

**GRADING AND STORM WATER:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

40. The applicant shall submit an application for a grading permit. Plans require review and approval by the Grading and Storm Water Section of PRMD prior to issuance.
41. The applicant shall prepare for the review and approval by PRMD, a Drainage Report/Analysis. The report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic and hydraulic calculations, and an analysis for all pertinent existing and proposed drainage facilities. The report shall identify the means to minimize changes in post-development runoff volume, peak flows, and velocities, as compared with pre-development conditions. The design calculations shall demonstrate that the post-development ten-year runoff would not exceed pre-development runoff levels.

The Drainage Report shall be prepared by a Registered Civil Engineer and in conformance with the Sonoma County Water Agency's Flood Control Design Criteria. All on-site drainage facilities shall be constructed according to the Sonoma County Water Agency's Flood Control Design Criteria and the County of Sonoma PRMD standards and requirements.

Mitigation Monitoring: Prior to Building or Grading Plan issuance the project applicant shall submit

- evidence of approval of the Drainage Report by PRMD. County staff shall not issue grading or building permits until ensuring that the recommendations of the Drainage Report have been incorporated into the Construction Drawings.
42. Drainage improvements shall be designed by a civil engineer in accordance with the Sonoma County Water Agency Flood Control Design Criteria, be shown on the Grading/Site Plan, and be submitted to the Grading and Storm Water Section of PRMD for review and approval. Drainage improvements shall maintain sheet flow, maintain existing drainage patterns, or convert concentrated flow to sheet flow to the maximum extent practicable.
  43. The applicant/design engineer shall provide a Grading/Site Plan which clearly shows all existing and proposed land features, elevations, roads, driveways, buildings and drainage facilities such as swales, channels, closed conduits, or drainage structures. Additionally, the Grading Plans must show the finished floor elevation of any proposed buildings and the limits of grading work.
  44. The design engineer shall include an Erosion Prevention/Sediment Control Plan which clearly shows best management practices to be implemented, limits of disturbed areas, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages and minimize adverse impacts to the environment. Any permanent slopes resulting from grading shall be protected against erosion through the use of erosion resistant vegetation and jute netting. Tracking of soil or construction debris into the public right-of-way or Sea Walk Drive shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system. Additional measures may include the application of Best Management Practices (BMPs), including but not limited to, the following:
    - a. Site construction practices including restricting grading to the dry season, specifying construction measures that minimize exposure of bare soil to rainfall, winterization, traffic control, and dust control;
    - b. Designing the access roads to use the minimum amount of grading necessary. Road grading and construction within 100 feet of all streams, wetlands, and major drainages shall be completed by October 15 during the year(s) of construction, and erosion control measures shall be installed by that date;
    - c. Using soil stabilization techniques such as straw mulching, hill slope benching, erosion control matting, hydroseeding, revegetation, and preservation of existing vegetation to protect all finished graded slopes from erosion;
    - d. Weed-free straw or mulch shall be used to cover bare soils during and after construction, and areas shall be landscaped and revegetated as soon as possible after disturbance. Straw or straw bales used for erosion control shall be certified weed free prior to use on the site, in order to prevent invasive weeds from entering the site;
    - e. Protecting downstream receiving drainage channels and storm drains from sedimentation and retaining sediment on the project site by using silt fencing, straw bale sediment barriers, and drop inlet sediment barriers, diversion dikes and swales, sediment basins, and sediment traps; and
    - f. After each phase of construction is completed, all drainage culverts and the downstream receiving channels shall be inspected for accumulated sediment. Where sediment has accumulated, these drainage structures shall be cleared of debris and sediment.
  45. All wetlands shall be shown and noted on the Grading/Site Plan as areas not to be disturbed. Protective chain link fencing shall be placed around the 100-foot buffer perimeter of the wetlands during construction.
  46. 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 and Storm Water Section of PRMD prior to permit issuance.

47. Slopes shall be graded so that water is directed away from the slope face. If runoff from new impervious improvements is carried in closed pipes or lined conveyances, it shall discharge to a suitable non-erodible location.

Mitigation Monitoring: PRMD staff shall not release the building permit for issuance until the above erosion control measure, and others that may be specified by the Grading and Storm Water Section of PRMD, are shown on the Grading Plans for the project.

