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COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

DATE: April 28, 2009 at 2:10 p.m.

TO: Board of Supervisors

FROM: Melinda Grosch, Project Planner

SUBJECT: PLP08-0024, Richard Burton for Graton Fire Protection District

Action of the Board of Zoning Adjustments:

At its regularly scheduled meeting on January 22, 2009, the Board of Zoning Adjustments (BZA), with a 4-0-1 vote, approved the request by Richard Burton, for Graton Fire Protection District, for a new 14,500 square foot fire station to include a meeting room, a training area, public and administration area, living space for the on-duty firefighters, and garage space for up to 10 vehicles. The fire station will be located in a 9+/- acre Christmas Tree farm at 3750 Highway 116 North, Sebastopol; APN 130-110-027; Zoning AR (Agriculture and Residential), B6-10 acre density, SR (Scenic Resource); Supervisorial District No. 5

On February 2, 2009, an appeal of the decision was filed with the Board of Supervisors by Brian Sebalo.

ISSUES DISCUSSED AT THE PUBLIC HEARING

Issue #1: Sirens

Discussion

During the hearing many neighbors testified about the negative impact of the World War II era air raid siren which is used to call volunteer firefighters to the station when there is an emergency. The siren is currently located on the station building in downtown Graton and is sounded at noon every day and whenever there is an emergency to call firefighters to the station. This is a loud siren which can be heard for long distances. The noise consultant noted that it will exceed the standards established in the Sonoma County General Plan, although this would only be for a short (less than one minute) time. The neighbors of the proposed location request that the Fire Department not be allowed to move the siren to the new location.

There was an equal amount of testimony from people who like the siren and find that it gives them a sense of comfort knowing that help is on the way. Many of these people also thought that the siren was a part of the history and character of Graton and should be allowed to move to the new site.

Resolution

The BZA did not feel that they should second guess the judgement of the Fire Department about the type of equipment that is required to provide emergency services. The BZA voted to approve the new fire station with the siren. They requested that the use of the siren be phased out as soon as possible since technology is rapidly closing up any holes in service that might still exist in the cell phone/pager system.

Issue Raised with Appeal:

This issue was again raised with the appeal. The neighbors of the project oppose the use of the siren and feel that there are adequate technologies available to replace the siren.

Issue #2: Hicks Road Access

Discussion

During the hearing the neighbors along Hicks Road raised concerns that firefighters would access the fire station from Hicks Road. There are no plans to provide access to the fire station from Hicks Road. The fire station will be accessed from Highway 116 North and would only use the Hicks Road access in the event that Highway 116 North was not accessible (i.e., major accident blocking passage, earthquake damage blocking passage, etc.). The County Department of Transportation and Public Works has established a condition that would require a locked gate across the farm road that enters onto Hicks Road. The Christmas Tree farm operation will be allowed to use the Hicks Road access as it has in the past. It is used for farm equipment and as an exit only during November and December when it is open for Christmas Tree sales.

Resolution

The BZA did not add any additional conditions related to the Hicks Road access.

Issue Raised with Appeal:

This issue was again raised with the appeal. Several of the neighbors immediately adjacent to the project continue to worry that the firemen will cut through Hicks Road on their way to the fire station. They are particularly concerned that the farm access onto Hicks Road will be used by people coming to the fire station or by emergency vehicles.

Issue #3: Maintenance of Christmas Trees

Discussion

Many of the letters received in response to the hearing notice stated the belief that the Christmas Tree farm was going to be left to "go wild." They felt that this creates a hazard as the trees are too close and will become diseased and fall onto adjoining properties.

Resolution

The Christmas Tree farm is being maintained as an actively managed, productive tree farm and trees will be sold from the site each year. The Fire Department has hired a manager to bring the Christmas Trees back into full production. A lot of deferred maintenance has been done and thinning and shaping, irrigation, re-planting, etc. will continue in accordance with standard tree cultivation practices.

List of Attachments:

- Draft Board of Supervisors Resolution
- EXHIBIT A: Draft Conditions of Approval
- EXHIBIT B: Appeal Form
- EXHIBIT C: Board of Zoning Adjustments Resolution No. 09-001
- EXHIBIT D: Board of Zoning Adjustments Minutes dated January 22, 2009
- EXHIBIT E: Board of Zoning Adjustments Staff Report dated January 22, 2009
- EXHIBIT F: Press Democrat Article on the Board of Zoning Adjustments Hearing With Posted Comments
- EXHIBIT G: Comment Letters Received After the Board of Zoning Adjustments Hearing

Separate Attachment for Board of Supervisors: Mitigated Negative Declaration

Resolution Number

County of Sonoma
Santa Rosa, California

April 28, 2009
PLP08-0024 Melinda Grosch

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, DENYING THE APPEAL, THEREBY ADOPTING A MITIGATED NEGATIVE DECLARATION AND GRANTING A USE PERMIT TO RICHARD BURTON, ON BEHALF OF THE GRATON FIRE PROTECTION DISTRICT, FOR PROPERTY LOCATED AT 3750 HIGHWAY 116 NORTH, SEBASTOPOL; APN 130-110-027.

WHEREAS, the applicant, Richard Burton, on behalf of the Graton Fire Protection District, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for a new 14,500 square foot fire station to include meeting rooms, a training area, public and administration area, living space for the on-duty firefighters, and garage space for up to 10 vehicles for property located at 3750 Highway 116 North, Sebastopol; APN 130-110-027; Zoned AR (Agriculture and Residential), B6-10 acre density, SR (Scenic Resource); 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, at its regularly scheduled meeting on January 22, 2009, the Board of Zoning Adjustments, with a 4-0-1 vote, approved the request; and

WHEREAS, on February 2, 2009, Brian Sebalo filed an appeal of the decision was filed with the Board of Supervisors; and

WHEREAS, in accordance with the provisions of law, the Board of Supervisors held a public hearing on April 28, 2009, at which time all interested persons were given an opportunity to be heard.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following findings:

1. The proposed project is consistent with the AR (Agriculture and Residential), 10 acres per dwelling unit land use category and the goals and objectives of the Sonoma County General Plan.
2. The proposed fire station is consistent with the General Plan designation which allows public facilities.
3. The fire station is consistent with the Rural Residential Zoning District which allows fire stations subject to Use Permit approval.
4. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project.
5. This project does not involve the potential for a cumulative adverse impact on wildlife resources.

