

Kent Lawson & Kasia Nowak  
524 Oasis Drive  
Santa Rosa, CA

July 27, 2022

Design Review Committee  
County of Sonoma

RE: APN 134-074-022

Dear Design Review Committee,

Our home, located at 524 Oasis Avenue, is a renovated late 1800s farm house in a rural residential area. It is adjacent to a pasture that is owned by the West County Transportation Agency (“WCTA”). The pasture remained undeveloped until this May at which point the WCTA bulldozed the pasture. The WCTA is proposing to replace the pasture with a brightly lit parking lot that is sized for a large shopping center.

In 1999, the Board of Supervisors granted a zoning change and a use permit to allow for a “school bus storage yard” on the WCTA parcel. The purpose was to supplement bus storage for a WCTA bus facility on two adjacent parcels to the east. The eastern parcels have a different permitted use and fewer restrictions because they are located in an industrially zoned area.

The board of supervisors imposed strict conditions on the western parcel to minimize the impact on adjacent homes. The current WCTA proposal is drastically different from what the board of supervisors permitted. The WCTA has largely ignored the Board of Supervisors’ conditions and has proposed a project that will have a severe and detrimental impact on neighboring homes.

The 1999 Board of Supervisors’ conditions have the same force of law as the zoning laws in the county code. They are not negotiable or discretionary. The WCTA has knowingly and egregiously violated those conditions. One of these conditions is that the project be reviewed by the Design Review Committee.

We would be grateful if the Design Review Committee would systematically work through the 1999 Board of Supervisors conditions. These conditions and the Design Review Committee’s review of the conditions, seem to be the only line of defense for a rural residential neighborhood that is imperiled by WCTA’s overreaching.

We would also be grateful for the opportunity to address the design review committee orally. To assist the Design Review Committee, we are outlining our concerns below.

Sincerely,

  
Kent Lawson and Kasia Nowak

## CONCERNS

### 1. The proposed project violates the 1999 Board of Supervisors' size limitations.

The WCTA is proposing a bus and employee parking lot with 188 spaces on the western lot when the 1999 conditions only allow for a "school bus storage yard" consisting of 30 spaces. The 1999 conditions state as follows:

The project is conditioned to limit the western lot (APN 134-074-022) to a maximum of 80 vehicles, and the entire project to a maximum of 110 buses, and would provide WCTA both a primary consolidated centralized facility, and allow for a limited expansion of 20 to 30 percent to keep up with growing student populations in the future.

The WCTA is disregarding the limit of 110 buses for the entire project. The WCTA's proposed plans show a total of 188 new parking spaces on the western lot. 90 of these spaces are bus spaces and 98 of them are employee parking spaces. The existing WCTA facility on the WCTA's eastern two lots has existing spaces for 51 large buses and 19 small buses or 80 buses total. The total number of bus spaces for the project as proposed by the WCTA would be 170 bus spaces (i.e. 90 new bus spaces + 80 existing bus spaces). The WCTA should be limited to spaces for 110 buses as required by the 1999 conditions. To stay within the size limitations, the WCTA should be allowed a bus storage lot for a maximum of 30 new bus spaces on the western parcel because 30 new bus spaces plus 80 existing bus spaces equals 110 bus spaces. The math is simple and the board of supervisors' size limitation should be enforced.

The WCTA is also flagrantly disregarding the 80-vehicle limit on the western parcel. The WCTA argues that the 1999 conditions use the words "any one time" with respect to the 80-vehicle limit. It is true that this phrase is referenced once in the 1999 conditions, but it is not cited elsewhere. For example, please see the quotation immediately above. At one time is not defined. A reasonable way to read "at one time" would be in a day, not at any one millisecond, as the WCTA suggests. The WCTA's reading is problematic and runs counter to the intent of the 1999 conditions.

