



**DEVELOPMENT PHASE:**

Conditions To Be Met Prior To Building Permit Issuance Or During Permitting And Construction

**BUILDING:**

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

6. The applicant shall apply for and obtain building related permits from Permit Sonoma for any new buildings, and any associated site work. The necessary applications appear to be, but may not be limited to site review, grading permit(s), and building permit(s). Construction inspections shall occur and the building permit(s) finalized prior to occupancy of new structures.
7. NOTE ON ALL CONSTRUCTION DOCUMENTS: "Construction activities shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. on weekdays and 9:00 a.m. to 7:00 p.m. on weekends and holidays. Only work that does not require motorized vehicles or power equipment shall be allowed on holidays. Work outside the times specified above is only allowed to prevent an emergency or to deal with an existing emergency. In this case, the applicant shall notify surrounding neighbors if emergency work is to be done before 7:00 a.m. or past 7:00 p.m."
8. The business operator shall post a sign that includes the phone number for a current job manager for the benefit of neighbors. The job manager can be contacted if there are any problems associated with the construction process site such as dust, storm water runoff, hours of operation, equipment noise, traffic issues or lack of compliance with any project conditions of approval.
9. If any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.
10. Mitigation Measure 6.a.ii.1.:  
All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with 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 California 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 Permit Sonoma prior to the issuance of a building permit. All work shall be subject to inspection by Permit Sonoma 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.

11. Mitigation Measure 6.a.ii.2.:  
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 project geotechnical report prepared by Bauer Associates, Inc. (August 25, 2015). The geotechnical engineer shall submit an approval letter for the engineered grading plans prior to issuance of the grading permit. Prior to final of the grading permit the geotechnical engineer shall also inspect the construction work and shall certify to Permit Sonoma, 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:

Permit Sonoma Plan Check staff will ensure plans are in compliance with geotechnical requirements.  
Permit Sonoma inspectors will ensure construction is in compliance with geotechnical requirements.

**GRADING AND STORM WATER:**

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

12. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
13. A drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the grading and/or building permit application, and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department. The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the *Drainage Report Required Contents* (DRN-006) handout.
14. The proposed project is subject to storm water Low Impact Development (LID) regulations. Measures to mitigate the project impacts to the quality and quantity of post-construction storm water discharges from the site shall be incorporated into the drainage design of the project. A final Standard Urban Storm Water Mitigation Plan (SUSMP) shall be submitted with the grading and/or building permit application, and be subject to review and approval by the Grading & Storm Water Section of Permit Sonoma prior to the issuance of any grading or building permits. SUSMP features must be installed per approved plans and specifications, and working properly prior to finaling the grading permit and associated building permits.
15. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to the Grading & Storm Water Section of the Permit Sonoma for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water levels and pollutant discharges in compliance with Permit Sonoma's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Drainage improvements shall not adversely affect adjacent properties or drainage systems.
16. The applicant shall provide grading plans, prepared by a civil engineer currently registered in the State of California, which clearly indicate the nature and extent of the work proposed and include all existing and proposed land features, elevations, roads, driveways, buildings, limits of grading, adequate grading cross sections and drainage facilities such as swales, channels, closed conduits, or drainage structures. The grading plans shall abide by and contain all applicable items from the *Grading Permit Required Application Contents* (GRD-004) handout.
17. As part of the grading plans, the applicant shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages and minimize adverse impacts to the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall abide by and contain all applicable items in the *Grading Permit Required Application Contents* (GRD-004) handout.

18. The project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any grading permit for the proposed project.

19. Mitigation Measure 3.b.:

The Permit Holder shall be responsible for controlling dust and debris during all construction phases. Consistent with BAAQMD guidance, the following measures shall be implemented by the permit holder on the project site during the construction period:

- a. Water all active construction areas at least twice daily.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d. Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- e. Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.
- f. Hydro-seed or apply (non-toxic) soil stabilizers to inactive construction areas.
- g. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles dirt, sand, etc.
- h. Limit traffic speeds on unpaved access roads to 15 mph.
- i. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- j. Replant vegetation and ground cover in disturbed areas as quickly as possible.

Mitigation Monitoring:

Dust control measures shall be included on all grading and construction plans. The Project Review Planner shall verify that these measures are included and the Building Inspector shall note these measures are implemented at the project site.