6. The establishment, maintenance, or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental, as conditioned, 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 Christmas tree farm or other agricultural use will be maintained on the parcel, thus no General Plan Amendment or Zone Change is required.
 - b. The project will improve the emergency response times for the Graton Fire Department and allow them to expand as demand for services grows.
 - c. Fire engines will now access directly onto Highway 116 North, thus reducing impacts to the downtown Graton area.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring Program set forth in the Conditions of Approval. The Board of Supervisors 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 Negative Declaration reflects the independent judgment of the Board of Supervisors.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby denies the appeal, thereby granting the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

SUPERVISORS VOTE:

Brown: Kerns: Zane: Carrillo: Kelley:

Ayes: Noes: Absent: Abstain:

SO ORDERED.

hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. The Project Review Health Specialist shall receive a final clearance from the PRMD Well and Septic Section that all required septic system testing and design elements have been met.

6. Toilet facilities shall be provided for patrons and employees. A copy of the floor plan showing the location of the restrooms shall be submitted to Project Review Health prior to issuance of building permits.

Consumer Protection:

7. Prior to the issuance of building permits and the start of any construction, the applicant shall apply for a food facility permit. 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. Contact the Environmental Health Division at 565-6544 for information. The PRMD Project Review Health Specialist shall receive a letter or e-mail of approval from the Environmental Health Division to verify compliance with requirements of the California Retail Food Code (CalCode).

PRIOR TO OCCUPANCY:

Water:

8. Prior to occupancy, a water well serving this project shall be fitted with a groundwater level measuring tube and port, or electronic groundwater level measuring device. A water meter (or meters) to measure all groundwater extracted for the permitted use shall be installed on the water system. A site plan showing the location of the well with the groundwater level measuring device and the location of the water meter(s) shall be submitted to the Project Review Health Specialist at PRMD.

OPERATIONAL REQUIREMENTS:

Water:

9. A safe, potable water supply shall be provided and maintained.
10. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored quarterly and reported to PRMD in January of the following year pursuant to section RC-3b of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance. If the County determines that groundwater levels are declining in the basin, then the applicant shall submit and implement a water conservation plan, subject to review and approval by PRMD.
11. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Project Review at least once every five years.
12. If groundwater use exceeds 5 acre-feet per year, the operator/owner shall apply for a modification of the Use Permit to reflect the expanded use.

Septic:

13. Maintain the Annual Operating Permit for any package treatment plant, 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.
14. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.

15. 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.

Hazardous Materials Program:

16. Comply with applicable hazardous waste generator, underground storage tank, above ground storage tank and 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:

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

Noise:

18. Noise 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 Metric¹, 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
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 1 minute in any hour.		

Limit exceptions to the following:

- a. If the ambient noise level exceeds the standard in Table NE-2, adjust the standard to equal the ambient level, up to a maximum of 5 dBA above the standard, provided that no measurable increase (i.e. +/- 1.5 dBA) shall be allowed.
- b. Reduce the applicable standards in Table NE-2 by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises, such as pile drivers and dog barking at kennels.
- c. Reduce the applicable standards in Table NE-2 by 5 decibels if the proposed use exceeds the ambient level by 10 or more decibels.
- d. For short term noise sources which are permitted to operate no more than six days per year, such as concerts or race events, the allowable noise exposures shown in Table NE-2 may be increased by 5 dB. These events shall be subject to a noise management plan including provisions for maximum noise level limits, noise monitoring, complaint response and allowable hours of operation. The plan shall address potential cumulative noise impacts from all events in the area.
- e. Noise levels may be measured at the location of the outdoor activity area of the noise sensitive land use, instead of the exterior property line of the adjacent noise sensitive land use where:

- 1) The property on which the noise sensitive use is located has already been substantially developed pursuant to its existing zoning, and
- 2) There is available open land on those noise sensitive lands for noise attenuation.

This exception may not be used on vacant properties which are zoned to allow noise sensitive uses.

19. 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:

20. 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 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.

TRANSPORTATION AND PUBLIC WORKS:

"The conditions below have been satisfied" BY _____ DATE _____

21. 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.
22. A locked gate shall be placed across the "escape" driveway entrance onto Hicks Road. If the applicant intends to use the Hicks Road access for any other purpose, or without a gate, the entrance shall be reconstructed to meet the following criteria:
 - a. A minimum throat width of 12 feet,
 - b. Entrance curves having a minimum pavement radius of 25 feet,
 - c. The entry shall be surfaced with asphalt concrete between the edge of the existing pavement and the right-of-way line or a minimum distance of 25 feet, whichever is greater,
 - d. The driveway shall enter Hicks Road as close to perpendicular as possible, but in no case shall the private road enter the public road at more than 20 degrees from perpendicular,
 - e. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with AASHTO requirements for the speed traveled on Hicks Road,
 - f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 814, latest revision, for private road and driveway intersection details.

- g. The driveway improvements shall be constructed prior to occupancy.
- 23. The developer shall obtain an encroachment permit from PRMD prior to constructing any improvements within County road right-of-way.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

- 24. This Use Permit allows the applicant to construct a new 14,500 square foot fire station. The station includes four dorm rooms for people who are on duty, offices for administration, a small exercise area, and a meeting room. The meeting room will be used by community groups accommodating up to 49 people at a time. Fire fighting services are provided by 25 part-time volunteers. There are currently no full-time employees. The fire station will include garage space for 10 fire trucks and accessory vehicles. The permitted hours of operation are 24 hours per day seven days a week.

One special event per year is allowed for a pancake breakfast fund raiser for up to 900 people on one day. The pancake breakfast hours are from 7:00 a.m. to noon.

The Christmas tree farm shall continue to be operated on the site. It will be open for tree sales Thursdays through Sundays from Thanksgiving to Christmas each year.

The use shall be operated in accordance with the proposal statement and site plan located in File No. PLP08-0024 as modified by these conditions.