48. Prior to the issuance of a grading permit, the project applicant shall file with California Regional Water Quality Control Board North Coast Region a Notice of Intent (NOI) to comply with the General Permit for Storm Water Discharges Associated with Construction Activities (General Permit). This is a feature of the NPDES regulations. The project applicant must also comply with the requirements of the permit to minimize pollution to storm water discharge during construction activities. The General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must meet the following objectives related to construction activities:

- a. All pollutant sources, including sources of sediment that may affect storm water quality associated with construction activity shall be identified;
- b. Non-stormwater discharges related to construction activity shall be identified;
- c. Best Management Practices (BMPs) shall be identified, constructed, implemented, and maintained in accordance with a time schedule. The maintenance schedule shall also provide for maintenance of post-construction BMPs.

The BMPs shall include a variety of "housekeeping" measures to prevent pollution from building materials, chemicals and maintenance during construction of the development and infrastructure. Examples of typical "housekeeping" measures to be included in the SWPPP include the following:

- 1) Performing major vehicle maintenance, repair jobs, and equipment washing at appropriate off-site locations;
- 2) Maintaining all vehicles and heavy equipment and frequently inspecting for leaks;
- 3) Designating one area of the construction site, well away from streams or storm drain inlets, for auto and equipment parking and routine vehicle and equipment maintenance. This site shall be illustrated on the Grading Plans;
- 4) Cleaning-up spilled dry materials immediately. Spills are not to be "washed away" with water or buried;
- 5) Using the minimum amount of water necessary for dust control;
- 6) Cleaning-up liquid spills on paved or impermeable surfaces using "dry" clean-up methods (e.g. absorbent materials such as cat litter, and/or rags);
- 7) Cleaning-up spills on dirt areas by removing and properly disposing of the contaminated soil;
- 8) Reporting significant spills to the appropriate spill response agencies;
- 9) Storing stockpiled materials, wastes, containers and dumpsters under a temporary roof or secured plastic sheeting;

- 10) Properly storing containers of paints, chemicals, solvents, and other hazardous materials in garages or sheds with double containment during rainy periods;
- 11) Placing trash receptacles under roofs or covering them with plastic sheeting at the end of each workday and during rainy weather;
- 12) Washing-out concrete mixers only in designated on-site wash-out areas where the water will flow into settling ponds or onto stockpiles of aggregate or sand. Whenever possible, the wash-out water will be recycled by pumping back into mixers for reuse. The wash-out water is not to be disposed of into the street, storm drains, drainage ditches, or streams;
- 13) Applying concrete, asphalt, and seal coat during dry weather. Keeping contaminants from fresh concrete and asphalt out of the storm drains and creeks by scheduling paving jobs during periods of dry weather and allowing new pavement to cure before storm water flows across it;
- 14) Covering catch basins and manholes when applying seal coat, slurry seal and fog seal; and,
- 15) Parking construction equipment over drip pans or absorbent materials, to capture dripping oil and/or other possible pollutants.

Also required under the General Permit is the development and implementation of a Monitoring Program. The Monitoring Program shall include inspections of the construction site prior to anticipated storms and after actual storms. During long-lasting storms inspections shall be made during each 24-hour period. The inspections are used to identify areas contributing to storm water discharge to evaluate the effectiveness of BMPs and to determine whether additional BMPs or corrective maintenance are needed. All corrective maintenance and BMPs shall be made as soon as possible (provided working conditions are safe), and all necessary equipment, materials, and workers shall be available for rapid response. The SWPPP shall also include post-construction storm water management practices.

Mitigation Monitoring: The project applicant shall submit a copy of the NOI, SWPPP, and Erosion Control Plan to the County with the grading permit applications. PRMD shall not issue grading permits until the NOI, SWPPP, and Erosion Control Plan are presented and confirmed to be adequate by the appropriate agency.