**TRANSPORTATION AND PUBLIC WORKS:**

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

20. This proposal accesses the public road system using a road under State of California jurisdiction. If Caltrans determines that improvements to the highway facilities or entry are necessary, the Applicant shall obtain a State of California Encroachment Permit before constructing any improvements within State highway right of way. A copy of the finalized Caltrans encroachment permit shall be submitted to the planner prior to occupancy.

21. Prior to issuance of any 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. The fee is computed multiplying the increase in site Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance.

**REGIONAL PARKS:**

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

17. Mitigation Measure 7.a.:

The applicant shall make an irrevocable offer of dedication for a trail easement for non-motorized transportation uses along and adjacent to Highway 12 (the southerly boundary of the property). The

easement shall generally be 20 feet wide with the precise width and alignment to be mutually agreed to by the Grantor and Grantee. The offer will include a temporary offer of access for construction which will expire when the trail is complete.

Mitigation Monitoring:

Building permits for the construction of the new tasting room will not be issued unless the Irrevocable Offer of Dedication has been granted and recorded.

**FIRE AND EMERGENCY SERVICES:**

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

18. The following comments shall apply to the project:

- a. Permitting or development approval of this project is subject to the Sonoma County Fire Safety Ordinance (Sonoma County Code). All applications for development approvals must be approved by the Sonoma County Fire Marshal, and shall be accompanied by: plans, engineering calculations, and other data necessary to determine compliance with the provisions of the codes, and shall be in compliance with the following conditions: (Ref. California Code of Regulations Title-14, Division 1.5, Chapter 7, Subchapter 2, Articles 1 – 5, & Sonoma County Code Chapter 13, Article IV, Section 13-17 & Sonoma County Code Chapter 13, Article V, Division A, Section 13-24).
- b. Fire engine access must be provided to within 150 feet of all portions of all buildings at grade level as measured by an approved route around the buildings.
- c. All new buildings will require fire sprinklers per Sonoma County Amended Fire Code. All Existing Buildings considered a change of occupancy will be required be provided fire sprinklers.
- d. All new building and existing buildings based on occupancy will be required to be provided a manual and automatic fire alarm system unless exempted by model codes.
- e. The property may be required to be provided a minimum of two required fire apparatus roads per Appendix D of the CFC.
- f. The unless serviced by a public water system the property will be required to have minimum fire flows per NFPA 1142. Number of required fire hydrants per CFC Appendix C of the CFC, Fire line underground installed per NFPA 24; supplied by a pressure system per NFPA 20 and water tank designed per NFPA 22.
- g. Building based on construction type may require additional fire resistive construction base on use and size per CBC.

19. Prior to any construction, or changes in use of existing building or facilities, applicable Fire Code construction permits required by Chapter 1, Division II of the 2013 California Fire Code as adopted and amended by Sonoma County Code shall be obtained from the Sonoma County Fire and Emergency Services Department.

20. Prior to occupancy applicant shall provide evidence to Sonoma County Fire that the fire service features for buildings, structures and premises will comply with the 2013 California Fire Code as adopted and amended by Sonoma County Code. Including but not limited to: fire apparatus access roads; access to building openings and roofs; premises identification and road naming; gate access & key boxes; fire protection water supplies; and building features.

- a. Access roads: minimum emergency access is required to provide safe access for emergency fire equipment and civilian evacuation concurrently, and to allow unobstructed traffic circulation during a wildfire or other emergency.
  - b. Newly constructed access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) right-of-way of an approved width and shall extend to within 150 feet (45.72 meters) of all portions of the exterior walls of the first story of buildings as measured by an approved route around the exterior of the building.
  - c. All fire apparatus lanes shall be marked and signage be provided to prevent unauthorized parking and blocking of lanes.
  - d. Premises Identification and Road Naming: Approved road names & signs, address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road shall be provided.
  - e. Gates: Where gates or similar barriers are installed across access roads, an approved lock shall be installed as required by the fire code official.
  - f. Water Supply: An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises.
  - g. Building features: Fire sprinklers, fire alarm system, fire line underground is required.
21. Applicant shall provide evidence to Sonoma County Fire that applicable Fire Code Operational Permits required by Chapter 1, Division II of the 2013 California Fire Code as adopted and amended by Sonoma County Code will be obtained from the fire code official.
22. Applicant shall provide a written "Fire Safety and Evacuation Plan" (as required by Section 404 of the 2013 California Fire Code) to Sonoma County Fire for approval.