- 25. This Use Permit (PLP08-0024) shall supercede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
- 26. 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.
- 27. The applicant shall pay all applicable development fees prior to issuance of building permits.
- 28. 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.
- 29. Prior to building permit issuance or prior to exercising this approval, whichever comes first, the property owner(s) shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
- 30. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50 (or latest fee in effect at time of payment) for County Clerk processing, and \$1,993.00 (or latest fee in effect at the 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.
- 31. 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.

32. Siren noise from trucks shall be minimized as much as possible. The fixed siren located on the building shall be permitted. The Fire District will continue to work with the community to resolve issues with noise related to sirens. As soon as technology is available the use of the siren will be eliminated. The Fire District shall focus on eliminating nighttime use of the siren first.
33. Hicks Road is not to be used as a primary access to the fire station. Use of the Hicks Road entrance is restricted to access for farm equipment to the Christmas tree farm and emergency entrance or exit from the fire station in the event that the Highway 116 North entrance is inaccessible or the occurrence of an emergency along Hicks Road.

The Christmas tree farm may use the Hicks Road access during tree sales season as an exit only as has been done in the past.

34. Either the Christmas tree farm or some other agricultural use shall be maintained on the balance of the property.
35. The applicant shall maintain a minimum of 31 parking spaces on-site to serve the community meetings, training, administration, and uses related to the fire station. Parking lot surfaces, lighting and exterior landscaping shall be maintained in good condition in compliance with the approved plans and conditions herein. Overflow parking for the annual pancake breakfast must be accommodated on-site by utilizing the spaces between Christmas tree rows. No on-street parking on either Highway 116 or Hicks Road is allowed.
36. The project will be submitted to the Sonoma County Design Review Committee for review of final design, landscaping, lighting, signage, and colors and materials. This will ensure that the project continues to be compatible with the various design guidelines and surrounding development.

Mitigation Monitoring: The project planner shall ensure that the project is reviewed by the Sonoma County Design Review Committee and shall ensure that the structure is built in compliance with all conditions, landscaping is installed, lighting is as approved, etc.

37. The applicant shall include these Conditions of Approval on a separate sheet(s) of blueprint plan sets to be submitted for building and grading permit applications.
38. The following note shall be included on building or grading plans for ground disturbing activities:

"In the event that archaeological features 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 features include hearths, firepits, or house floor depressions whereas typical mortuary features 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 and grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement to cease construction if archaeological materials are found during ground disturbing activities.

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

All construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.). Construction plans shall be subject to review and approval of PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

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

40. The following dust control measures will be included in the project:

- a. Water or other dust palliative will be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust.
- b. Trucks hauling soil, sand, and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
- c. Paved roads will be swept as needed to remove any visible soil that has been carried onto them from the project site.

Mitigation Monitoring: Building and grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order.

41. The applicant shall submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as an integral part of the grading plan. The Erosion and Sediment Control Plan shall be subject to review and approval of PRMD prior to the issuance of a grading permit. The plan shall include temporary erosion control measures to be used during construction of cut and fill slopes, excavation for foundations, and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment

Control Plan shall include the following measures as applicable:

- a. Throughout the construction process, groundwater disturbance shall be minimized and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
- b. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms, and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
- c. Material and equipment for implementation of erosion control measures shall be on-site by October 1st. All grading activity shall be completed by October 15th, prior to the onset of the rainy season, with all disturbed areas stabilized and revegetated by October 31st. Upon approval of PRMD, extensions for short-term grading may be allowed. PRMD in conjunction with any specially permitted rainy season grading may require special erosion control measures.

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

42. During construction, hazardous materials shall be stored away from drainage or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.

A concrete washout area, such as a temporary pit, shall be designated to clean concrete trucks and tools. At no time shall concrete waste be allowed to enter waterways, including creeks and storm drains.

Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.

Portable toilets shall be located and maintained to prevent the discharge of pollutants to the environment.

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. The applicant shall be responsible for notifying construction contractors about the requirement for responsible storage and spill cleanup of hazardous materials.

43. Low-flow showerheads and faucet aerators shall be installed in the firefighter's dorms (Low water use toilets are currently required by State Law).
44. 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.

Mitigation Monitoring: 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.

45. The project shall comply with all provisions of the County Low Water Use Landscaping Ordinance.
46. Construction of new or expanded non-residential development on each lot shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.
47. All new structures, lighting and signs shall require final design review by (PRMD or Design Review Committee) prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.
48. The applicant/owner shall be required to maintain in good condition all street frontage improvements along the property to the face of curb, including any landscape areas, sidewalks, or surface drainage contained within the public right-of-way. Landscape plans shall be subject to Design Review approval prior to issuance of grading or building permits. Landscaping shall consist of a mixture of trees, shrubs and groundcover in accordance with an approved landscape plan. All landscaping shall be automatically irrigated with primary irrigation lines and equipment located on private property. An Encroachment Permit and/or a Maintenance Agreement with the County shall be required prior to issuance of grading or building permits.
49. 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. All lighting along the Hicks Road side of the building shall shut off automatically after closing and security lighting shall be motion-sensor activated. It is anticipated that the engine bay doors on the Highway 116 side and the sign on Highway 116 will be illuminated at night. Otherwise lighting shall be minimized on this side as well.

Lighting will be one of the aspects reviewed during the final review by the Design Review Committee. They will ensure that the lighting is appropriate and meets all County standards for reducing scatter, glare, trespass, and shine into the night sky.

Mitigation Monitoring: PRMD shall not issue the building permit until an Exterior Night Lighting Plan has been submitted that is consistent with the approved plans and County standards. PRMD shall not sign off final occupancy on the building permit until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, PRMD shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke the permit.

50. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures.
51. All exterior fixtures shall be limited to lamps (light bulbs) not exceeding 100 watts.
52. 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.
53. 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.

54. 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 has not been used within two (2) year 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 two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.

Resolution Number 09-001

County of Sonoma
Santa Rosa, California

January 22, 2009
PLP08-0024 Melinda Grosch

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,
COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A
MITIGATED NEGATIVE DECLARATION AND GRANTING A USE
PERMIT TO RICHARD BURTON, ON BEHALF OF THE GRATON
FIRE PROTECTION DISTRICT, FOR PROPERTY LOCATED AT
3750 HIGHWAY 116 NORTH, SEBASTOPOL; APN 130-110-027.