The WCTA argues that in the morning, the 80 buses will leave the lot so that 80 cars can park during the day. Similarly, WCTA argues that in the afternoon, the 80 cars will leave so that 80 buses can park during the night. This is a disingenuous reading of the 1999 conditions. The purpose of the 80 -vehicle limit on the western parcel was not to create a game of musical parking spaces every morning and evening. The purpose of the size limits as stated in the 1999 conditions was to limit the noise and visual impact to the neighbors and to minimize traffic in the surrounding area. The WCTA is proposing ridiculous gamesmanship to disregard the size limitations. The WCTA's proposed plans show a total of 188 new parking spaces on the western lot, which is an egregious violation of the 80-vehicle limit. As explained above, the WCTA should be limited to a lot that is sized appropriately for 30 buses on the western parcel.

## **2. The proposed project violates the Board of Supervisors' 1999 use permit.**

As stated in the 1999 Board of Supervisors' resolution, the only permitted use for the western parcel is a "school bus storage yard." The WCTA is arguing that this permitted usage also includes an "employee parking lot". The Board of Supervisors could have written "school bus storage yard and employee parking lot" in the use permit for the western parcel. They did not. The literal language is the best evidence of the Board of Supervisors' intent. The Design Review Committee does not have the discretion to add words that are not there to the use permit. The use permit must be read as written and limited to "school bus storage."

It is not appropriate to look beyond the plain language of the use permit, but doing so would demonstrate that an employee parking lot was not intended by the board of supervisors on the western parcel. Importantly, the 1999 conditions state:

No employees shall be stationed on this parcel, no work shall occur on vehicles / equipment on this parcel / no hazardous materials shall be stored on this parcel, and no refueling activities shall occur on this parcel. All buses positioned on this parcel shall be positioned so as to avoid the need for backing up in the morning. Horn checks and backup beeper checks may not occur on this parcel." Hours of operation on APN 134-074-022 shall be limited to Monday through Friday from 6:00 a.m. to 6 p.m. Hours of operation on APNs 134-072-025 & 048 shall be limited to Monday through Sunday from 5:00 a.m. to 8 p.m.

If an employee parking lot was intended on the western parcel, there would have been similarly lengthy and detailed restrictions regarding employee parking. No employee parking lot was outlined because the intention was to keep employee activity on the eastern two parcels. The eastern two parcels have industrial zoning, a much broader permitted use, and far fewer restrictions. Putting an employee parking lot on the western parcel directly contradicts the intent to minimize employee activity. on that parcel.

The existing WCTA facility on the eastern parcels has operated for 20 years without an employee parking lot. In fact, employees have parked on the street next to the WCTA for the past two decades. This practice is good evidence of what the Board of Supervisors intended in 1999. Otherwise, an employee parking lot would have been created on the western parcel twenty years ago. Having the employees park on the street in an industrial area as they have been doing for the prior twenty years is preferable from a land use perspective to creating an employee parking lot next to homes in a rural residential area. Further, the extension of Juniper Avenue will create additional on-street parking. There is adequate street parking in the industrially zoned area to allow for the additional employees that would be needed as a result of the new bus storage on the western lot. Indeed, the only permitted use for the western parcel is a "school bus storage yard." The design review committee is bound by this language and cannot expand it to include an employee parking lot.

### **3. The proposed project violates the 1999 Board of Supervisors' lighting restrictions.**

The WCTA lighting plan will have a severe and negative impact on the surrounding homes. The WCTA has argued that its lighting plan is required by design standards for parking lots. This is precisely why an employee parking lot should not be allowed on the western parcel, and should only be limited to the permitted use of a "school bus storage yard"- as intended by the Board of Supervisors.

It was also the board of supervisors' intention that lighting be limited to minimize the impact to neighboring homes. Lighting the interior of the bus storage yard was prohibited by the 1999 conditions because the conditions restrict the hours of operation of the school bus storage yard from "Monday through Friday from 6:00 a.m. to 6 p.m." The 1999 conditions state:

An exterior security lighting plan shall be submitted to the Permit and Resource Management Department for review and approval. Exterior lighting shall be internal only and not "wash out" onto adjacent properties nor be a source of glare onto adjacent streets. Generally, fixtures should accept sodium vapor lamps and lighting should be located at the periphery of the property and not as flood lights. The lighting shall be installed in accordance with the approved lighting plan during the construction phase.

The 1999 conditions permitted only "exterior security lighting" around the "periphery of the property" and "not as flood lights". The WCTA lighting plan violates each of these three requirements.