**DESIGN REVIEW COMMITTEE:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

49. Prior to issuance of building or grading permits, the applicant shall provide Improvement Plans, subject of Final Design Review, that show a clearly defined two-way entry to the Lodge site, with enhanced landscaping and signage that directs lodge patrons away from Condominium 1 and 2. Deliveries to the Post Office building service and delivery area shall not include food and beverage deliveries or food and beverage garbage and recycling pickup. If access to the southern service area comes directly from the portion of Sea Walk Drive west of the Lodge entry, the service area entry shall be concealed by a sliding door with siding materials to match the building. Any door to the fire and emergency access to the South Cluster shall also be concealed by a sliding door with siding materials to match the building.
50. Prior to issuance of building or grading permits, the applicant shall provide Improvement Plans subject to Final Design Review showing the location of required acceleration and deceleration tapers at Sea Walk Drive and Highway 1 and appurtenant landscaping. The revised Site Plan shall include the location of entry signage, including signs to divert Lodge patrons away from the Sea Walk Drive entry to Condominium 2. Any landscaping enhancements or adjustments, including extension of the sheep fence from the Condominium 2 north to where Sea Walk Drive serves the Condominium 1 exclusively (beyond the Lodge entry from Sea Walk) shall also be shown.

51. The final Landscape Plan shall provide thorough screening of the Lodge and Post Office buildings' parking lots from Highway 1 and screening of the South Cluster from Condominium 1. In addition, the applicant shall provide a plan for ongoing enhancement and replacement of the mature and dying Monterey cypress trees in the hedgerows surrounding the Lodge, Post Office, and South Cluster buildings. Such plan shall also identify the means to avoid or replace trees damaged during construction.
52. The final Landscape Plan shall provide details about what landscape materials will be located at all locations of the site, including materials for walkways, mulching, landscape features. The final Landscape Plan shall provide a detailed list of which plants will be located at which locations, specifying plant size and species and the system to irrigate them.
53. The applicant shall submit a Sign Plan consistent with the Local Coastal Plan (LCP) requirements to improve access to the site from Highway 1 and to provide clear internal direction from Sea Walk Drive.

**TRANSPORTATION AND PUBLIC WORKS:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

54. This proposal accesses the public road system using a road under State of California jurisdiction. Therefore, Caltrans shall review this development proposal for improvement requirements. If Caltrans determines that improvements to the roadway are necessary, the developer shall obtain a State of California Encroachment Permit before making any improvements within State highway right-of-way.
55. Prior to issuance of any building permit that results from approval of this application, a development fee (Traffic Mitigation Fee) shall be paid to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code.

**PLANNING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

56. This approval allows for a Use Permit, Coastal Permit, and a Variance to exceed height limits for several buildings for the proposed expansion at the Sea Ranch Lodge to include a total of 60 lodging units, reuse of original Post Office building (8,504 square feet) with retail and commercial uses and new 23,882 square foot administration building, restaurant and lounge. The use shall be operated in accordance with the proposal statement and site plan located in File No. PLP08-0011 as modified by these conditions and those of the Sonoma County Design Review Committee.
57. The permitted hours for food and beverage operations are 6:00 a.m. to 12:00 a.m. (midnight) although the hours on Friday, Saturday, Holidays, and nights when there are special events may extend from 6:00 a.m. until 2:00 a.m. The maximum number of special events allowed is 200 per calendar year, and the maximum attendance for special events, whether indoors or outdoors, shall not exceed that allowed by fire and building code occupancy limits for the restaurant and Fireside Room buildings combined. The permitted hours for the lodging operations are 24 hours per day and seven days a week.

Events may be staged outdoors during daylight hours on the lawns and around the old barn, but shall not be conducted inside the barn. Tents or umbrellas or other temporary shade coverings shall not exceed 120 square feet in size and shall not be white in color. Live amplified music is not permitted at outdoor events.

58. This Use Permit (PLP08-0011) shall supercede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested. In the future, if the owner of the Sea Ranch Lodge property applies to Sonoma County for permits to

construct additional lodging units using the Sea Walk Drive access, the County shall have the discretion to determine whether a left turn lane is necessary at the intersection of Highway 1 and Sea Walk Drive.

59. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation.
60. The applicant shall pay all applicable development fees prior to issuance of building permits.
61. Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building site(s), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
62. Reduce the air quality impacts associated with grading and new construction with the following:
  - a. Water all active construction areas at least twice daily and more often during windy periods as necessary. Construction areas adjacent to residences should be kept damp enough to prevent blowing dust at all times.
  - b. Cover all hauling trucks or maintain at least two feet of freeboard as necessary. Dust-proof chutes shall be used as appropriate to load debris onto trucks during demolition as necessary.
  - c. Sweep, as necessary, all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads as necessary.
  - d. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles as necessary.
  - e. Limit traffic speeds on any unpaved roads to 15 mph as necessary.
  - f. Replant vegetation in disturbed areas as quickly as possible as necessary.
  - g. Suspend construction activities that cause visible dust plumes to extend beyond the construction site as necessary.
  - h. Provide a monthly Construction Report.