WHEREAS, the applicant, Richard Burton, on behalf of the Graton Fire Protection District, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for a new 14, 500 square foot fire station to include meeting rooms, a training area, public and administration area, living space for the on-duty firefighters, and garage space for up to 10 vehicles for property located at 3750 Highway 116 North, Sebastopol; APN 130-110-027; Zoned AR (Agriculture and Residential), B6-10 acre density, SR (Scenic Resource); 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 January 22, 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:

1. The proposed project is consistent with the AR (Agriculture and Residential), 10 acres per dwelling unit land use category and the goals and objectives of the Sonoma County General Plan.
2. The proposed fire station is consistent with the General Plan designation which allows public facilities.
3. The fire station is consistent with the Rural Residential Zoning District which allows fire stations subject to Use Permit approval.
4. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project.
5. This project does not involve the potential for a cumulative adverse impact on wildlife resources.
6. The establishment, maintenance, or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental, as conditioned, 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 Christmas tree farm or other agricultural use will be maintained on the parcel, thus no General Plan Amendment or Zone Change is required.
- b. The project will improve the emergency response times for the Graton Fire Department and allow them to expand as demand for services grows.
- c. Fire engines will now access directly onto Highway 116 North, thus reducing impacts to the downtown Graton area.

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 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, subject to the Conditions of Approval in Exhibit "A", attached hereto.

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 11th day after the date of the Resolution unless an appeal is taken.

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

Commissioner Fogg	Aye
Commissioner Bennett	Aye
Commissioner Wright	Absent
Commissioner Murphy	Aye
Commissioner Furch	Aye

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

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

SO ORDERED.

Specialist shall receive a final clearance from the PRMD Well and Septic Section that all required septic system testing and design elements have been met.

6. Toilet facilities shall be provided for patrons and employees. A copy of the floor plan showing the location of the restrooms shall be submitted to Project Review Health prior to issuance of building permits.

Consumer Protection:

7. Prior to the issuance of building permits and the start of any construction, the applicant shall apply for a food facility permit. 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. Contact the Environmental Health Division at 565-6544 for information. The PRMD Project Review Health Specialist shall receive a letter or e-mail of approval from the Environmental Health Division to verify compliance with requirements of the California Retail Food Code (CalCode).

PRIOR TO OCCUPANCY:

Water:

8. Prior to occupancy, a water well serving this project shall be fitted with a groundwater level measuring tube and port, or electronic groundwater level measuring device. A water meter (or meters) to measure all groundwater extracted for the permitted use shall be installed on the water system. A site plan showing the location of the well with the groundwater level measuring device and the location of the water meter(s) shall be submitted to the Project Review Health Specialist at PRMD.

OPERATIONAL REQUIREMENTS:

Water:

9. A safe, potable water supply shall be provided and maintained.
10. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored quarterly and reported to PRMD in January of the following year pursuant to section RC-3b of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance. If the County determines that groundwater levels are declining in the basin, then the applicant shall submit and implement a water conservation plan, subject to review and approval by PRMD.
11. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Project Review at least once every five years.
12. If groundwater use exceeds 5 acre-feet per year, the operator/owner shall apply for a modification of the Use Permit to reflect the expanded use.

Septic:

13. Maintain the Annual Operating Permit for any package treatment plant, 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.
14. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
15. 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.

Hazardous Materials Program:

16. Comply with applicable hazardous waste generator, underground storage tank, above ground storage tank and 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:

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

Noise:

18. Noise 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 Metric¹, 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

¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 1 minute in any hour.

Limit exceptions to the following:

- a. If the ambient noise level exceeds the standard in Table NE-2, adjust the standard to equal the ambient level, up to a maximum of 5 dBA above the standard, provided that no measurable increase (i.e. +/- 1.5 dBA) shall be allowed.
- b. Reduce the applicable standards in Table NE-2 by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises, such as pile drivers and dog barking at kennels.
- c. Reduce the applicable standards in Table NE-2 by 5 decibels if the proposed use exceeds the ambient level by 10 or more decibels.
- d. For short term noise sources which are permitted to operate no more than six days per year, such as concerts or race events, the allowable noise exposures shown in Table NE-2 may be increased by 5 dB. These events shall be subject to a noise management plan including provisions for maximum noise level limits, noise monitoring, complaint response and allowable hours of operation. The plan shall address potential cumulative noise impacts from all events in the area.
- e. Noise levels may be measured at the location of the outdoor activity area of the noise sensitive land use, instead of the exterior property line of the adjacent noise sensitive land use where:
 - 1) The property on which the noise sensitive use is located has already been

- 1) The property on which the noise sensitive use is located has already been

substantially developed pursuant to its existing zoning, and

- 2) There is available open land on those noise sensitive lands for noise attenuation.

This exception may not be used on vacant properties which are zoned to allow noise sensitive uses.

19. 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:

20. 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 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.

TRANSPORTATION AND PUBLIC WORKS:

"The conditions below have been satisfied" BY _____ DATE _____

21. 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.
22. A locked gate shall be placed across the "escape" driveway entrance onto Hicks Road. If the applicant intends to use the Hicks Road access for any other purpose, or without a gate, the entrance shall be reconstructed to meet the following criteria:
- a. A minimum throat width of 12 feet,
 - b. Entrance curves having a minimum pavement radius of 25 feet,
 - c. The entry shall be surfaced with asphalt concrete between the edge of the existing pavement and the right-of-way line or a minimum distance of 25 feet, whichever is greater,
 - d. The driveway shall enter Hicks Road as close to perpendicular as possible, but in no case shall the private road enter the public road at more than 20 degrees from perpendicular,
 - e. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with AASHTO requirements for the speed traveled on Hicks Road,
 - f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 814, latest revision, for private road and driveway intersection details.
 - g. The driveway improvements shall be constructed prior to occupancy.

23. The developer shall obtain an encroachment permit from PRMD prior to constructing any improvements within County road right-of-way.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

24. This Use Permit allows the applicant to construct a new 14,500 square foot fire station. The station includes four dorm rooms for people who are on duty, offices for administration, a small exercise area, and a meeting room. The meeting room will be used by community groups accommodating up to 49 people at a time. Fire fighting services are provided by 25 part-time volunteers. There are currently no full-time employees. The fire station will include garage space for 10 fire trucks and accessory vehicles. The permitted hours of operation are 24 hours per day seven days a week.

