

Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Drainage Review Section of PRMD prior to permit issuance.

7. The proposed project is subject to the Standard Urban Storm Water Mitigation Plan (SUSMP) guidelines. Measures to mitigate the project impacts to the quality of post-construction storm water discharges from the site shall be incorporated in the drainage and erosion prevention/sediment control design of the project.

HEALTH:

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

PRIOR TO BUILDING PERMIT:

Water:

8. Prior to building permit issuance, the applicant shall have the proposed water supply system evaluated for potential contamination or pollution via backflow by an American Water Works Association certified Cross Connection Control Specialist. The recommendations for cross connection control shall, at a minimum, meet the requirements of the 1998 California Plumbing Code and subsequent editions adopted by Sonoma County. A copy of the report must be submitted to the Project Review Health Specialist for review prior to installation of recommended backflow protection devices.
9. Prior to building permit issuance, the applicant shall provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of the well tested by a California State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County requirements and re-test the well. If the contamination cannot be cleared from the well, destruction under permit of this department may be required. Copies of all laboratory results must be submitted to the Project Review Health Specialist.
10. Prior to the issuance of building permits apply for a water supply permit from the State Health Department, Office of Drinking Water if more than 25 persons per day for 60 days within a year are served by the water system. (This process should begin as soon as possible, as the application, plan check and sampling may take some time.) Copies of the approval letter must be submitted to the Project Review Health Specialist, or the Office of Drinking Water may E-mail approval directly to PRMD.
11. Prior to the issuance of any building permit, an easement is required to be recorded for this project to provide Sonoma County personnel access any on-site water well and any monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 a.m. to 5:00 p.m. All easement language is subject to review and approval by PRMD Project Review and County Counsel prior to recordation.

Septic:

12. Prior to building permit issuance, the applicant shall have an analysis completed to be made by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system's ability to accommodate the peak flows from all sources. The system shall be designed to provide septic capacity for up to 250 guests at special events before resorting to portable toilets. Any necessary system expansion or modifications shall be done under permit and the current standards from the Well and Septic Section of PRMD and may require both soils analysis and percolation testing. The Project Review Health Specialist must receive a final clearance from the Well and Septic Division District Specialist that all required septic system testing and design elements have been met. If new or expanded wastewater ponds or package treatment systems are needed, then a modification to the Use Permit may be required.
13. 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.

Consumer Protection:

14. Prior to the issuance of building permits and the start of any construction, plans and specifications for any food facility serving food 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 of approval from the Environmental Health Division to verify compliance with requirements of the California Uniform Retail Food Facility Law (CURFFL).

Solid Waste:

15. All trash and decomposing materials shall be removed from the site regularly to prevent objectionable odors. Prior to building permit issuance, the applicant shall submit a design for trash enclosures and recycling areas for review and approval to the Division of Environmental Health. (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. The Project Review Health Specialist shall receive a copy of an approval letter from the Solid Waste Section of the Division of Environmental Health.
16. If pomace is to be disposed of, it shall be disposed of in a manner that does not create a discharge to surface water, or create nuisance odor conditions, or attract nuisance insects or animals, according to the following priority:
 - a. Pomace shall be composted and land applied, or land applied and disced into the soil on vineyards or agricultural land owned or controlled by the applicant.
 - b. Pomace shall be sold, traded or donated to willing soil amendment or composting companies that prepare organic material for use in land application.
 - c. Pomace shall be transported to the County's composting facility at the Central Disposal Site (or any future location) in a fashion that allows the pomace to be used by the County's composting program. Pomace shall not be disposed of into the County solid waste landfill by direct burial, except where all possibilities to dispose according to priorities a. through c. above have been exhausted. In all cases, care shall be taken to prevent contamination of pomace by petroleum products, heavy metals, pesticides or any other material that renders pomace unsuitable for composting with subsequent land application. Land application, placement of pomace into a composting facility or disposal shall occur within two weeks of the end of wine grape crush.

PRIOR TO OCCUPANCY:

Water:

17. Prior to occupancy, any new or existing water well serving this project shall be fitted with a water meter and a groundwater level measuring tube and port, or electronic groundwater level measuring device.