Mitigation Monitoring: PRMD shall review and approve the plans for inclusion of the measures prior to approval of Grading Plans. The County shall review the monthly Construction Report.

63. Reduce diesel particulate matter exhaust from construction equipment with the following:
  - a. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
  - b. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
  - c. Diesel equipment standing idle for more than two minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating

drum concrete trucks could keep their engines running continuously as long as they were on-site and away from residences.

- d. Properly tune and maintain equipment for low emissions.
- e. The project applicant shall designate a Disturbance Coordinator responsible for ensuring that Mitigation Measures to reduce air quality impacts to nearby residences from construction are properly implemented. The Disturbance Coordinator shall be responsible for notifying adjacent land uses of construction activities and schedule, and shall provide a written list of the aforementioned dust control measures. The list shall identify a contact person that will respond to any complaints. A log shall be kept of all complaints and the actions taken to remedy any valid complaint as well as the response period.

Mitigation Monitoring: PRMD shall review and approve the Development Plans for inclusion of the measures prior to approval of Grading Plans. The County shall review the monthly Construction Report.

- 64. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50.00 (or latest fee in effect at time of payment) for County Clerk processing, and \$1,993.00 (or latest fee in effect at time of payment) because a Negative Declaration was prepared, for a total of \$2,043.00 made payable to Sonoma County Clerk and submitted to PRMD. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code.) NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
- 65. At the time of submitting a building permit application, the applicant shall submit to PRMD a Condition Compliance Review fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.
- 66. This "At Cost" entitlement is not vested until all permit processing costs are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs are paid in full.
- 67. The applicant shall include the appropriate grading/building related Conditions of Approval as determined by Project Review staff on a separate sheet(s) of plan sets to be submitted for building and grading permit applications.
- 68. During construction earthwork or grading for the project buildings, highway improvements, or Black Point loop trail work, a qualified archaeological consultant and Kashia Pomo representative shall be present to observe and monitor construction. All building and/or grading permits shall have the following note printed on plan sheets:

"In the event that archaeological resources such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and County PRMD - Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to PRMD. PRMD staff may consult and/or notify the appropriate tribal representative from tribes known to PRMD to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than fifty (50) years of age including trash pits older than fifty (50) years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. PRMD

may 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 PRMD - Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological 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 PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, 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 will be followed."

Mitigation Monitoring: Building/grading permits shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. Prior to issuance of grading permits, the applicant shall furnish evidence of a contract with a qualified archaeologist and a representative of the Kashia Pomo tribe for construction monitoring services. PRMD staff shall not issue grading permits until such contracts are provided.

69. Low-flow showerheads and faucet aerators shall be installed in all project dwelling units (Low water use toilets are currently required by State Law).
70. 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 dripline, and replacement of damaged or removed trees. The project's Grading and Landscape Plans shall detail all tree protection implementation measures. In the event that provisions of the Ordinance conflict with more specific or restrictive measures contained in these Conditions of Approval, the measures herein shall apply.

Condition Compliance: PRMD 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). PRMD 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.

71. Prior to building permit issuance, a Water Conservation Plan shall be submitted for all buildings and landscaping, subject to PRMD review and approval. The Conservation Plan for buildings shall include, at a minimum, proposals for low-flow fixtures. The Conservation Plan for landscaping shall comply with all provisions of the County Low Water Use Landscaping Ordinance and the State and/or County Water Model Efficiency Ordinance as applicable. Verification, from a qualified irrigation specialist, that landscaping complies with the State and/or County Model Water Efficiency Ordinance shall be provided prior to building permit issuance. The measures in the plan shall be implemented and verified by PRMD staff prior to Certificate of Occupancy. A copy of the Water Conservation Plan shall be submitted to The Sea Ranch Water Company for comment.
72. Construction-related traffic shall be minimized within the site to essential vehicles only. General laborers and other skilled trade workers shall have designated parking areas outside the meadow. The Black Point Beach parking lot shall not be used for construction worker parking nor shall it be used for construction vehicle access.
73. Trash and construction debris shall be picked up daily and disposed of properly. Stockpiled materials, equipment staging areas, and debris bin locations shall be clearly identified, and be fenced for screening from public view where appropriate. Non-essential equipment, equipment not in use, and vehicles shall have a designated parking area that can be screened from public view, where appropriate.
74. Finished grades shall direct surface flows around or away from the Black Point Beach parking lot and trail to the beach. Septic leach field lines shall be designed to maintain percolation within the