One special event per year is allowed for a pancake breakfast fund raiser for up to 900 people on one day. The pancake breakfast hours are from 7:00 a.m. to noon.

The Christmas tree farm shall continue to be operated on the site. It will be open for tree sales Thursdays through Sundays from Thanksgiving to Christmas each year.

The use shall be operated in accordance with the proposal statement and site plan located in File No. PLP08-0024 as modified by these conditions.

25. This Use Permit (PLP08-0024) shall supercede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
26. 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.
27. The applicant shall pay all applicable development fees prior to issuance of building permits.
28. 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.
29. Prior to building permit issuance or prior to exercising this approval, whichever comes first, the property owner(s) shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
30. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50 (or latest fee in effect at time of payment) for County Clerk processing, and \$1,993.00 (or latest fee in effect at the 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.
31. 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.

32. Siren noise from trucks shall be minimized as much as possible. The fixed siren located on the building shall be permitted. The Fire District will continue to work with the community to resolve issues with noise related to sirens. As soon as technology is available the use of the siren will be eliminated. The Fire District shall focus on eliminating nighttime use of the siren first.
33. Hicks Road is not to be used as a primary access to the fire station. Use of the Hicks Road entrance is restricted to access for farm equipment to the Christmas tree farm and emergency entrance or exit from the fire station in the event that the Highway 116 North entrance is inaccessible or the occurrence of an emergency along Hicks Road.

The Christmas tree farm may use the Hicks Road access during tree sales season as an exit only as has been done in the past.

34. Either the Christmas tree farm or some other agricultural use shall be maintained on the balance of the property.
35. The applicant shall maintain a minimum of 31 parking spaces on-site to serve the community meetings, training, administration, and uses related to the fire station. Parking lot surfaces, lighting and exterior landscaping shall be maintained in good condition in compliance with the approved plans and conditions herein. Overflow parking for the annual pancake breakfast must be accommodated on-site by utilizing the spaces between Christmas tree rows. No on-street parking on either Highway 116 or Hicks Road is allowed.
36. The project will be submitted to the Sonoma County Design Review Committee for review of final design, landscaping, lighting, signage, and colors and materials. This will ensure that the project continues to be compatible with the various design guidelines and surrounding development.

Mitigation Monitoring: The project planner shall ensure that the project is reviewed by the Sonoma County Design Review Committee and shall ensure that the structure is built in compliance with all conditions, landscaping is installed, lighting is as approved, etc.

37. The applicant shall include these Conditions of Approval on a separate sheet(s) of blueprint plan sets to be submitted for building and grading permit applications.
38. The following note shall be included on building or grading plans for ground disturbing activities:

"In the event that archaeological features 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 features include hearths, firepits, or house floor depressions whereas typical mortuary features 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 and grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement to cease construction if archaeological materials are found during ground disturbing activities.

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

All construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.). Construction plans shall be subject to review and approval of PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

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

40. The following dust control measures will be included in the project:

- a. Water or other dust palliative will be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust.
- b. Trucks hauling soil, sand, and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
- c. Paved roads will be swept as needed to remove any visible soil that has been carried onto them from the project site.

Mitigation Monitoring: Building and grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order.

41. The applicant shall submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as an integral part of the grading plan. The Erosion and Sediment Control Plan shall be subject to review and approval of PRMD prior to the issuance of a grading permit. The plan shall include temporary erosion control measures to be used during construction of cut and fill slopes, excavation for foundations, and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment

Control Plan shall include the following measures as applicable:

- a. Throughout the construction process, groundwater disturbance shall be minimized and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
- b. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms, and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
- c. Material and equipment for implementation of erosion control measures shall be on-site by October 1st. All grading activity shall be completed by October 15th, prior to the onset of the rainy season, with all disturbed areas stabilized and revegetated by October 31st. Upon approval of PRMD, extensions for short-term grading may be allowed. PRMD in conjunction with any specially permitted rainy season grading may require special erosion control measures.

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

42. During construction, hazardous materials shall be stored away from drainage or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.

A concrete washout area, such as a temporary pit, shall be designated to clean concrete trucks and tools. At no time shall concrete waste be allowed to enter waterways, including creeks and storm drains.

Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.

Portable toilets shall be located and maintained to prevent the discharge of pollutants to the environment.

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. The applicant shall be responsible for notifying construction contractors about the requirement for responsible storage and spill cleanup of hazardous materials.

43. Low-flow showerheads and faucet aerators shall be installed in the firefighter's dorms (Low water use toilets are currently required by State Law).
44. 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.

Mitigation Monitoring: 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.

45. The project shall comply with all provisions of the County Low Water Use Landscaping Ordinance.
46. Construction of new or expanded non-residential development on each lot shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.
47. All new structures, lighting and signs shall require final design review by (PRMD or Design Review Committee) prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.
48. The applicant/owner shall be required to maintain in good condition all street frontage improvements along the property to the face of curb, including any landscape areas, sidewalks, or surface drainage contained within the public right-of-way. Landscape plans shall be subject to Design Review approval prior to issuance of grading or building permits. Landscaping shall consist of a mixture of trees, shrubs and groundcover in accordance with an approved landscape plan. All landscaping shall be automatically irrigated with primary irrigation lines and equipment located on private property. An Encroachment Permit and/or a Maintenance Agreement with the County shall be required prior to issuance of grading or building permits.
49. 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. All lighting along the Hicks Road side of the building shall shut off automatically after closing and security lighting shall be motion-sensor activated. It is anticipated that the engine bay doors on the Highway 116 side and the sign on Highway 116 will be illuminated at night. Otherwise lighting shall be minimized on this side as well.

Lighting will be one of the aspects reviewed during the final review by the Design Review Committee. They will ensure that the lighting is appropriate and meets all County standards for reducing scatter, glare, trespass, and shine into the night sky.

Mitigation Monitoring: PRMD shall not issue the building permit until an Exterior Night Lighting Plan has been submitted that is consistent with the approved plans and County standards. PRMD shall not sign off final occupancy on the building permit until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, PRMD shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke the permit.

50. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures.
51. All exterior fixtures shall be limited to lamps (light bulbs) not exceeding 100 watts.
52. 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.
53. 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.

54. 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 has not been used within two (2) year 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 two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.



Sonoma County Board of Zoning Adjustments Draft Minutes

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

Date: **January 22, 2009**
Meeting No.: **09-001**

Commissioners

Dick Fogg
Don Bennett
Sharon Wright (absent)
Dennis Murphy
Rue Furch, Chair

Staff members

Jennifer Barrett
Melinda Grosch
David Hurst, Chief Deputy County Counsel

1:00 PM Call the meeting to order

Minutes approved - December 11, 2008

REGULAR CALENDAR

Item No. 1	Time: 1:05 p.m.	File: PLP08-0024
	Applicant: Richard Burton	Staff: Melinda Grosch
	Env. Doc.: Mitigated Negative Declaration	
	Proposal: Request for a new 14,500 square foot fire station for the Graton Fire Protection District. The facility will include meeting rooms, a training area, public and administration area, living space for the on-duty firefighters, and garage space for up to 10 vehicles.	
	Location: 3750 Highway 116 North, Sebastopol	
	APN: 130-110-027	Supervisorial District: 5
	Zoning: AR (Agriculture and Residential), B6-10 acre density, SR (Scenic Resource)	

Melinda Grosch summarized the staff report, which is incorporated herein by reference

Public Hearing opened: Speakers: Richard Burton, architect said he was satisfied with staff report and the conditions of approval, except for the siren issue.

Bill Bullard, Deputy Chief of Fire Department, said the Fire Department does not intend to use Hicks Road, except in the event of a major fire event or a situation where the main entrance became blocked. Tree maintenance on the property has continued to go well. The station needs to have the fire siren; it plays a major role with a volunteer fire department and pagers and cell phones are unreliable in the area. Bullard asked the Commission to weigh the nuisance of a 30 second siren against a life and death situation which requires medical assistance, and asked for approval of the project.

Barbara Jeppesen supports the project, has no problems with the siren, and stated that the fire station is good for the community.

Tony Sabalo, lives contiguous to the site and will be impacted by the siren, but wants to be a good neighbor and

supports the station.

Timothy Fauson, said that Verizon recently installed a tower for improved cell phone coverage in the area.

Hollynn D'Lil, Graton resident, has listened to the siren for years and associates it with help to the neighbors. Lil is grateful to the fire department and stated that the siren is needed in the area, since cell phone and radio devices are not dependable in the area.

Bob Maddox, Board member of the Graton Fire District, also supports the project, and thinks the siren is soothing and that the new location will be a good place for the siren.

Jan Cahill, Hicks Road, welcomes the fire department but added that the siren is really loud.

Amir Mashhour, owns the gas station at Hwy 116 and Graton Road. He has witnessed many accidents at the intersection over the years that have received prompt emergency response from the fire department. He supports the fire station and the siren is a reassurance to the community. There is a mobilehome park nearby with older residents that benefit regularly from medical support provided by the fire department.

Janelle Jacobs, Hicks Road resident near the station, said the siren is extremely loud and would like it to stay in the current location. Jacobs wanted to prohibit the use of Hicks Road to access the fire station.

John Roche, Mueller Road, said the siren should be moved to the new location. He agrees that there is inadequate cell phone coverage in the area.

Nancy Scott lives across the street from the site, supports the project, and thinks the siren is necessary in Graton at the present time.

Anthony Bopp, Graton, feels comforted by the siren and is grateful that the fire station is located in the community.

Bill Bullard, upon rebuttal, said that cell phones are not used by dispatch at the current time, but he would like to see increasing coverage in Graton. He asked for support for the project, and hopes that the siren will not be needed at some point when the fire department may be fully staffed.

Public Hearing closed.

Commission discussion: Commissioner Bennett, Commissioner Murphy, and Commissioner Fogg supported the project and the siren. **Commissioner Furch** had many questions about availability of groundwater, access to the tree farm, and if there were plans to maintain the tree farm. Per **Staff Grosch**, the site is in a Class 2 Groundwater Availability area. Access will be off Hwy 116 for all uses, but Hicks Road can be used for farm equipment access. The Fire District has hired a tree farm manager. A condition could be added to maintain an agricultural use.

Commissioner Furch asked how Condition 32 would be enforced. Per **Staff Grosch**, sirens must be sounded as trucks leave the site, and the conditions functions as a reminder to the District to minimize siren noise as much as possible. **Commissioner Furch** suggested removing the word "dwelling" from Condition 42 to clarify the intent. For clarification purposes to Condition 48, she asked that the words "after closing" be deleted, as it is a 24/7 operation.

Commissioner Furch made a motion to approve the project, subject to the following modifications in findings and conditions.

Changes in draft conditions:

- | | |
|--------------|--|
| Condition 32 | Add a statement that the Fire District will work with the community and continue to evaluate new technologies that could allow the siren to be phased out. |
| New finding | Add a new finding that states the agricultural use will be maintained on the property. |
| Condition 24 | State hours of pancake breakfast from 7:00 a.m. to noon. |
| Condition 42 | Delete "dwelling." |

Condition 48 Delete "after closing."

Action: Approved as recommended with modified conditions and revised findings.

Appeal Deadline: 10 days
Resolution No: 09-001

Vote 4 ayes, 0 noes, 1 absent, 0 abstain

Fogg: aye
Bennett: aye
Murphy: aye
Wright: absent
Furch: M/aye

There being no further business to come before the Planning Commission/Board of Zoning Adjustments at this time, all items having been handled and all persons having been given an opportunity to be heard on any matter before the Planning Commission/Board of Zoning Adjustments in public hearing or otherwise, the meeting was adjourned.

Supplemental information included as an attachment to this item can be viewed by linking to the following website:

<http://www.pressdemocrat.com/article/20090122/ARTICLES/901220219>

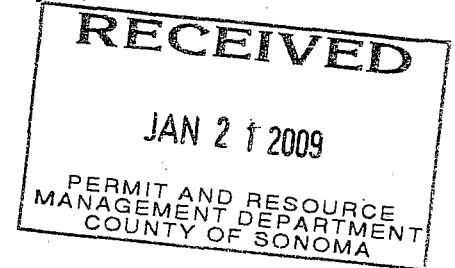
For further information, please call (707) 565-2241.