Noise:

18. The new stage area and sound system shall be constructed in accordance with the acoustic report by Illingworth and Rodkin dated October 27, 2006. Prior to conducting any large 3,000 person special event, the design and final construction of the sound system and temporary noise

barrier must be approved in writing by the consultant. If a 3,000 person special event is to be held in advance of construction of the new wine storage building (whether at the existing event or the new event area), the noise consultant shall prescribe temporary noise barriers that will provide an equivalent mitigation of noise impacts as is anticipated by the red wine storage building and temporary noise barrier.

Mitigation Monitoring: The Project Review Health Specialist shall receive a letter of clearance from the sound consultant regarding conformance with the design and final construction of the sound mitigations to the sound report requirements.

19. Following completion of the wine storage building and construction of the new event stage and event area, yet prior to the first large 3,000 person special event, the noise consultant shall evaluate a mock concert as described on pages 11 and 12 of the report by Illingworth and Rodkin dated October 27, 2006. The noise consultant shall also monitor the first 3,000 person special event for conformance with County noise standards and prescribe mitigations to be within County limits.

Mitigation Monitoring: Prior to conducting a 3,000 person special event, the Project Review Health Specialist shall receive a letter of clearance from the sound consultant regarding conformance of the project with the noise element of the Sonoma County General Plan. Following the first 3,000 person event, the noise consultant shall submit a report to the Project Review Health Specialist that either confirms noise levels at the event were within County limits or prescribes mitigations to ensure noise levels will be for future large events. Monitoring of subsequent events may be required by the Project Review Health Specialist.

OPERATIONAL REQUIREMENTS:

20. The property owner or lease holder shall have the backflow prevention assembly tested by an American Water Works Association certified Backflow Prevention Assembly Tester at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
21. A safe, potable water supply shall be provided and maintained.
22. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this site shall be monitored quarterly and reported to PRMD in January of the following year pursuant to County well monitoring policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance.
23. 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.

Septic:

24. The applicant shall submit a wastewater plan to the San Francisco Bay Regional Water Quality Control Board describing in detail how the wastewater treatment system will be constructed to accommodate the proposed project. Maintain the annual operating permit for any alternative (mound or pressure distribution) or Experimental Septic System installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.

Mitigation Monitoring: Prior to commencing the use, the applicant must submit documentation from the Regional Water Quality Control Board that they are in receipt of the requisite application for waste discharge permits and that the County can issue permits for the proposed septic systems.

Hazardous Materials Program:

25. 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:

26. Obtain and maintain all required Food Facility Permits from the Sonoma County Environmental Health Division if required for the wine tasting and special event activities approved in this Use Permit. State law allows for a wine tasting exemption from a Retail Food Facility Permit. However, State law requires that no food or beverage be sold for on-site consumption (including any charges for wine tasting), and that no food or beverage be sold for off-site consumption (except for bottles of wine) in order to qualify for the wine tasting exemption. The Local Health Officer does allow providing certain palate cleansers (such as prepackaged cheese, nuts, pretzels, crackers and the like) under this exemption.

A Food Facility Permit is not required if a caterer holding a valid Retail Food Facility Permit is employed for all food and beverage service. Contact the Environmental Health Division at 565-6544 for further information.

Noise:

27. Noise shall be controlled in accordance with the following as measured at the exterior property line of any affected residential or sensitive land use:

| Maximum Exterior Noise Level Standards, dBA | | |
|---|--------------------------------|----------------------------------|
| Cumulative Duration of Noise Event in any one-hour Period | Daytime (7 a.m. to 10 p.m.) | Nighttime (10 p.m. to 7 a.m.) |
| 30-60 Minutes | 50 | 45 |
| 15-30 Minutes | 55 | 50 |
| 5-15 Minutes | 60 | 55 |
| 1-5 Minutes | 65 | 60 |
| 0-1 Minutes | 70 | 65 |

Limit exceptions to the following:

- A. If the ambient noise level exceeds the standard, adjust the standard to equal the ambient level.
 - B. Reduce the applicable standards by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.
 - C. Reduce the applicable standards by 5 decibels if they exceed the ambient level by 10 or more decibels.
28. Special events shall be limited to the hours of the Daytime Noise Standard between 7:00 a.m. and 10:00 p.m. No events allowing the patrons to reside on the premises overnight are authorized by this Use Permit.
29. A temporary noise barrier shall be installed prior to conducting any large 3,000 person special event as initially approved and certified to PRMD in writing by the noise consultant. If changes are made to the temporary noise barrier for subsequent concerts, then additional certification in writing from the noise consultant is required to be submitted to PRMD.