between the Meadow Cluster and the Pool Cluster. Vegetative cover appropriate for septic leach field system applications shall be used to minimize leaching and help break down potential bacteria that would increase objectionable odors. Solids holding and settling tanks shall be maintained and pumped out on a regular basis.

75. Prior to the issuance of grading or building permits for the Meadow Cluster or North Cluster, the applicant shall make an Offer of Dedication to the Sonoma County Regional Parks Department for a Black Point Loop Trail Easement. The general location of the Black Point loop trail is conceptually depicted in Attachment "K" of the Initial Study. The Offer of Dedication shall be placed in escrow and released to Regional Parks simultaneously with the issuance of Certificates of Occupancy for the Meadow Cluster or North Cluster. Prior to occupancy of the North Cluster or Meadow Cluster, the applicant shall cooperate with Regional Parks and the Kashia Pomo Tribe to make any needed field adjustments to the loop trail that provides safe access to the westernmost end of Black Point from the existing Black Point Trail Easement. A representative of the Kashia Pomo Tribe shall be retained to monitor construction activities that involve disturbance of the earth, and a biologist shall be on-site to ensure the trail avoids any seabird nesting area.

Mitigation Monitoring: PRMD staff shall not clear issuance of grading or building permits for construction of the North Cluster or the Meadow Cluster units until the easement has been offered for dedication for a new loop trail that provides safe access to the westernmost end of Black Point.

76. The applicant shall maintain a minimum of 138 parking spaces on-site to serve the project. Parking lot surfaces, lighting and exterior landscaping shall be maintained in good condition in compliance with the approved plans and conditions herein. The applicant shall provide valet parking for restaurant and lodge patrons during the weekend hours of 6:00 p.m. to 11:00 p.m., and during day-time hours when the lodge is being used for conferences, weddings, events, etc.

Prior to issuance of building permits, the applicant shall provide a detailed parking analysis showing how the Valet Parking Plan will accommodate 168 vehicles on the site. If the analysis does not show sufficient parking available on the Lodge property, the applicant shall provide a Traffic and Parking Demand Management program that may include free transit to employees, car pooling, or use of other existing parking facilities at The Sea Ranch. This Traffic and Parking Demand Management Program shall be subject to Final Design Review.

Mitigation Monitoring: If complaints are received regarding lack of parking, PRMD staff shall investigate. If the investigation shows that the lodge did not provide sufficient valet parking to accommodate all authorized uses, PRMD shall take the matter to the Board of Zoning Adjustments for consideration of revocation of the Use Permit or modification of the conditions to achieve compliance with the objective of providing parking for all users.

77. In order to compensate for impacts to short-leaved evax from the Proposed Project, an approximately 7.08 acre preserve ("Black Point and Bihler Point Preserve Areas") will be established on the west side of the project site. This preserve supports several colonies of short-leaved evax which would remain protected within the preserve. The Black Point and Bihler Point Preserve Areas will be established and preserved through a recorded document on the title of the property. The recorded document for the preserve area shall run with the land.

Prior to grading the northwestern portion of the project site where this plant species has been found, a qualified botanist shall collect the top soils and seeds of the short-leaved evax at the appropriate time of the year from areas supporting short-leaved evax that are proposed to be disturbed. The seeds and topsoil shall be scattered for re-seeding at a suitable location within the Black Point and Bihler Point Preserve Areas. Orange construction fencing will be installed around all non-impacted short-leaved evax plants within the Site Development Plan to protect this species. The project applicant shall conduct annual monitoring surveys of the transplanted short-leaved evax population for a five-year period, and shall prepare annual Monitoring Reports. These reports shall be submitted to Sonoma County and to California Department of Fish and Game (CDFG) no later than December 1st each monitoring year. The establishment of these preserve areas and subsequent seeding would reduce impacts to short-leaved evax to a level considered less than significant pursuant to CEQA.