Received after hearing was complete

January 2, 2008

To: Sonoma County Board of Zoning Adjustments/
Permit and Resource Management

From: [REDACTED] (Graton Fire Protection District)



Re: Application PLP08--0024 for Graton Fire Department.

We have lived at our Hicks Rd. address for the past 35 years. We are grateful for the impressive service that has been provided by the Graton Fire Department over the years and are pleased to see there will be a modern fire department for our community in the near future.

There are several concerns we feel should be addressed regarding the placement of a new 14,500 sq. ft. facility across the street from our home on a parcel that is currently zoned for agriculture:

1. The Christmas Tree Farm. The property on which the fire department is to be placed has been a professionally managed Christmas Tree Farm for more that 20 years. Since the fire department entered into negotiations to purchase the property the quality of management has declined; there are now many trees that are oversized and not marketable. When we purchased our property 35 years ago there was an abandoned Christmas Tree Farm on the north side of our parcel. To this day the old trees are falling onto our property. It is our opinion that a professional agricultural plan be developed for the management of the property not used for public safety services. This must involve an effort that is sufficiently capitalized to maintain sound agricultural practices. One alternative idea that might be considered would be to utilize the services of a landscape architect to selectively remove and place trees to create an improved woods on the parcel. This would create a low maintenance situation and mitigate the embarrassing fire hazard that an abandoned tree farm might present.
2. Hicks Rd. The parcel on which the new fire department will be placed is between Hwy 116 to the east and Hicks Rd. on the west. Most of Hicks Rd. is only 15 ft. wide and in very poor condition. There is a narrow driveway onto Hicks Rd.

from the parcel for the new fire department. The entrance to the driveway lacks an apron or adequate culvert. Hicks Rd. is clearly substandard structurally for the routine use of trucks and heavy public safety vehicles. It is our opinion that this issue be mitigated before the project is approved. Hicks Rd. should be brought up to a standard appropriate to the use of a large fire department or access to the fire department parcel from Hicks Rd. be strictly limited as a service entrance.

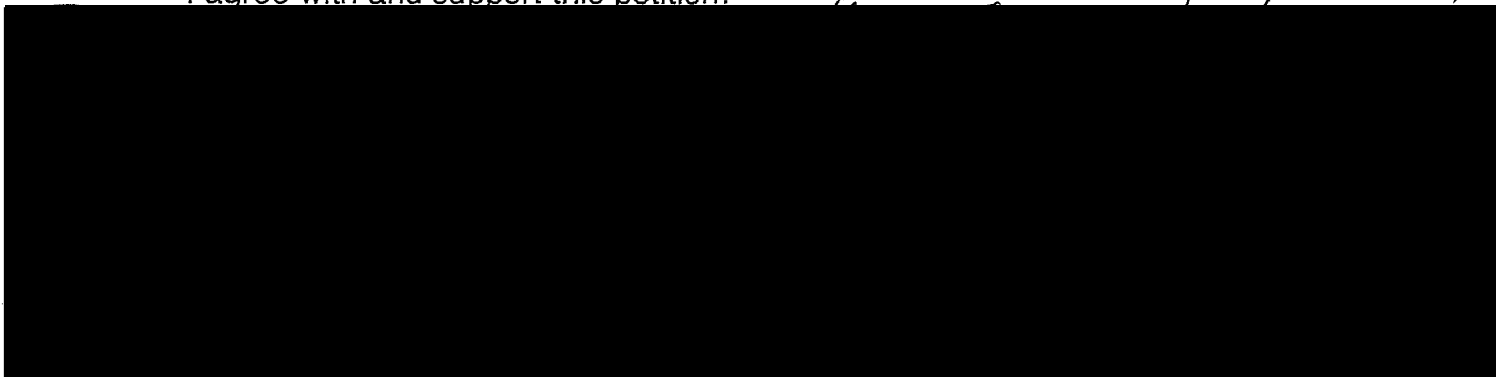
3. The siren. The Graton fire department has a WWII air raid siren that has blessed the air waves our community and others for many years. This siren is blown at noon each day and on the evening of fire drill. Its is also sounded in 4 lengthy blasts every time there is a fire or medical emergency. Sometimes, members of the community endure numerous ear splitting siren blasts throughout the day and night.

Since the advent of pagers, members of the community have requested that this activity be suspended or limited in the interest of domestic tranquility. Such is the practice of most modern fire departments. To date, the community has been rebuffed by the fire department with the notion that the siren advertises the level of service that is being provided and also lets people know they are coming. We greatly respect our fire department and those volunteers who serve us. But it is time to move into the 21st century and limit the use of sound producing devices to only what is necessary to let our emergency vehicles roll safely.

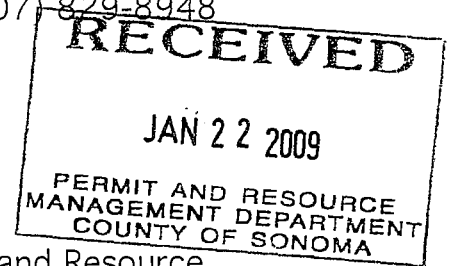
Respectfully submitted,



I agree with and support this petition:



[REDACTED]
P.O. Box 564 Graton, CA 95444 phone: (707) 829-8948



1-16-09

Sonoma County Board of Zoning Adjustments/Permit and Resource Management

Re: Graton Fire Department

I have been privileged to be a resident of Graton for twenty years. During that time, I have been extremely grateful for the vital and selfless service of the Graton volunteer fire department. All of us here live with greater peace of mind knowing that the fire department is continually available to protect our community.

A concern that I have had for many years has been the fire siren. Especially during the night, I find the siren disturbing. I am at an age where it is often difficult to fall back asleep once I am jolted awake by the siren. Recent research has shown that disrupted sleep is not good for our health, and inadequate sleep adversely affects job performance.

Beyond my personal concern, I am also concerned about the animals affected by the siren. In our human-centric world, we often neglect to notice how our actions affect our canine friends and other creatures. Dogs often howl for some time after the siren falls silent, which I suspect keeps families and babies awake, especially if they own a dog. Most importantly, the howling indicates to me that dogs feel tortured by the noise; it is intolerable to their sensitive hearing.