The WCTA plan has 32-foot-tall light poles which would create a fully lit parking lot similar to parking lots found in large shopping centers. 19 of the poles are on interior islands in the center of the lot. Some of the poles are as tall as 35 feet and have multiple 28" diameter lights shining in multiple directions.

There is very little security risk to the school bus storage yard from the homes to the north and to the west. The WCTA only needs security lighting along its fence to the east and to the south. It should be limited to the minimum necessary for security and be on motion sensors to minimize the disturbance to the neighboring homes.

### **4. The proposed berm, set back, and landscaping do not meet the 1999 conditions.**

The purpose of the required berm was to minimize the noise and visual impact on the neighboring homes. The berm should be designed with this purpose. The berm that the WCTA has proposed has been designed to maximize the size of the parking lot rather than to minimize the impact on neighbors. The berm is as close as possible to the property line and it is as steep as possible on the sides facing the neighbors. It resembles a strip mine or a shooting range. The proposed WCTA plan is to surround it with a chain link fence.

The berm should be placed as far back from the property line as possible, while still allowing for a parking lot large enough for the permitted 30 bus expansion. The slope should be made wider and more gradual so that it can be planted with the required landscaping.

The 1999 Board of Supervisors conditions require:

The berm and setback area shall contain a dense evergreen landscape screening which shall shield the buses from view in those directions.

The berm and setback need to be sufficient for planting the required landscaping. Currently, there are only a few feet between the edge of the berm and the property line. The berm is too small and too steep to grow “dense” screening that would shield the buses from view.

The WCTA landscaping plan is also inadequate in this regard. It relies on trees in 15-gallon containers that will likely only be a few feet tall. They will not shield tall buses from view. The landscaping plan will likely not meet the requirements even after decades of growth. The current WCTA plan uses deciduous trees that will drop their leaves in winter instead of evergreen trees. There are large gaps between the trees that are landscaped with grasses and shrubs. The 1999 Board of Supervisors’ resolution requires that all conditions be met before the bus storage yard can be used. Consequently, “a dense evergreen landscape screening which shall shield the buses from view” is required before the bus storage lot can be used. The WCTA landscape plan looks like it was designed by someone who was completely unaware (or otherwise, in direct disregard) of these conditions.

The WCTA has had over twenty years to start growing an adequate screen. It has done the exact opposite. In fact, the WCTA recently bulldozed five redwood trees that were planted twenty years ago in a row along the west property line to make a screen. The WCTA represented to both Permit Sonoma and to us that these trees would be left in place. Then, without warning, they bulldozed the twenty-year old trees to the ground. They were seemingly removed as a response to the fact that we expressed concern that the berm was too close to the trees’ root systems. You can see where the redwood trees were located in the upper right corner of the WCTA landscaping plan. It is shocking that the WCTA would bulldoze 20-year old redwood trees, when it has made promises to the contrary and before review by the Design Review Committee. The WCTA should be required to replace the redwood trees with redwood trees of the same size as those that it unilaterally destroyed. The WCTA also needs to redesign the berm and set back to accommodate the required landscaping.

## **5. Drainage / Erosion Plans / Approval by the Director of PRMD**

The edge of the western berm is just a few feet from a drainage ditch on the neighboring properties to the east. The drainage ditch serves much of the entire neighborhood. A culvert under Oasis Drive connects the pastures to the north of Oasis Drive to the drainage ditch. The WCTA has made the berm very steep and will likely make it steeper when the height is increased. The WCTA has also put the berm as close as possible to the property line and drainage ditch. Erosion from the berm has already filled much of the drainage ditch. The problem will likely worsen when it rains and when the berm is irrigated.

The project requires that an engineered drainage plan be submitted to the PRMD for review and approved by the director of PRMD prior to the start of any on-site construction to avoid adverse drainage impacts. An “erosion control plan (winterization plan)” is also required. The WCTA plan that was submitted only addresses drainage for the buss storage yard and does not address run off and erosion coming from the berm. Moving the berm back away from the drainage ditch to make room for a well landscaped drainage swale would be appropriate.