Mitigation Monitoring: Prior to issuance of building or grading permits, the applicant shall prepare and submit a Covenant or Easement, in a form satisfactory to County Counsel, to create the preserve for species that could be impacted by development. The document shall be recorded prior to occupancy of any of the Meadow Cluster units. PRMD shall not permit issuance of grading or building permits until the biologist who prepared the report for this project confirms in writing that the impacted species have been protected as described in this Mitigation Measure.

78. In order to compensate for impacts to coastal bluff morning glory from the Proposed Project, the 7.08 acre Black Point and Bihler Preserve Areas will be established as part of the Proposed Project on the west side of the project site. Coast bluff morning glory is common in the preserve. The Black Point and Bihler Point Preserve Areas will be established and preserved through a recorded document on the title of the property. The recorded document for these preserve areas shall run with the land. The establishment of this preserve area would reduce impacts to coastal bluff morning glory to a level considered less than significant pursuant to CEQA.

Mitigation Monitoring: Prior to issuance of building or grading permits, the applicant shall prepare and submit a Covenant or Easement, in a form satisfactory to County Counsel, to create the preserve for species that could be impacted by development. The document shall be recorded prior to occupancy of any of the Meadow Cluster units. PRMD shall not permit issuance of grading or building permits until the biologist who prepared the report for this project confirms in writing that the impacted species have been protected as described in this Mitigation Measure.

79. In order to avoid impacting roosting monarch butterflies, a preconstruction survey shall be conducted prior to any tree removal in the fall and/or winter months to ensure that this butterfly remains unaffected by the Proposed Project. If any roost is found, it shall be preserved within a 300-foot protection buffer through the end of the spring of the year the site is developed. Construction after this period would not affect this butterfly as it would have left the roosting site in the late winter and early spring. The Mitigation Measures prescribed above, when implemented, would reduce project impacts to potentially occupied roost habitat for the monarch butterfly to a level considered less than significant.

Mitigation Monitoring: Prior to the overwintering period, the biologist for the applicant shall survey the site and submit a letter to the PRMD project planner certifying that no Monarch butterflies are present at the site. If butterflies are present, work shall be diverted to areas where butterflies are not present and shall not resume until the biologist certifies that the butterflies have moved on.

80. Nesting surveys for raptor nests, eggs and young will be conducted 30 days prior to commencing any earth-moving activity or tree removal if this work would commence between February 15th and August 31st. The raptor nesting surveys shall include examination of all trees on the project site and within 500 feet of the entire project site, if possible, and not just trees slated for removal. All stick nests shall be examined and all tree cavities shall be examined for evidence of nesting raptors.

If nesting raptors are identified during the surveys, the dripline of the nest tree will be fenced with orange construction fencing (provided the tree is on the project site), and a 300-foot radius around the nest tree must be staked with bright orange lath or other suitable staking. If the tree is adjacent to the project site then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1. This date may be earlier than August 1, or later, and would have to be determined by a qualified raptor biologist. This mitigation would reduce impacts to nesting raptors to a level considered less than significant.

Mitigation Monitoring: Prior to the raptor nesting period, the biologist for the applicant shall survey the site and submit a letter to the PRMD Project Planner certifying that no raptor nests are present

at the site's affected construction areas. If such bird nesting areas are present, work shall be diverted to areas where the birds are not nesting and shall not resume until the biologist certifies that the birds have moved on.

81. A nesting survey to avoid impacts to common nesting birds shall be conducted 15 days prior to commencing with construction work if this work would commence between March 1 and September 1. If common (that is, not special-status) passerine birds (that is, perching birds such as Steller's jays, chestnut-backed chickadees, and dark-eyed junco) are identified nesting on the project site, tree removal/grading activities within 75 feet of the nest site shall be postponed until it is determined by a qualified ornithologist that the young have fledged and have attained sufficient flight skills to leave the area. Typically, most passerine birds can be expected to complete nesting by July 1st, with young attaining sufficient flight skills by early July. This Mitigation Measure would reduce impacts to common nesting and special-status bird species to a level considered less than significant.

Mitigation Monitoring: Prior to the nesting period, the biologist for the applicant shall survey the site and submit a letter to the PRMD Project Planner certifying that no active nests are present at the site's affected construction areas. If such bird nesting areas are present, work shall be diverted to areas where the birds are not nesting and shall not resume until the biologist certifies that the birds have moved on.