Mitigation Monitoring: Any noise complaints will be investigated by PRMD staff. Staff may require

the applicant to hire a qualified consultant to monitor noise at outdoor events, provide written reports evaluating conformance with standards and make recommendation for mitigation measures, if needed. If such investigation indicates the appropriate noise standard levels have been or may be exceeded, the permit holders shall be required to install, at their expense, additional professionally designed noise control measure(s). Failure to install the additional noise control measure(s) will be considered a violation of the Use Permit conditions. If noise complaints continue, PRMD shall investigate complaints. If violations are found, PRMD shall seek voluntary compliance from the permit holder and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.

TRANSPORTATION AND PUBLIC WORKS:

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

- 30. Prior to issuance of any building permit that results from approval of this application, a development fee (Traffic Mitigation Fee) shall be paid to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code.

PLANNING:

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

- 31. This Use Permit authorizes the following changes to the 50,000 case/yr winery: 1) increase the size of an approved barrel storage building from 4,900 square feet to 11,725 square feet; (2) relocate the approximately one acre special event area to accommodate the larger barrel storage building; (3) move the olive oil sales and tasting from the wine tasting building into an adjacent building; (4) approve one 3,000 attendees/day, two-day event per year (can be split into two one-day 3,000 attendees events); (5) approve six special events for up to 250 attendees and 40 special events for up to 150 attendees per year; (6) approve the hours for the tasting rooms as 10:00 a.m. to 5:00 p.m. daily. The use shall be constructed in accordance with the proposal statement, as modified by these conditions.
- 32. A special event under this Use Permit is defined as any gathering of 35 or more people that meets any of the criteria in the Zoning Code definition of a cultural event. The applicant shall provide an annual report to the PRMD Project Review Manager by January 30th of each year describing the type of event, the date and time, the number of attendees for the previous year and a schedule of events programmed for the following year. Any violation of the time restrictions for weekday and weekend special events shall open up the Use Permit for review by PRMD and possible revocation hearings on the right to conduct special events at the facility.
- 33. This new Use Permit supercedes and replaces the following prior Use Permits (UP85-11891, UP88-210 and UPE01-0054) upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested. This new Use Permit allows the continued operation of the winery with a maximum production capacity of 50,000 cases/year. The approved number of employees at the winery is 15.
- 34. In addition to the changes noted above, this Use Permit also authorizes the following structures shown on Proposed Site Plan, BZA Submittal 11/11/07, Sheet A1.2, The Fifth Resource Group:
 - a. Tours, retail sales of agricultural products grown or processed on-site or in the County, and tasting of wines from the wine tasting room/office building (3,595 square feet) and olive oils grown and processed on-site or in the County in the Marketplace building (890 square feet).
 - b. The wine tank pads including new canopy (6,530 square feet),
 - c. The 3,500 square foot long barn plus the 2,300 square foot patio addition with viewing deck. This is a winery process support (case goods and barrel storage) building that can also be used seasonally for event activities, subject to meeting Building Code requirements.

- d. The existing winemaker office/storage building plus a 900 square foot addition (total of 3,750 square feet).
 - e. A new barrel preparation paddock (4,935 square feet) adjacent to the new barrel storage building.
 - f. The new seasonal special event stage (2,625 square feet). This stage must be dismantled during the off-season event period, from November 1 through March 30.
 - g. Culinary school (960 square feet), outside deck (1,255 square feet) plus a 980 square foot addition to the outside deck.
 - h. Events coordinator office (435 square feet).
 - i. New temporary event bathrooms executive-type, crowd-pleaser trailers on-site only for the 3,000 attendee/day events.
 - j. Owner occupancy of the primary residence behind the wine tasting room (Condition 46).
 - k. An 800 square foot equipment barn.
35. Events can take place at the following locations as described by project plans titled, Proposed Site Plan, BZA Submittal, November 11, 2007: the one-acre outdoor event area , the 1/4-acre olive grove, the culinary building, the hospitality patio and the pool. All events shall cease by 10:00 p.m. unless further restricted by other Conditions of Approval. No amplified music or sound is permitted in any location except the one-acre outdoor event area.