## **6. The proposed chain link fence to the north and to the west violates the 1999 conditions.**

The proposed WCTA plans show a chain-link fence around the entire perimeter of the western parcel. The 1999 conditions required "a dense evergreen landscape screen" on the north and the west. It states “a chain link fence with slats or other view blocking fence design at least 6 feet in height shall surround all other areas that are not shielded by the berm.” An evergreen screen and not a chain-link fence is required on the north and west. The purpose of the berm and the landscaping was to minimize the visual impact to the neighbors. A chain-link fence with slats is unappealing, and inappropriate facing homes in a rural residential area. It is also contrary to the 1999 conditions.

## **7. EV Charging**

The resubmitted plans show “EV” charging stations. The 1999 conditions prohibit “refueling activities” and are intended to limit noise. EV charging stations often create a humming noise. The purpose of the 1999 conditions was to limit activity on the western parcel as much as possible. For these reasons, EV charging stations should be prohibited.

## **9. Wetland Mitigation**

Condition 40 of the 1999 document states:

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

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

We have requested documentation showing that these each of these specific requirements have been met. We have received nothing in response. Having appropriate documentation showing that each of these conditions have been met is an important part of the approval process. The project should not be approved until documentation showing that each of these specific requirements has been met.

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## Article 82. Design Review.

### Sec. 26-82-005. Purpose.

Purpose: in order to carry out the objectives of this chapter and to protect values, plans for new or altered uses, structures and land divisions in certain zoning districts shall be reviewed by the planning director or his appointed design review committee. The intent of this article is not to stifle individual initiative, but to set forth the minimums necessary to achieve a healthful community whose property values are protected from unplanned developments.

(Ord. No. 4643, 1993.)

### Sec. 26-82-010. Preliminary development plan requirements.

All development shall be planned as a unit. Applications for design review approval shall be accompanied by a development plan, including the entire parcel or parcels to be developed.

Approval of the preliminary development plan shall concentrate on the general acceptability of land uses, open space configuration, conformity to adopted general plans or area land use plans, specific uses and densities proposed and their interrelationships and relationship to the surroundings. The preliminary development plan application shall include the following:

- (a) Proposed land uses, showing general location of open space, building areas and specific uses;
- (b) The proposed maximum density for residential uses measured in units per gross acre;
- (c) The type and location of proposed major public facilities;
- (d) Topography at intervals determined by the planning director;
- (e) A tabulations of the total land area and percentage thereof designated for various uses;
- (f) General circulation pattern indicating both public and private vehicular and pedestrian ways, including trail systems where proposed;
- (g) Relationships of present and future land uses to the surrounding area and any adopted general plan, specific plan or area land use plan;
- (h) A statement of provisions for ultimate ownership and maintenance of all parts of the development, including streets, structures and open space;
- (i) A preliminary report indicating provisions for storm drainage, sewage, disposal, grading and public utilities;
- (j) Delineation of development staging, if any;
- (k) Significant natural features such as trees, rock outcroppings and bodies of water;
- (l) Existing manmade features and areas where natural materials are to be deposited and removed;
- (m) Methods of preventing soil erosion or slippage;
- (n) Any other data deemed necessary by the planning director.

(Ord. No. 4643, 1993.)



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## **Sec. 26-82-020. Final development plans.**

Before a building permit or a zoning permit may be issued for any zoning district in which this section is applicable, final plans of development shall be approved by the planning director. Such final development plans shall include a plot plan and elevations drawn to a workable scale, depicting the following:

- (a) Topography, significant natural features and trees;
- (b) Location and design of buildings and structures including materials to be used;
- (c) Location and type of landscaping, irrigation and its relationship to open spaces and existing vegetation, and any adopted county low-water use regulations;
- (d) Location and design of off-street parking and loading facilities, and any required public roadway improvements;
- (e) Location and type of fences and walls;
- (f) Location of trash storage areas;
- (g) Location and design of signs and exterior night lighting;
- (h) Grading plans as necessary to meet the requirements of the Sonoma County tree protection ordinance;
- (i) Any other data deemed necessary by the planning director.

In the case of a development of a group of commonly designed building, the planning director may limit his review to typical elevations.

(Ord. No. 4643, 1993.)