82. Project structures shall be designed to meet the most current California Building Code standards for earthquake resistant construction, and to mitigate any potential geologic hazards to less than significant, construction shall follow the recommendations contained on Pages 22 through 35 of the Geotechnical Investigation dated July 2008, prepared by Cleary Consultants, Inc.

Mitigation Monitoring: The applicant shall submit a copy of the Geotechnical Investigation dated July 2008, prepared by Cleary Consultants, Inc., and any applicable site specific addenda to the PRMD Plan Check Section with the construction drawings for the project. PRMD staff shall not approve the building permit for issuance until all of the applicable recommendations are included on the construction drawings.

83. All new structures, landscaping, lighting and signs shall require Final Design Review by the Design Review Committee prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.
84. 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 and/or Caltrans may be required prior to issuance of grading or building permits.
85. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review (by PRMD or Design Review Committee). Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.
86. Additional measures for lighting impacts include: Lighting plans shall be designed to meet the Lighting Zone LZ1 (for dark areas) standards from Title 24.
87. Parking lot fixtures shall not exceed 16 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures.

88. All exterior fixtures shall be limited to lamps (light bulbs) not exceeding 100 watts.
89. Perceptible vibration shall be kept to a minimum by use of administrative controls including:
  - a. Notifying neighbors of scheduled construction activities;
  - b. Scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby residences (e.g., mid-day) in order to reduce noise impacts to less than significant levels; and,
  - c. Pile driving shall be prohibited.
  - c. Post prominently at the construction site and provide residents of Sea Walk Drive, Black Point Reach, and the streets uphill of the project with the phone number of a Noise Disturbance Coordinator to whom complaints may be directed.

Mitigation Monitoring: PRMD shall not clear issuance of grading or building permits unless the above-listed mitigation measures are listed on the construction drawings.

90. The following construction noise control measures are required to limit the amount of noise generated during the construction period.
  - a. Construction Period Development Activity Restrictions - Contractor and/or developer shall comply with the following construction noise, dust, litter, and traffic control requirements:
    - 1) All construction activities shall be limited to the hours of 7:30 a.m. to 5:00 p.m., Monday through Friday, and shall be prohibited on state or federal holidays.
    - 2) Utilize "quiet" models of air compressors, generators, and other stationary noise sources where technology exists.
    - 3) Prohibit unnecessary idling of internal combustion engines.
    - 4) Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
    - 5) Locate stationary noise generating equipment as far as possible from noise sensitive receptors.
    - 6) Noise from jackhammers, chainsaws, and pavement breakers used on the parking area construction site shall be shielded from nearby residences.
    - 7) Designate a Noise Disturbance Coordinator who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. Conspicuously post a telephone number for the Disturbance Coordinator at the construction site. During the construction period, provide a complaint log to the PRMD.

Mitigation Monitoring: PRMD shall not clear issuance of grading or building permits unless the above-listed mitigation measures are listed on the construction drawings.

91. a. As set forth in the November 6, 2008, letter from Caltrans, the applicant shall construct Highway One frontage improvements consisting of (i) a 150 feet long deceleration taper and a 75 feet long acceleration taper on the west side of Highway One, and (ii) 200 feet of paved shoulder on Highway One across from Sea Walk Drive. Nothing herein shall be construed as imposing any obligations on applicant to make any improvements or perform any work outside of either the State of California's right of way on Highway One or applicant's property.

- b. Prior to the commencement of construction for the project, the applicant shall apply for an encroachment permit and submit improvement plans to Caltrans for the work within the state right of way that is described in sub-paragraph (a).
  - c. Prior to issuance of temporary or final occupancy of the restaurant building, Fireside Room, or lodging units, the applicant shall either (1) complete construction of all the required highway improvements described in sub-paragraph (a), or, (2) in the event that applicant has not received a clearance or notice of completion from Caltrans for the highway improvements and requests temporary or final occupancy certificates for lodging buildings, then applicant will make financial arrangements in the form of a bond or other financial instruments satisfactory to PRMD, in its reasonable judgment, to assure PRMD that such highway improvements described herein shall be completed within a reasonable time period.
92. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
93. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the condition(s) is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.
- The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.
94. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit or Coastal 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.