Mitigation Monitoring: If there is evidence submitted to PRMD that any outdoor events extend beyond the 10:00 p.m. closing time, the applicant shall be required to submit a Monitoring Report prepared by a qualified consultant for subsequent events. Noncompliance may result in scheduling the Use Permit for revocation by the Board of Zoning Adjustments

36. The approximately one-acre area to the north of the proposed barrel storage building may be re-graded for outdoor events further described in Condition No.31, 35, and 37. The graded hill slope cannot include structural retaining walls. A minimum of 28 olive trees shall be planted at the top of the graded slope. No permanent, stand-alone event structures are permitted. No permanent restroom structures shall be constructed/permitted in or adjacent to the new outdoor event area (Condition 34i).
37. The 3,000 attendees/day two-day event is permitted for a limited term of five years after which this entitlement may be extended for a limited term with a new Use Permit which will include a hearing, appropriate policy and environmental review. Additional special events shall not be permitted by Zoning Permit; a modification to the Use Permit shall be required for any events other than permitted by this Use Permit.
38. The applicant shall submit a plan addressing the potential for trespass, vandalism and security for adjacent property owners for large events, subject to review and approval by PRMD.
39. Parking and circulation for each of the large events must be in accordance with the Event Parking Site Plan. Each of the events must be in accordance with and attended by the California Highway Patrol. All large event notices and literature and signage must clearly identify circulation routes and approved parking lot locations.

Mitigation Monitoring: If PRMD receives complaints from neighbors regarding parking and circulation problems, the Project Review planner shall conduct a site investigation to verify conformance with the Event Parking Site Plan and circulation plan described in the project proposal statement. Noncompliance may result in additional monitoring by a qualified consultant at the applicant's expense and/or revocation proceedings before the Board of Zoning Adjustments.

40. A dedicated, paramedic-staffed ambulance shall be on standby during the peak hours of any 3,000 attendee event. Prior to holding the first large event, the applicant shall provide PRMD with a letter from the Sonoma Valley Fire and Rescue Authority acknowledging that the selected service is acceptable.

Mitigation Monitoring: Prior to the first 3,000 attendee event, the applicant shall provide PRMD with written evidence of a contract with an appropriate paramedic service provider. If PRMD is advised by the local Fire Protection District that any large event does not have a dedicated paramedic-staffed ambulance or needs additional service, PRMD shall instruct the applicant to correct the deficiency. Non-compliance may result in abatement of Use Permit proceedings.

41. To ensure traffic associated with special events will not impact p. m. peak traffic period the following restrictions shall apply:
- a. 250 attendee events shall not start or stop between 4:00 p.m. and 6:00 p.m., Monday through Friday.
 - b. 250 attendee events shall not start or stop between 2:30 p.m. and 4:30 p.m. on Saturday. (No restrictions imposed on Sunday since traffic volumes are lower on that day).
 - c. 3,000 attendee events shall not start or stop between 2:30 p.m. and 4:30 p.m., Saturday or Sunday.

Mitigation Monitoring: Evidence of non-compliance with these conditions may result in additional monitoring by a qualified consultant at the applicant's expense and abatement proceedings.

42. The existing event stage and the adjacent storage building must be removed under permit prior to release of final occupancy for the building permit to construct the new event stage.
43. Design plans for all new construction approved as part of this application shall be submitted to Sonoma County Design Review Committee for review and approval. Said plans must include architectural plans for all new or modified structures, site plans, grading plans, landscape and irrigation plans and signs on Highway 12.
44. A Creek Restoration Plan shall be prepared by the applicant's biologist and submitted to PRMD for review and approval. The Creek Restoration Plan must include the planting of native tree and shrub species along the creek from the existing stage location to the proposed stage. The minimum width of the planting must be 15 feet. The design and implementation must be done by a qualified specialist experienced in stream restoration, and there must be a five year minimum monitoring period. The Restoration Plan must include success criteria and be subject to review and approval of PRMD prior to demolition of the existing stage or construction of the new stage. The approved plan must be implemented prior to conducting the first large event at the new stage. Staff will refer the riparian planting plan to the Department of Fish and Game for review and approval; a streambed alteration agreement may be required.

Mitigation Monitoring: The Project Review planner shall not issue permits for the new event stage until the Creek Restoration Plan is approved by the Department of Fish and Game. The project biologist shall verify in writing that the restoration was implemented before the Project Review planner authorizes a final occupancy clearance for the new event stage. The applicant shall submit a contract with the project biologist to monitor the riparian planting for a five year period; replanting shall be required, as necessary.