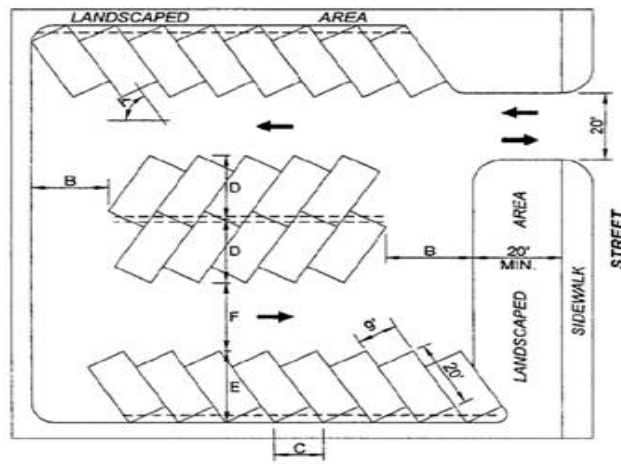
## **Sec. 26-82-030. General development standards.**

- (a) The orientation of building sites shall be such as to maintain maximum natural topography and cover.
- (b) The design of buildings, fences and other structures shall be evaluated on the basis of harmony with site characteristics and nearby buildings, including historic structures, in regard to height, texture, color, roof characteristics and setback.
- (c) Streets shall be designed and located in such a manner as to maintain and preserve mutual topography, cover, significant landmarks and trees; to necessitate minimum cut and fill; and to preserve and enhance views and vistas on or off the subject parcel.
- (d) Horticultural groundcovers and other surfacing shall be used to prevent dust and erosion where natural vegetation and groundcover is disturbed or removed.
- (e) All refuse collection areas shall be enclosed on all sides unless, by nature of the building design, the trash areas are obscured from the adjacent properties and from vehicular and pedestrian traffic. Refuse enclosures shall be of six-foot (6') height with adequate access for refuse vehicles.
- (f) Where nonresidential or high-density residential areas are adjacent to low-density residential areas (R1), the planning director may require six-foot (6') screening in the form of a wall or landscape planting; except, that screen shall be reduced to three feet (3') if within or abutting a required front setback. The height limit may be modified where, because of differences in ground elevation, the purposes of this section would be better met. The precise location and type of screening shall be determined by the planning director.

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- (g) The color, size, height, lighting and landscaping of appurtenant signs and structures shall be elevated for compatibility with local architectural motif and the maintenance of view and vistas of natural landscapes, recognized historic landmarks, urban parks or landscaping.
  - (h) A complete system of underground utilities shall be provided in accordance with public utility commission regulations.
  - (i) All mechanical or air-conditioning apparatus shall be screened from view and baffled for sound.
  - (j) Each unit of development, as well as the total development, shall create an environment of desirability and stability. Every structure, when completed and in place, shall have a finished appearance.
  - (k) A minimum of eight percent (8%) of all parking lot areas where more than ten (10) parking spaces are provided shall be landscaped. The landscaping shall be uniformly distributed and provision shall be made for its perpetual maintenance.
  - (l) The parking layout shall conform to the dimensions on the following diagram. Where two-way traffic is desired, aisle widths shall be a minimum of twenty feet (20'), except where item F of the diagram requires a greater width. The planning director may modify the layout provided the goals of this chapter are achieved. Such modifications may include, but are not limited to parking at other angles than indicated, a combination of parking angles or a herringbone pattern. (Diagram shown at end of this section).
  - (m) Circulation within a parking area shall be such that:
    - (1) A car entering the parking area need not enter a street to reach another side;
    - (2) Except for parking areas accommodating three (3) or fewer vehicles, a car entering a street or highway can do so by traveling in a forward direction.
  - (n) All lighting in parking areas shall be arranged to prevent director glare or illumination onto adjacent properties.
  - (o) Off-street parking areas and driveways, exclusive of required landscaping, shall be surfaced with materials approved by the planning director. Paved parking areas shall be painted with lines showing parking spaces and with directional arrows, showing traffic movements.
  - (p) Required residential covered off-street parking facilities shall be located on the premises they are intended to serve, and shall not extend into a required front yard or any other required yard abutting a street.
  - (q) Off-street parking for other than residential uses shall be on the premises they are intended to serve or within three hundred feet (300') thereof. Where parking is provided on sites other than that of the use, a parking easement stipulating to the permanent reservation of the use of the site for parking, shall be recorded with the county recorder and filed with the building inspector and planning director prior to the issuance of building or zoning permits.