**HEALTH:**

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

Water:

23. Prior to building permit issuance the applicant shall have the proposed water supply system plans 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 2013 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.

If the applicant has been required to do a cross-connection control survey by the California State Water Resources Control Board, Division of Drinking Water, then a copy of that survey may be submitted to meet this condition within 120 days after occupancy.

24. Prior to building permit issuance and project operation, provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of your water tested by a 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. As an alternative to the well destruction, the applicant may initiate a permanent water treatment program subject to the following requirements prior to issuance of a building permit and/or commencement of project operation:

- a. A deed restriction running with the land and acceptable to Permit Sonoma and County Counsel notifying subsequent property owners that treatment of the water supply is required as a condition of this Use Permit in order to meet State and Federal MCL's and provide potable water to all plumbing fixtures.
- b. Proof of a contract with a qualified service provider shall be submitted for routine/diagnostic water testing, monitoring, maintenance, and record keeping of the water supply system. Initial water test results before and after the water treatment device shall be submitted to Permit Sonoma Project Review Health Specialist.

Copies of all laboratory results must be submitted to the Project Review Health Specialist.

25. If the site is not already under a State Water Supply Permit, then prior to the issuance of building permits the applicant shall provide an engineered design of the water supply system, construct and/or develop the water sources (wells and/or springs), complete the appropriate water quality testing and apply for a water supply permit from the State Division of Drinking Water because it has determined that more than 25 persons per day for 60 days within a year will be served by the water system. A copy of the Use Permit application and conditions must be provided to the State in Division of Drinking Water order to obtain appropriate raw water source sampling requirements. Prior to the issuance of building permits, copies of the clearance letter must be submitted to the Project Review Health Specialist, or the State Drinking Water Program may e-mail clearance directly to Permit Sonoma.
26. If a Water Supply Permit is required, then the water supply well is required to have a 50-foot annular seal prior to vesting the Use Permit. Annular seals are installed at the time of construction of the water well, and are very difficult (and sometimes impossible) to retro-fit in an economic manner. If documentation of a 50-foot annular seal cannot be obtained, then a new water well may be required.
27. Prior to the issuance of any building permit an easement must be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required 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 Permit Sonoma Project Review staff and County Counsel prior to recordation.

Septic:

28. A cumulative impact study of the final wastewater disposal system to address shallow groundwater mounding under the disposal system and to address potential nitrate impacts to the shallow groundwater.
29. Prior to building permit issuance and vesting the Use Permit, the applicant shall obtain a permit for the sewage disposal system. The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis, percolation and wet weather testing may be required. Wet weather groundwater testing may also be required. The sewage system shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit and any additional sources from the parcel plumbed to the disposal system, and shall include the required reserve area.

This project is approved for agricultural promotional events and shall provide septic system capacity in accordance with Permit Sonoma Policy 9-2-31 (available on Permit Sonoma's website under Policy and Procedures). The project septic system shall be designed to accommodate 100 % percent of the wastewater flow from an event with 108 guests, in addition to peak wastewater flows from all other sources plumbed to the septic system.

If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a 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

Well and Septic Section that all required septic system testing and design elements have been met.

30. Application for wastewater discharge requirements shall be filed by the applicant with the San Francisco Bay Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water Quality Control Board shall be submitted to the Project Review Health Specialist prior to building, grading for ponds or septic permit issuance (if the Regional Water Board Water Resource Engineer or Environmental Specialist have objections or concerns then the applicant shall obtain Waste Discharge Requirements prior to building permit issuance). A copy of the Waste Discharge Permit shall be submitted to the Project Review Health Specialist prior to issuance of a Certificate of Occupancy or project operation and vesting the Use Permit.
31. Toilet facilities shall be provided for patrons and employees prior to vesting the Use Permit. A copy of the Floor Plan showing the location of the restrooms shall be submitted to the Project Review Health Specialist prior to issuance of building permits.

