

SONOMA COUNTY DESIGN REVIEW COMMITTEE

Draft Conditions of Approval

Staff: Jen Chard
Applicant: Summit Engineering
Owner: 275 Hwy 128 LLC
Date: August 2, 2023
File No.: ADR23-0008
APN: 140-110-006, 140-110-008, 140-080-011
Address: 275 Highway 128 and 20900 Rimmel Rd, Geyserville

Project Description: Design Review for the addition of nine parking spaces to serve an existing 6,500 square foot restaurant with work/live units and a separate caretaker residence previously approved by File No. PLP20-0017 (Cyrus Restaurant Use Permit). There are no proposed changes to the uses, employees, guests, or hours of operation on the 6.07-acre property.

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

BUILDING:

1. The applicant shall apply for and obtain building related permits from Permit Sonoma. The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.

FIRE AND EMERGENCY SERVICES:

"The conditions below have been satisfied BY _____ DATE _____

2. Development 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.
3. The facility operator shall develop an emergency response plan consistent with Chapter 4 of the 2019 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.
4. 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.
5. 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.
6. Local Responsibility Area (LRA). Compliance with the general defensible space clearances per CCR Title 19 Div. 1, Chapter 1, Subchapter 1 §3.07.
 7. 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.

PLANNING:

"The conditions below have been satisfied BY _____ DATE _____

8. This project shall be constructed and maintained in conformance with the project description and plans as modified by these Conditions of Approval. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Permit, subject to penalty.
9. Prior to building permit issuance, the applicant/property owner shall record a declaration of restriction on the deed, agreeing to comply with the conditions of approval, which shall be listed in the declaration.
10. Landscaping and irrigation shall be maintained at all times. Any dead and or dying plants shall be replaced immediately.
11. 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 construction fence at the dripline, and replacement of damaged or removed trees. The project's grading and landscape plans shall detail all tree removal, replacement, and protection measures consistent with County Ordinance.
12. All grading and building permits plans involving ground disturbing activities shall include the following notes:

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

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most

Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code.”

13. Prior to building permit issuance, the applicant shall provide proof via photographs to Planning staff that all trees designated for retention have been protected with a substantial barrier (steel posts and barbed wire or chain link fencing at the protected perimeter). The delineation markers shall remain in place for the duration of all work.
14. All permanent fencing shall be wildlife friendly, used sparingly and applied in a manner that is absolutely necessary for the protection of vegetation and property. Fencing shall be installed so that wildlife linkages in the area are maintained.
15. All exterior lighting shall be “Dark Sky Compliant” and fully shielded in order to avoid nighttime light pollution. Reference can be made to the International Dark Sky Association website for guidance on exterior lighting: www.darksky.org. All exterior lighting shall be downward facing, and located at the lowest possible point to the ground to prevent spill over onto adjacent properties, glare, nighttime light pollution and unnecessary glow in the rural night sky. Security lighting shall be put on motion sensors. Flood lights and uplights are not permitted. Luminaires shall have a maximum output of 1000 lumens per fixture. Total illuminance beyond the property line created by simultaneous operation of all exterior lighting shall not exceed 1.0 lux.
16. 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 sites), 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.
17. You have 24 (twenty four) months from the date of approval of this letter to substantially initiate your project. If you do not substantially initiate your project within this time frame, you can apply for a one time, 1-year extension of time. Fees apply for the 1-year extension of time.