

5. 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 Department of Public Health, Office of Drinking Water if 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 of Approval shall be provided to the State Department of Public Health in order to obtain appropriate raw water source sampling requirements. (This process should begin as soon as possible, as the application, plan check and sampling may take some time. Be advised that surface water treatment rules may apply to springs or any water well with less than a 50-foot annular seal.) Copies of the clearance letter shall be submitted to the Project Review Health Specialist, or the Office of Drinking Water may E-mail clearance directly to PRMD.
6. If a water supply permit is required, then the water supply well is required to have a 50-foot annular seal. 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.
7. Prior to the issuance of any building permit, an Easement is required to 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 PRMD Project Review and County Counsel prior to recordation.

Septic:

8. Prior to building permit issuance, 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. The system shall also be designed to provide septic capacity for the total number of guests at special events requested, up to a maximum of 250 guests, before resorting to portable toilets. 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 Division that all required septic system testing and design elements have been met.
9. Application for wastewater discharge requirements shall be filed by the applicant with the North Coast 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. An application may be printed from:
<http://www.waterboards.ca.gov/northcoast/geninfo/genwinerywdr/wine.html>
10. Toilet facilities shall be provided for patrons and employees. A copy of the Floor Plan showing the location of the restrooms shall be submitted to the Project Review Health Specialist prior to issuance of building permits. For planned tenant improvements, installed central water and wastewater lines the length of the building with appropriate breakout floor design is acceptable.

Consumer Protection:

11. Prior to the issuance of building permits and the start of any construction, the applicant shall apply for a food facility permit or exemption. Plans and specifications for any food facility that provides food or beverage to the public must be submitted to, and approved by, the Environmental Health Division of the Health Services Department. The exemption requires:
 - a. Proof of a State Wine Grower License (Alcoholic Beverage Control license).
 - b. A statement that the wine tasting facility will not offer for sale, food or beverage for onsite consumption (with the exception of the actual wine tasting and certain palate cleansers such as prepackaged cheese, small pieces of bread, nuts, pretzels, crackers and the like). For example, a patron cannot purchase a bottle of wine and have a picnic on the premises of the winery; the only consumption of wine allowed would be at the tasting bar.
 - c. A statement that food and/or beverage, other than wine, will not be offered for sale for offsite consumption.
 - d. A statement that no fees will be charged for wine tasting or palate cleansers.

Contact the Environmental Health Division at 565-6544 for information. The PRMD Project Review Health Specialist shall receive a letter or e-mail of approval from the Environmental Health Division to verify compliance with requirements of the California Retail Food Code (CalCode).

PRIOR TO OCCUPANCY:

Water:

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

OPERATIONAL REQUIREMENTS:

Water:

13. A safe, potable water supply shall be provided and maintained.
14. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored quarterly and reported to PRMD in January of the following year pursuant to section RC-3b of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance.
15. 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.
16. If groundwater use exceeds 1.5 acre-feet per year, the operator/owner shall apply for a modification of the Use Permit to reflect the expanded use.

Septic:

17. Maintain the Annual Operating Permit for any package treatment plant, alternative (mound or pressure distribution) or experimental sewage disposal system installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.

18. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
19. 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.

Hazardous Materials Program:

20. 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:

21. 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:

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

Hourly Noise Metric ¹ , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L ₅₀ (30 minutes in any hour)	50	45
L ₂₅ (15 minutes in any hour)	55	50
L ₀₈ (5 minutes in any hour)	60	55
L ₀₂ (1 minute in any hour)	65	60

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

Mitigation Monitoring: If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards. (Ongoing)

23. Construction activities for this project shall be restricted as follows:

- a. All internal combustion engines used during construction of this project will be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code. Equipment shall be properly maintained and turned off when not in use.
- b. Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m., on weekdays and 9:00 a.m. and 7:00 p.m., on weekends and holidays. If work outside the times specified above becomes necessary, the applicant shall notify the PRMD Project Review Division as soon as practical.
- c. There will be no start up of machines nor equipment prior to 7:00 a.m., Monday through Friday or 9:00 a.m., on weekends and holidays; no delivery of materials or equipment prior to 7:00 a.m. nor past 7:00 p.m., Monday through Friday or prior to 9:00 a.m. nor past 7:00 p.m., on weekends and holidays and no servicing of equipment past 7:00 p.m., Monday through Friday, or weekends and holidays. A sign(s) shall be posted on the site regarding the allowable hours of construction, and including the developer's phone number for public contact.
- d. Pile driving activities shall be limited to 7:30 a.m. to 7:00 p.m., weekdays only.
- e. Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
- f. The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit. The Project Manager's phone number shall be conspicuously posted at the construction site. The Project Manager shall determine the cause of noise complaints (e.g. starting too early, faulty muffler, etc.) and shall take prompt action to correct the problem.

Mitigation Monitoring: PRMD staff shall ensure that the measures are listed on all site alteration, grading, building or improvement plans, prior to issuance of grading or building permits. Any noise complaints will be investigated by PRMD staff. 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.

24. Special events shall be limited to the hours of 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.). Events shall consist of industry wine tasting events, and shall not include weddings, concerts, festivals or other shows.

BUILDING:

Solid Waste:

25. Prior to building permit issuance, the applicant shall submit a design for trash enclosures and recycling areas for review and approval by the Building Plan Check Section of PRMD. (Fees may apply.) Note that trash trucks must have at least a 32-foot turning radius at the trash enclosure and the dumpster must have 16 feet of overhead clearance. Please note that the Local Enforcement Agency (at Environmental Health) bills at an hourly rate for enforcement of violations of the solid waste requirements.