Consumer Protection:

32. Prior to the issuance of building permits and the start of any on-site construction, plans and specifications for any food facility that provides food or beverage to the public must be submitted to, and approved by the Department of Health Services, Environmental Health & Safety Section. Be advised that major expenses can be triggered relating to the need for commercial exhaust hoods, fire suppression systems, food storage space and walk in refrigerators/freezers dependent upon the scale of food service and the menu items selected. Early consultation with Environmental Health & Safety is recommended. All food service on this site shall be limited to the scale, scope, frequency and any menu limitations specified under the Planning conditions in this Use Permit.

Contact the Department of Health Services, Environmental Health & Safety Section at 565-6565 for information and instructions. An e-mail of the approval from the Environmental Health & Safety Section or a copy of the Plan Check Approval shall be presented to the Project Review Health Specialist to verify compliance with requirements of the California Retail Food Code (CalCode).

Solid Waste:

33. Prior to building permit issuance, the applicant shall submit a design for trash enclosures and recycling areas for review and approval by the Permit Sonoma Building Plan Check Section. (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.

**PLANNING:**

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

34. Prior to building permit issuance or prior to exercising this approval, whichever comes first, the property owners shall execute and record a Right-to-Farm declaration on a form provided by Permit Sonoma.
35. 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 drip-line, and replacement of damaged or removed trees. The project's grading and landscape plans shall detail all tree protection implementation measures.

Permit Sonoma 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). Permit Sonoma 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.

36. A Water Conservation Plan shall be submitted for all buildings and landscaping prior to building permit issuance, subject to Permit Sonoma review and approval. The Water Conservation Plan shall include all reasonably feasible measures to reduce water demand to the maximum extent feasible and enhance water resource recovery to maintain sustainable water supplies. Measures that must be evaluated include: installation of low-flow fixtures, best available conservation technologies for all water uses, rainwater and storm water collection systems and graywater reuse. Landscaping plans must comply with the County Water Efficient Landscape Ordinance. Prior to Building Permit Issuance a Landscape Permit application shall be submitted for all new and rehabilitated landscapes, as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). Verification from a qualified irrigation specialist that landscaping plan complies with the County Ordinance shall be provided prior to building permit issuance. The measures in the plan shall be implemented by the applicant and verified by Permit Sonoma staff prior to Certificate of Occupancy or operation of the use.

Design Review:

37. 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.
38. 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.
39. Lighting plans shall be designed to meet the Lighting Zone LZ2 for rural standards from Title 24 effective October 2005.
40. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.
41. All exterior fixtures shall be limited to lamps (light bulbs) not exceeding 100 watts.
42. Mitigation Measure 1.d.:  
Prior to issuance of the Building Permit, an exterior lighting plan shall be submitted to the Design Review Committee for final review and approval based on County Zoning standards and Local Design Guidelines. Exterior lighting is required to be fully shielded, and directed downward to prevent "wash out" onto adjacent properties. Generally, fixtures should accept sodium vapor lamps and not be located at the periphery of the property. Flood lights are not allowed. The lighting shall be installed in accordance with the approved lighting plan during the construction phase.

Mitigation Monitoring:

The Project Review Planner shall review the building plans against the approved lighting plan to ensure that lighting fixtures are located as shown in the lighting plan. Prior to final occupancy the planner shall ensure that the correct fixtures have been installed.

Construction and Site Improvements:

43. Mitigation Measure 5.b1:

A qualified archaeological monitor and tribal monitor will be present and monitor all earth-disturbing activities within native soils, and will have the authority to stop and redirect grading activities, to evaluate any tribal cultural resources discovered on the property. Such evaluation will be done in consultation with the appropriate tribe.

The appropriate tribe shall make recommendations as to appropriate treatment of such resources and the applicant, tribe and County may meet to discuss further mitigation if necessary.

Mitigation Monitoring:

Prior to building permit issuance the applicant shall provide the contracts for a qualified archaeological and tribal monitor to Permit Sonoma. The contract shall include monitoring of earth moving activities and require that the monitors make appropriate recommendations to Permit Sonoma if any Tribal Cultural Resources are encountered.

44. Mitigation Measure 5.b.2.:

All building and/or grading permits shall have the following note printed on plan sheets:

*"In the event that archaeological resources such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and County Permit Sonoma Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Permit Sonoma. Permit Sonoma staff may consult and/or notify the appropriate tribal representative from tribes known to Permit Sonoma to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. Historic artifacts potentially include all by products of human land use greater than 50 years of age including trash pits older than fifty years of age. When contacted, a member of Permit Sonoma 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. Permit Sonoma 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 Permit Sonoma 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 Permit Sonoma staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed."*

Mitigation Monitoring:

Building/grading permits shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. All contractors and superintendents shall be informed of this condition also.