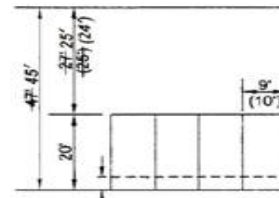
# OFF-STREET PARKING DESIGN STANDARDS

## SONOMA COUNTY PERMIT & RESOURCE MANAGEMENT DEPARTMENT



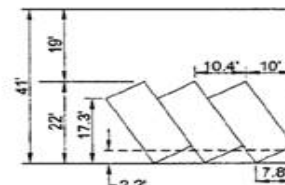
DIMENSION TABLE					
PARKING ANGLE	A	30°	45°	60°	90°
TURNAROUND	B	17'	14'	14'	14'
CURB LENGTH	C	18'	12.7'	10.4'	9'
STALL DEPTH	D	16.5'	18.8'	19.6'	20'
STALL DEPTH	E	17.8'	20.5'	21.8'	20'
DRIVEWAY	F	13'	15'	19'	27'

NOTE: Parking stalls shall be 9' x 20'.  
 Compact stalls shall be 8' x 16'.  
 Handicap stalls shall be 12' x 20'.  
 Loading stalls shall be 12' x 40' x 14'.  
 Fully enclosed parking spaces shall be 10' x 20'.

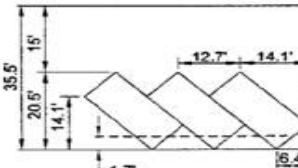


**90° PARKING**

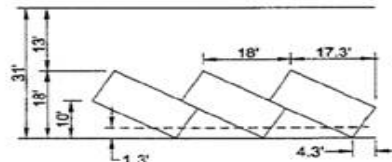
NOTE: Alternate dimensions ( ), for residential use or where desired.



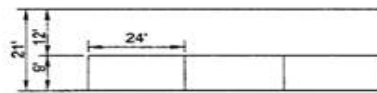
**60° PARKING**



**45° PARKING**



**30° PARKING**



**PARALLEL PARKING**

(Ord. No. 5711 § 9 (Exh. J), 2007; Ord. No. 4643, 1993.)

### Sec. 26-82-040. Approval of building permits, zoning permits and land use—Status of approved preliminary and final development plan(s), and improvement agreements.

- (a) Compliance. No building permit, zoning permit nor land use approval shall be issued in any zoning district where this article is applicable until the preliminary and final development plan(s) have been approved by the planning director or other applicable decision making body.

The planning department shall not authorize final building inspection or any level of occupancy of the building(s) until satisfied that: all on-site improvements shown on the grading and utility drawings are installed or bonded for in accordance with the site plan approved by the design review committee; the buildings are constructed in accordance with the illustrative building elevation drawings, material samples

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and color samples approved by the design review committee; the landscaping and landscape irrigation system are installed or bonded for in accordance with the drawings approved by the design review board and that all conditions of approval are met.

(b) Improvement Agreements.