About fifteen years ago, I circulated a petition in the community to eliminate the siren during the night. My busy life prevented me from seeking the additional signatures I wanted before submitting them. As a result, my little project got waylaid and I never submitted these petitions. With some embarrassment due to their obvious untimeliness, I am now enclosing these petitions with 21 signatures. I do not know if these residents continue to reside in Graton, but I believe that the signatures

offer some indication of the strong preference of many residents to eliminate the siren. Although the petition references eliminating it during the nighttime hours, I would now argue for its immediate and total elimination due to its disruptive nature; it is disturbingly loud for those living close by. Also, the dogs displeasure is not limited to the nighttime hours, and people with night jobs sleep during the day. And very importantly, I believe that we now have the technology to make the siren blessedly obsolete.

The argument that the siren lets people know they are coming is not a compelling one in my view. Reassurance from a 911 operator would be adequate for me, and I personally would not want the community awakened due to my plight. If a fire or other major disaster were threatening the community, then I would welcome the use of an emergency signal to alert the community. Such a signal is be more likely to be taken seriously once people are no longer in the habit of trying their best to ignore it.

Again, I am most appreciative of the good service of our volunteers. I realize that they do not enjoy having their sleep disrupted. But perhaps they can take some comfort knowing that their service is deeply appreciated by the community, and even more so as they attend to the communities needs without the siren.

Respectfully submitted,

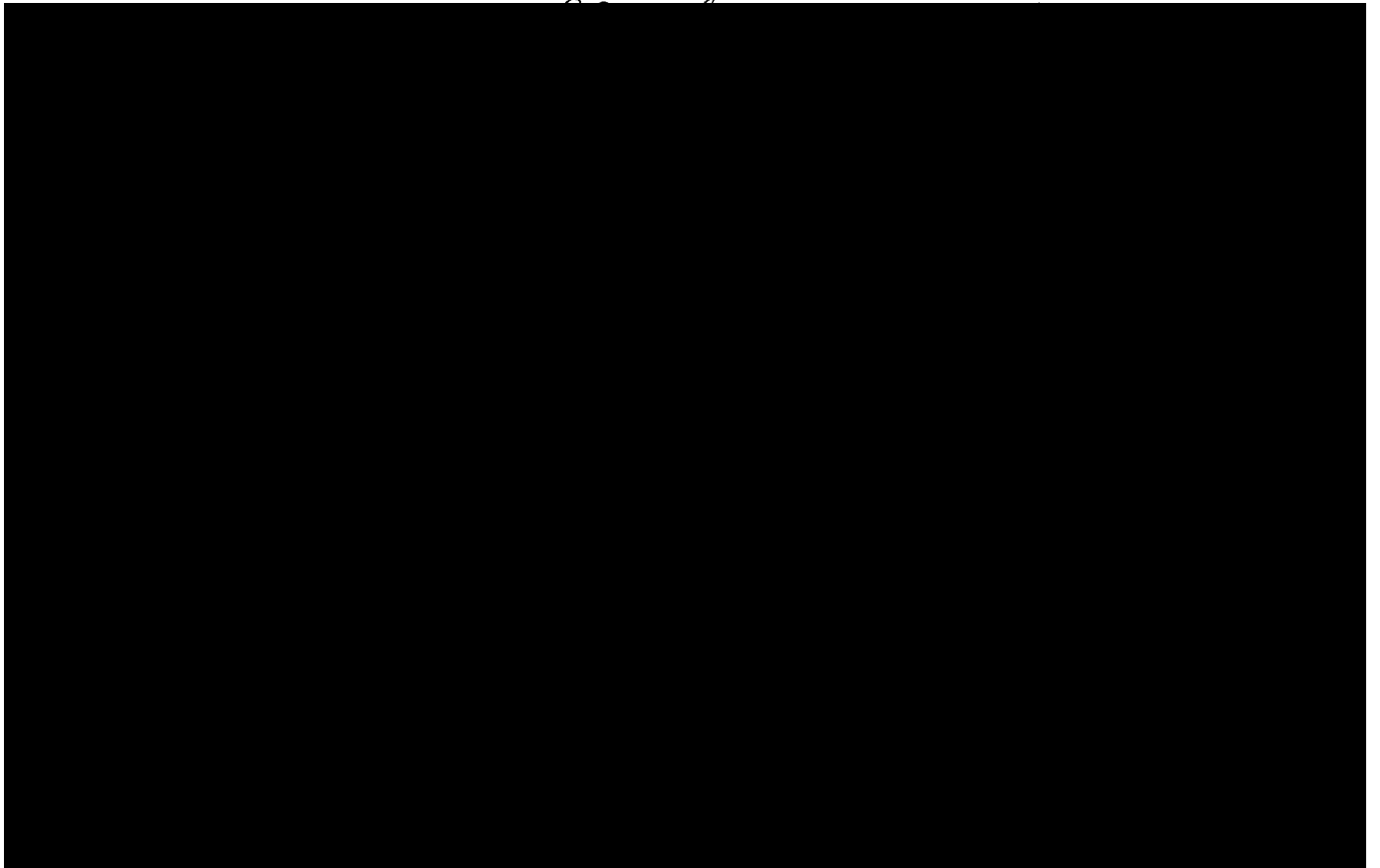
A black rectangular redaction box covering the signature area.

Petition

The undersigned deeply appreciate the service and dedication of our volunteer fire department. We would be even more grateful if the Board would adapt our petition to eliminate the fire siren during the nighttime hours of 10 pm to 7:30 am. Particularly for those living close to the fire station, the siren is experienced by many adults and children as disturbing, especially when it jolts us awake during the night. Again, we appreciate the sacrifice displayed by devoted volunteers who are prepared to sacrifice their sleep to serve the community. But we would be most appreciative if the Board voted to forego the siren.

NAME

ADDRESS



Background information is on file at:

County of Sonoma Board of Supervisors Office
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

It can be viewed and/or copies requested during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday. Call (707) 565-2241 for more information.

Supporting maps are on file at:

County of Sonoma Board of Supervisors Office
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

They can be viewed and/or copies requested during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday. Call (707) 565-2241 for more information.