45. Mitigation Measure 5.c.:

All building and/or grading permits shall have the following note printed on plan sheets:

*"If paleontological resources are found, all earthwork in the vicinity of the find shall cease, and Permit Sonoma staff shall be notified so that the find can be evaluated by a qualified paleontologist. When contacted, a member of Permit Sonoma Project Review staff and the paleontologist shall visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. No further excavations in the vicinity of the find shall commence until a mitigation plan is approved and completed subject to the review and approval of the paleontologist and Project Review staff."*

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. All contractors and superintendents shall be informed of this condition also.

46. 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.

**PRIOR TO OCCUPANCY:**

Conditions To Be Met Prior To Granting A Certificate Of Occupancy

**HEALTH:**

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

Water:

47. Prior to occupancy, backflow prevention devices shall be installed on the water supply system as recommended, after concurrence with the hazard evaluation and recommendations for cross connection control report by Permit Sonoma. The Project Review Health Specialist shall receive a letter from the Cross Connection Control Specialist stating that backflow prevention has been installed as recommended.
48. Prior to occupancy, any new or existing water well serving this project shall be fitted with a water meter to measure all groundwater extracted for this use.
49. A separate, dedicated monitoring well is required to be drilled for this project. The monitoring well is required to be drilled under permit of this department and shall be of a depth, screening and development comparable to the supply well. The monitoring well shall be located as far away from other wells, ponds and wastewater disposal fields as is consistent with being in the same geologic formation as the primary well and being accessible by street vehicle. The monitoring well location shall be approved by Permit Sonoma in advance of construction. The monitoring well shall be marked with a water level measuring reference point, and the GPS coordinates (in NAD83 California State Plane II or WGS 84 lat./long.) of the monitoring well shall be submitted to Permit Sonoma.

Alternatively, Permit Sonoma will evaluate proposals to use existing nearby standby or auxiliary water wells as a substitute for the required monitoring well. Any proposal to use a substitute well must include at a minimum, a copy of the drillers log for both the production well and the substitute monitoring well, and a site plan with the GPS coordinates of both wells. The proposal must verify that the substitute well does not have a collapsed casing, and is suitable for groundwater level monitoring purposes.

Consumer Protection:

50. Prior to the operation of any retail food facility, a Food Industry Permit must be obtained from the Environmental Health Division of the Health Services Department. The Permit Sonoma Project

Review Health Specialist shall receive a letter of approval from the Environmental Health Division to verify compliance with requirements of the California Retail Food Code (CalCode).

**OPERATIONAL REQUIREMENTS:**

Conditions That Shall Be Maintained For The Life Of The Use

**HEALTH:**

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

Water:

51. 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.
52. A safe, potable water supply shall be provided and maintained.
53. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored monthly and reported to Permit Sonoma in January of the following year pursuant to Section WR-2d 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 Permit Sonoma.
54. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to Permit Sonoma Project Review staff at least once every five years.

Septic:

55. Maintain the Annual Operating Permit for any alternative (mound or pressure distribution) or experimental sewage disposal system installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.
56. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
57. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by Permit Sonoma.
58. When permitted agricultural promotional events exceed 108 persons, the permit holder shall provide portable toilets meeting the following minimum requirements:
  - a. An adequate number of portable toilets shall be provided, but in no case shall the number of portable toilets be less than one toilet per one hundred (100) event employees and visitors per day for day use.
  - b. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public. Employees serving food to visitors or the public must have access to permanently plumbed running hot and cold water sinks plumbed to a permitted on-site wastewater treatment system or public sewer.