- (1) If the improvement works required as a condition of an approval of a project by the design review committee are not satisfactorily completed before the issuance of a building permit(s) the owner(s) of the property shall, prior to the issuance of such permit(s), enter into an agreement with county, agreeing to have the work completed within the time required, and specifying that should such work not be satisfactorily completed within the time limit, in addition to any other remedies it may have, the county may complete all specified improvements and be completely reimbursed for such improvements by the owner of the property. For purposes of this section, "improvement works" means those landscape, street and drainage improvements required as a condition of design review. Any such improvement agreement shall be approved as to form by the county counsel and shall include, but not be limited to:
  - (i) Construction of all improvements works per the approved plans; provided, however, that the development shall not be obligated to complete design review improvements in the event the developer elects not to construct the underlying project;
  - (ii) Completion of improvements within one (1) year from approval of design review. This completion date may be extended by the county as provided in this chapter;
  - (iii) Warranty by developer that construction of on-site drainage improvements will not adversely affect any portion of adjacent properties;
  - (iv) Payment of inspection fees in accordance with the county's established fees and charges;
  - (v) Improvement security;
  - (vi) Maintenance and repair of any defects or failures and causes thereof;
  - (vii) Release and indemnification of the county from all liability incurred as a result of construction associated with the development and payment of all reasonable attorney's fees that the county may incur because of any legal action arising as a result of construction associated with the development;
  - (viii) Registered civil engineer's, architect's or landscape architect's written verification to the county, based upon field inspection, that landscaping, private road and drainage improvements located on the property and subject to the agreement have been constructed in substantial conformance with approved plans.
- (2) Modification of Improvement Agreements. Improvement agreements may be modified to reduce the amount of security in recognition of the partial completion of improvements, and to allow changes to improvement plans as approved by the design review committee as specified under the terms of an existing agreement. All modifications of improvement agreements shall be at the discretion of the county of Sonoma, upon written request by the developer. In consideration of a modification to reduce the amount of security, the following will be required:
  - (i) Engineer's, architect's, landscape architect's or licensed Contractor's written verification to the county that the partially constructed landscaping, private road and drainage improvements located on the property and subject to the agreement have been completed in substantial conformance with approved plans;
  - (ii) Revised improvement construction estimate to reflect current improvement costs as approved by the responsible department;

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- (iii) Revised improvement securities in accordance with revised construction cost estimates;
  - (iv) A fee shall be paid to the county to cover the actual costs for processing the modification.
- (3) Extension of Improvement Agreements. The completion date for any improvements to be constructed under an improvement agreement may be extended by the county of Sonoma upon written request by the developer and the submittal of evidence to justify such extension. The request shall be made not less than thirty (30) days prior to the expiration of the improvement agreement. Any such extension shall be authorized in writing by the county. Any request for extension, at the discretion of the county, may be denied. In consideration of the extension, the following will be required:
- (i) In those cases where construction has not commenced, revision of the improvement plan to provide the current design and construction standards required by the responsible department;
  - (ii) Revised improvement construction estimate to reflect current improvement costs as approved by the responsible department;
  - (iii) Increase of improvement securities in accordance with revised construction estimates;
  - (iv) Increase in any inspection fees to reflect current fees;
  - (v) The design review committee may impose additional requirements it may deem necessary as a condition to approving any time extension for the completion of improvements;
  - (vi) A fee shall be paid to the county to cover the actual costs for processing the extension.
- (4) Amount of Security to Accompany Improvement Agreement. Applicant/developer shall, prior to county's execution of the design review agreement, deliver to county the following security in a form satisfactory to the county counsel:
- (i) Either a cash deposit, a corporate surety bond or an instrument of credit sufficient to assure county that the improvement work approved by the county will be satisfactorily completed. Nothing contained in this section shall be construed to require duplicate security for improvements for which the county, as principal obligee, is already holding security;
  - (ii) If required by county, a cash deposit, corporate surety bond, or instrument of credit sufficient to assure county that wet weather construction mitigation measures will be constructed in accordance with the approved plan.
- (5) Release of Improvement Securities. The performance security for dedicated improvements shall be released only upon acceptance of the improvements by the county and, if required as a condition of design review, approved warranty security has been filed with the county. The performance security for other improvements shall be released only upon satisfactory passage of final inspection by the county. Additional, with respect to improvements which will not be dedicated and accepted by the county, the applicant/developer shall comply with Section 3093 of the Civil Code and deliver forthwith to the planning director or the directors' appointed designee, a copy of the notice of completion and the engineer's, architect's or licensed landscape architect's written verification based upon field inspection of satisfactory completion as required for the landscaping, private road and drainage improvements; and, if required as a condition of design review, shall deliver to the county any required maintenance and/or warranty agreements and security, prior to the release of the performance security.
- (6) Delegation to Approve Improvement Agreements. Where the board of supervisors has, by resolution, adopted a standard form design review agreement which conforms to the requirements of this section, the planning director is authorized to execute such agreements and accept security therefore on behalf of the county, including any extensions or minor modification thereto which are consistent with this section.