45. If the designated owner's residence located northeast of the tasting room is proposed to be utilized as an agricultural employee unit or a farm family unit, a separate Zoning Permit is required. The residence may not be used as a promotional or marketing accommodation for private guests.
46. 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 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 requirement.

47. 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 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/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. (Ongoing during construction)

48. All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the erosion control provisions of the Drainage and Storm Water Management Ordinance (Chapter 7 and Chapter 11, 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 requirement.

49. The design of all earthwork, cuts and fills, drainage, pavements, utilities, foundations and structural components shall conform with the specifications and criteria contained in the geotechnical report when approved by PRMD Plan Check Division. The geotechnical engineer shall sign the improvement plans and certify the design as conforming to the specifications. The geotechnical engineer shall also inspect the construction work and shall certify to PRMD, prior to the acceptance of the improvements or issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the geotechnical specifications.

Mitigation Monitoring: PRMD Plan Check staff will ensure plans are in compliance with geotechnical requirements. PRMD inspectors will ensure construction is in compliance with geotechnical requirements.

50. The applicant shall amend the existing Williamson Act contract to include APN 056-011-06 as intended with Lot Line Adjustment LLA00-0102, subject to the review and approval of PRMD Project Review staff. The Williamson Act contract amendment shall be submitted prior to the issuance of grading or building permits associated with this Use Permit.
51. The applicant shall pay all applicable development fees prior to issuance of building permits.
52. 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.
53. 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.
54. 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 \$1,876.75 (or latest fee in effect at the time of payment) because a Negative Declaration was prepared, for a total of \$1,926.75 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.
55. 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 occupancy being granted.
56. This "At Cost" entitlement is not vested until all permit processing costs are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs are paid in full.
57. All building and/or grading permits shall have the following note printed on plan sheets:

"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 50 years of age including trash pits older than fifty 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."

58. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review by the Design Review Committee. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. 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 lights shall be full cut-off fixtures and shall not exceed 4 feet in height. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.
59. New construction is subject to Workforce Housing Fees pursuant to 26-89-045 of the Sonoma County Code.
60. The project shall comply with all provisions of the County Low Water Use Landscaping Ordinance.
61. The days and hours for special events shall be subject to review and approval by a Special Events Coordinator or similar program established by the County or at the County's direction. The applicant shall submit to the County an annual request and schedule for special events for each calendar year including the maximum number of participants, times and dates. The applicant shall contribute, on an annual basis, a fair share towards the cost of establishing and maintaining the program. The program should consider the fairness for long-established uses and establish reasonable costs for managing the program.
62. The following types of food service are allowed under this permit:
 - a) Samples or tastes of pre-prepared food featuring local foods and food products offered in conjunction with wine tasting, marketing or promotional activities, or charitable events.
 - b) Samples or tastes from cooking demonstrations featuring local foods and food products offered in conjunction with wine tasting, marketing or promotional activities, or charitable events.
 - c) Appetizers or meals featuring local foods and food products offered in conjunction with charitable events or weddings/special events.
 - d) Appetizers or meals featuring local foods and food products offered in conjunction with marketing or promotional activities not open to drop-in guests or noticed to the general public.
 - e) Retail sales of pre-prepared food not associated with the activities described in a), b), c),

and d) above, is allowed subject to the following limitations:

- 1) Retail sales of pre-prepared food shall be permitted only during tasting room hours as approved by this permit.
- 2) Retail sales of pre-prepared food shall be for on-site consumption only.
- 3) No restaurant or deli service is provided.
- 4) No indoor seating area or table service is permitted in conjunction with retail sales of pre-prepared food. Outdoor seating areas are permitted for use as outdoor picnic areas.
- 5) No off-site signs advertising retail sales of pre-prepared food shall be allowed.

No other food service, including, without limitation, retail sales of cooked-to-order food, shall be allowed under this permit.

63. All new structures, lighting and signs shall require final design review by the Design Review Committee prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.
64. The applicant shall submit a Parking Agreement with the Sonoma State Hospital prior to issuance of permits for the new event stage. Said agreement shall be subject to review and approval by Project Review staff. If the agreement expires, the applicant may secure a substitute parking lot, subject to PRMD approval.
65. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of the Permit and Resource Management Department or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
66. 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.
67. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.
68. 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.

69. 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) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the 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.