- c. Portable toilets shall be serviced as needed, but in no case less than once every seven days.
- d. The applicant shall provide an accessible portable restroom on the job site where required by Federal, State or local law, including but not limited to, requirements imposed under OSHA, the Americans with Disabilities Act or Fair Employment and Housing Act.
- e. Portable toilets shall not be brought on-site prior to 48 hours before the special event and shall be promptly serviced and removed within 48 hours after the special event.
- f. If complaints are received by Permit Sonoma regarding the number of available portable toilets that Permit Sonoma deems a valid complaint, the applicant or current operator of the Use Permit shall increase the number of portable toilets and/or increase the frequency of maintenance of the portable toilets for the remainder of the agricultural promotional event and at future agricultural promotional events as directed by Permit Sonoma. The property owner and/or his agent(s) are expected to maintain portable toilets and hand washing units so that:
  - i) The holding tank does not leak or overflow.
  - ii) Toilet paper is promptly replaced when the dispenser runs out.
  - iii) Water, paper towels and soap are promptly replaced when the hand washing units run out.
  - iv) The wait to use a portable toilet shall not be so long that people use alternatives to sanitary restroom facilities.
  - v) Reliance upon portable toilets shall not create a public nuisance.

Consumer Protection:

59. Obtain and maintain all required Food Facility Permits from the Sonoma County Environmental Health & Safety Section if required for the wine tasting and agricultural promotional event activities approved in this Use Permit. State law allows for a wine tasting exemption from a Food Facility Permit. However, in order to qualify for the wine tasting exemption State law requires that no food or beverage be sold for on-site consumption except for wine tasting, prepackaged non-potentially hazardous beverages and crackers. No food or beverage shall be sold for off-site consumption except for bottles of wine and prepackaged non-potentially hazardous beverages. Contact the Environmental Health & Safety Section at 565-6547 for wine tasting information and instruction sheet.

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 & Safety Section at 565-6548 for further information regarding caterers. Note that no food service exceeding the limits specified under the planning conditions shall be authorized on this site by the issuance of any retail food facility permit, catering permit, mobile food vendor permit or building permit.

Noise:

60. Noise shall be controlled in accordance with Table NE-2 (or an adjusted Table NE-2 with respect to ambient noise as described in General Plan 2020, Policy NE-1c,) as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	45	45
L25 (15 minutes in any hour)	50	50
L08 (4 minutes 48 seconds in any hour)	55	55
L02 (72 seconds in any hour)	60	60
<sup>1</sup> The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.		

61. Special events shall be limited to the hours of 9:00 a.m. to 9:30 p.m. which is within the Daytime Noise Standard found in the Noise Element of the Sonoma County General Plan (currently 7:00 a.m. to 10:00 p.m.).
62. If noise complaints are received from nearby residents, and they appear to be valid complaints in Permit Sonoma'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 Permit Sonoma that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.
63. Outdoor music shall be background music not exceeding 72 dBA at 50 feet (page 14 of the sound study dated May 3, 2016). Outdoor amplified sound, including use of speakers, is only permitted during designated event days.

Solid Waste:

64. All garbage and refuse on this site shall accumulate or be stored in non-absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. Garbage and refuse on this site shall accumulate or be stored for no more than seven calendar days, and shall be properly disposed of at a County Transfer Station or County Landfill before the end of the seventh day.

Smoking:

65. Smoking is prohibited in any public area, in any dining area, service area (including entry lines or ticket purchase lines) and in any enclosed area that is a place of employment (Sonoma County Code 32-6). "No Smoking" signs shall be conspicuously posted at the point of entry into every building where smoking is prohibited by Chapter 32 of the Sonoma County Code. The California Health and Safety Code (section 113978) also requires the posting of "No Smoking" signs in all food preparation areas, all retail food storage areas, and all food utensil washing areas. Note that Health and Safety Code section 113781 definition of food includes any beverage intended for human consumption.

66. A "Designated Smoking Area" may be established in unenclosed areas consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans.

**GRADING AND STORM WATER:**

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

67. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Areas used for waste receptacles and outside washing areas shall be covered or separated from the rest of the project site by grade breaks that prevent storm water run-on. Any surface water flow from a waste receptacle or outside washing area shall not be permitted to enter the storm drain system without receiving appropriate treatment.

**PLANNING:**

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

68. This Use Permit is for construction of a new 4,232 square foot tasting room and retail sales building at an existing winery with an annual production capacity of 500,000 cases and up to 60 employees. The project includes a new access driveway and parking to serve the new tasting/retail building and related site improvements. The new tasting facility would replace the existing 2,100 square foot tasting room located in a barn, which would continue to be used as an entrance to one of the large processing buildings and for storage and will not be used for tasting.