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- (7) The planning director may waive the requirement for an improvement agreement and securities on landscape and irrigation improvements when found appropriate and the applicant enters into an agreement with the county to hold occupancy on the project pending completion of all required improvements. In considering such a waiver, the planning director shall review the scale of the project, visibility of the project from adjacent roads and properties, and demonstrated prior performance of the applicant.

(Ord. No. 5933, § II(j), 5-10-2011; Ord. No. 4643, 1993; Ord. No. 3707.)

**Sec. 26-82-050. Design review requirement.**

- (a) No permit shall be issued for any project requiring design review approval unless and until drawings and plans have been approved by the design review committee or other applicable decision making body as the case may be. All buildings, structures and grounds shall be developed in accordance with the approved drawings and plans.
- (b) The design review committee, composed of three (3) members appointed by the planning director, shall be responsible for and shall have the authority to approve drawings and plans within the meaning of this section. The committee, or other applicable decision-making body as the case may be, shall endeavor to provide that the architectural and general appearance of buildings or structures and grounds are in keeping with the character of the neighborhood and are not detrimental to the orderly and harmonious development of the county and do not impair the desirability of investment or occupation in the neighborhood.
- (c) The planning director may waive the above requirement for design review committee approval of a project in the following instances. In such cases, administrative design review approval shall be required as described in (d) below.
- (1) New commercial, institutional or industrial uses permitted by zoning in existing buildings or uses that have been previously authorized by use permit or design review approval. Approval shall be based on a review of the property to assure compliance with the terms and conditions of the original authorization of the use. Additional conditions may be required to implement the objectives of the Sonoma County general plan, applicable specific or area plans, any local area development guidelines and the Sonoma County Code;
- (2) Signs for residential, commercial, industrial and institutional uses permitted by this chapter, for which a sign program has been approved, or for appurtenant signs less than thirty-two (32) square feet, which are not located along a designated scenic corridor;
- (3) Minor facade changes or building additions for residential, institutional, commercial and industrial uses not requiring use permit approval or for such uses for which a use permit has been granted, if such changes or additions involve less than twenty percent (20%) of the existing floor area, do not exceed five thousand (5,000) square feet and are exempt from the provisions of the California Environmental Quality Act;
- (4) Fruit and produce stands (if exempt from CEQA);
- (5) Bed and breakfast inns (subsequent to use permit approval);
- (6) Any other project requiring design review approval as specified in this chapter which in the opinion of the planning director based on the small scale and the nature of the development should qualify for administrative design review.
- (d) Administrative design review approval shall consist of a formal written waiver specifying conditions, if any. Copies of the written waiver will be distributed to the applicant and any interested persons. The administrative determination is appealable to the design review committee within ten (10) calendar days

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following the mailing date of the report. An appeal is made by filing the appropriate application and required fees with the county planning department.

- (e) Any interested person may appeal any decision made by the design review committee pursuant to this chapter to the planning commission. An appeal shall be filed in writing with the planning director within ten (10) days after the decision that is the subject of the appeal. The appeal shall specifically state the basis for the appeal and shall be accompanied by the required filing fee.
- (f) The design review committee may, if it deems it advisable, refer any application for design review approval to the planning commission for its decision.

(Ord. No. 5537 § 2 (b), (c), 2004; Ord. No. 4643, 1993.)

**From:** [Kent Lawson](#)  
**To:** [DesignReview](#)  
**Cc:** [Blake Hillegas](#); [Derik Michaelson](#); [Cecily Condon](#); [Christa Shaw](#); [Kasia](#)  
**Subject:** Re: Letter for design review committee  
**Date:** Tuesday, August 2, 2022 11:00:39 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[Screen Shot 2022-08-02 at 10.36.14 AM.png](#)

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Hi Liz,

Is it possible to circulate the attached screenshot from Google maps of the existing WCTA facility on the eastern two with industrial zoning?

There is a 110 bus total limit for both the eastern parcels and the western parcels combined. The screen shot shows existing spaces for 51 large buses and 19 small buses on the eastern lots.

The staff report gives the misimpression that there are only 30 existing bus spaces on the eastern lots instead of 70.

It is very important because the 110 bus limit would allow only 40 more buses on the western lot ( $51+19+40=110$ ).

Thanks,

Kent