This Use Permit authorizes up to 33 event days per year, as listed below:

- Marketing/Promotional Events – 18 event days per year, 150 attendees maximum with average of 50 guests, meals prepared on- or off-site. Proposed to be conducted between 10:00 a.m. and 9:30 p.m. and clean-up concluded by 10:00 p.m.
- Promotional Events – 2 event days per year, 500 attendees maximum (anticipated to be rotating throughout the event), proposed to be conducted between 11:00 a.m. and 7:00 p.m., meals prepared on- or off-site.
- Charitable Event – 2 event days per year, 200 attendees maximum, proposed to be conducted between 4:00 p.m. and 9:30 p.m. and clean-up concluded by 10:00 p.m., meals prepared on- or off-site.
- Industry-wide Events – up to 8 event days per year, 500 attendees maximum – anticipated to be rotating through the event (Savor Sonoma Valley, Heart of Sonoma Valley, etc.), with food prepared by local restaurants and chefs
- Wine Trade Open House – 2 event days per year, 150 attendees maximum, to be held between 10:00 a.m. and 9:00 p.m., and food prepared on- or off-site.
- Annual Grower's Breakfast – 1 event day per year, 100 attendees maximum, meals prepared on site, proposed to be held between 7:00 a.m. and Noon.

The authorized agricultural promotional events must promote and market agricultural products grown or processed in the County and be secondary and incidental to agricultural production. All event activities must be directly related to and promote agricultural products grown or processed on the property.

Hours of operation are 9:00 a.m. to 5:00 p.m. seven days a week for the tasting room and retail sales while the processing operations are 8:00 a.m. to 5:00 p.m. except during harvest, when the facility operates as necessary due to weather/harvest conditions. Agricultural promotional events

are from 9:00 a.m. to 9:30 p.m. Events must end by 9:30 p.m. with all clean up completed by 10:00 p.m.

The use of outdoor amplified sound, including use of speakers, is permitted only during 6 of the authorized events.

The project shall also be operated in compliance with a letter to PRMD from the applicant dated December 6, 2017, indicating:

- No more than six of the annual events shall include outdoor amplified sound.
- There shall be no more than four events held in any one month.
- There will be alternative parking for buses and limousines on site, away from the new tasting room parking lot, subject to review and approval of Project Review staff prior to issuance of building and grading permits.
- Provision of additional landscaping to further screen view of the new tasting room parking lot from Kinnybrook neighbors, subject to review and approval of Project Review staff prior to issuance of grading and building permits.

Any proposed additional modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of Permit Sonoma or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review. The use shall be operated in accordance with the proposal statement and site plan (as amended by this application) located in File No. PLP09-0062.

69. This Use Permit shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
70. The project shall comply with all provisions of the County Low Water Use Landscaping Ordinance.
71. 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 or modification.
72. Annual Report. After commencement of event activities, the owner/operator shall submit a report each year to Permit Sonoma by January 15th describing the number of agricultural promotional events that occurred during the previous year, the day, date, time, and duration of each event, the number of persons attending each event, the purpose of each event, and any other information required by the director. The annual report shall also include the proposed events for the coming year.
73. Two-Year Review. A review of event activities under this Use Permit shall be undertaken by the director two (2) years after commencement of the first event to determine compliance with the Conditions of Approval applicable to agricultural promotional events. The director shall give notice of this Use Permit review to all owners of real property within three hundred feet (300') of the subject site plus any additional persons who have previously requested notice. The director shall allow at least ten (10) days for comment. If the director determines that there is credible evidence of non-compliance with the Conditions of Approval applicable to events or that event activities constitute a public nuisance, the director shall refer the matter to the Board of Zoning Adjustments for a noticed public hearing on possible revocation or modification of those provisions of the Use Permit that authorize events. This Use Permit review shall not include any other aspect of the original Use Permit approval, unless other Conditions of Approval have not been met, violations have occurred, or the use constitutes a public nuisance.
74. The days and hours for 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.

75. In order to provide for the orderly and efficient movement of vehicles entering the site, and to minimize traffic impacts on the public road, the applicant shall provide on-site traffic control for all events requiring overflow parking. Traffic control shall be located off of the public road.
76. Customer and Site Visitor Management. The operator of the establishment shall take all reasonable steps, including contacting law enforcement in a timely manner, to prevent customers or other persons from engaging in objectionable activities on the premises, parking areas under the control of the operator, and other public or quasi-public areas within site of the premises during business hours.
77. The applicant is responsible for maintenance of all on-site facilities associated with the Use Permit.
78. Trash, Litter, and Graffiti.
  - a. At least twice a week, the operator of the establishment shall remove trash, litter, and debris from the sidewalks adjoining the premises plus 10 feet beyond property lines as well as any parking lots under the control of the operator.
  - b. The operator of the establishment shall remove all graffiti from the premises and parking lots under the control of the operator within 72 hours of its application.
  - c. Trash can only be disposed in exterior dumpsters between the hours of 8:00 a.m. and 8:00 p.m.
79. Staff Training. Within 90 days from issuance of a Certificate of Occupancy or if no building permit is required, within 90 days of issuance of the Use Permit, all owners, managers, and employees selling alcoholic beverages at the establishment shall complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program shall meet the standards of the California Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. New owners, managers, and employees shall complete the training course within 30 days of the date of ownership or employment and every third year thereafter. Records of successful completion for each owner, manager, and employee shall be maintained on the premises and presented upon request by a representative of the County.
80. 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.

81. Food Service Condition:

A restaurant, café, delicatessen or any other food service offering cooked-to-order food is prohibited. Table service, retail sales of cooked or prepared food or menu items are prohibited in the tasting room, except within the reserve tasting room for food and wine pairings as noted in Condition #82 below. The following types of food service are allowed under this permit:

- a. Samples or tastes of pre-packaged food, such as crackers, nuts or other palate cleansers, featuring local foods and food products offered in conjunction with wine tasting.
- b. Prepared meals or appetizers featuring local foods and food products offered in conjunction with agricultural promotional events, such as wine club parties and winemaker dinners, and with food and wine pairings as limited by Condition #82. Such meals/appetizers may be prepared in the commercial kitchen shown on the approved project floor plan. The preparation area can include counter space, a double sink, microwave oven(s), warming oven(s), refrigeration, a stove or range, and an exhaust hood.
- c. Retail sales of pre-packaged food not associated with the activities described in a) and b) are allowed in conjunction with wine tasting subject to the following limitations:
  - (i) Retail sales of pre-packaged food featuring local foods and food products shall be permitted only during tasting room hours as approved by this Use Permit.
  - (ii) Retail sales of pre-packaged food available for on-site consumption only.
  - (iii) No indoor seating area or table service is permitted in conjunction with retail sales of pre-packaged food. Outdoor seating areas are permitted for use as outdoor picnic areas.
  - (iv) No off-site signs advertising retail sales of pre-packaged food is permitted. All project signage shall conform to the Zoning Code Sign Regulations.

82. Food and Wine Pairing:

- a. The square footage of the reserve tasting dining area shall be limited to no more than 15% of the floor area of the main tasting room. Therefore, a 273 square foot maximum area is allowed for this based on the approved floor plan which includes 1,825 square foot tasting room areas.
- b. Seating in the reserve tasting room shall be limited to 20 seats and no more than 20 persons up to three times per day.
- c. Food and wine pairings shall be selected by the winery with no menu options allowed.
- d. Such pairing shall be limited to small appetizer-like portions, is limited to no more than four days per week and no more than twice per day at specified times (11:00 a.m. and 2:00 p.m.) avoiding the lunch hour and shall not be open to drop in guests.

83. The Use Permit must be vested within two years (Month Day Year of expiration) after this approval (Month Date Year). If the subject Use Permit has not been vested it shall become automatically void and of no further effect, unless an extension of time is requested prior to the expiration of the two year period. Extensions must be requested in writing and accompanied by

appropriate fees. The Use Permit approval may be extended for not more than one year by the authority which granted the original permit, pursuant to Section 26-92-130 of the Sonoma County Code.

84. This project will be considered to be vested once all Development Phase Conditions have been completed. Once vested the applicant will be allowed to continue with the project without the Use Permit expiring as discussed in Condition #83.
85. The Director of Permit Sonoma 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 Permit Sonoma demonstrating that the condition 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. Permit Sonoma 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 Permit Sonoma 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 Permit Sonoma, and shall not affect the original permit approval date or the term for expiration of the permit.
86. Pursuant to Sonoma County Code Sections 26-92-120 and 26-92-140, 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.