TRANSPORTATION AND PUBLIC WORKS:

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

26. This project accesses the public road system using a road under State of California jurisdiction. Therefore, Caltrans shall review this development proposal for improvement requirements. If Caltrans determines that improvements to the roadway are necessary, the developer shall obtain a State of California Encroachment Permit before making any improvements within the state highway right-of-way.
27. The following improvements to Highway 116 North are required by Caltrans:
 - a. Provide a left-turn pocket into the project driveway.
 - b. Widen the west shoulder (i.e., on the side of the project driveway) to 8 feet throughout the project limit.
 - c. Upgrade the project driveway as per Appendix J of the Encroachment Permit Manual, and widen the driveway to 24 feet (minimum) for the initial 25 feet (minimum) measured from the edge of shoulder.
 - d. Demonstrate that the upgraded project driveway has adequate corner sight distances.

These improvements shall be installed prior to issuance of building or grading permits.
28. Prior to issuance of any permit which 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.
29. The applicant shall complete a "Winery Trip Generation" form and submit said form to the Sonoma County Department of Transportation and Public Works for review prior to clearance of these conditions.

EMERGENCY SERVICES:

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

30. This project shall comply with Sonoma County Fire Safe Standards and applicable codes for emergency vehicle access, water supply for fire protection, and any required fire protection systems and equipment.
31. 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.
32. During construction, hazardous materials shall be stored away from drainage or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.

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

Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all

times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.

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

Mitigation Monitoring: Building/grading permits shall not be approved for issuance by PRMD staff until the above measures are included in the building and grading plans. The applicant shall be responsible for notifying construction contractors about the requirement for responsible storage and spill cleanup of hazardous materials.

GRADING AND STORM WATER:

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

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

- a. Throughout the construction process, groundwater disturbance shall be minimized and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
- b. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms, and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
- c. All erosion control measures shall be installed according to the approved plans prior to the onset of the rainy season but no later than October 15th. Erosion control measures shall remain in place until the end of the rainy season, but may not be removed before April 15th.

Mitigation Monitoring: Building/grading permits for ground disturbing activities shall not be approved for issuance by PRMD staff until the measures are incorporated into all applicable building and grading plans. The applicant shall be responsible for notifying construction contractors about erosion control requirements.

34. Install vegetated swales, detention basins, and other forms of stormwater management to prevent silt, agricultural chemicals, chemicals washing off of areas where vehicles are parked (oils, antifreeze, etc.), and other pollutants which will be picked up by water running off the site from entering Pitkin Creek. Stormwater management features are to be installed along the edges of the vineyard as well as in the areas around the winery and tasting room.

Mitigation Monitoring: Prior to building permit issuance a Storm Water Management Plan shall be submitted to PRMD's Grading and Storm Water Section. This plan will detail how runoff from the entire site will be controlled.

35. The applicant shall install infiltration systems, bio-swales, and other forms of runoff control to prevent rain water and other runoff from impervious surfaces from directly entering Pitkin Creek.

Mitigation Monitoring: The erosion and sediment control measures and infiltration systems shall

be reviewed by the PRMD Grading and Storm Water Section. These shall be incorporated into the landscaping and will be reviewed by the Design Review Committee as well during that Committee's review of the project.

PLANNING:

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

36. This Use Permit with review by the Landmarks Commission and Design Review Committee allows the applicant to build a new winery comprised of three 2,040 square foot winery buildings totaling 6,120 square feet and to remodel an existing historic dwelling into a tasting room/office building of 2,814 square feet of conditioned space and 592 square foot storage/garage (total winery/tasting facility of 3,406 square feet). The new winery buildings will be phased as production increases. It is estimated that during the first years of operation 5,000 cases of wine will be produced annually before reaching a maximum permitted annual production of 20,000 cases of wine. Tasting, retail sales, and participation in five industry-wide events per year (i.e., Russian River Grower's Winter Wine Escape, Grape-to-Glass, etc.) will also be part of the uses. No special events are permitted other than the aforementioned industry-wide events. The permitted hours of operation for the winery are 7:00 a.m. to 6:00 p.m., except during harvest when the facility will operate from 6:00 a.m. to 10:00 p.m., seven days a week. The winery will employ 12 full-time employees during non-harvest times; during harvest employees will increase to 24 full-time employees. Tasting room hours shall be from 10:00 am to 5:00pm. The use shall be operated in accordance with the proposal statement, technical studies, and site plan located in File No. PLP08-0073 as modified by these conditions.
37. This Use Permit (PLP08-0073) shall supercede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
38. 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.
39. The applicant shall pay all applicable development fees prior to issuance of building permits.
40. 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.
41. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50.00 (or latest fee in effect at time of payment) for County Clerk processing, and \$2,010.25 (or latest fee in effect at time of payment) because a Negative Declaration was prepared, for a total of \$2,060.25 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.
42. Prior to issuance of building or grading permits all grading and development on site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the dripline, and replacement of damaged or removed trees. The projects grading and landscape plans shall detail all tree protection implementation measures.

Mitigation Monitoring: PRMD shall not sign off the grading or building permit for issuance until the project grading and landscape construction documents clearly show all tree protection measures (as required in the County Tree Protection Ordinance). PRMD shall not sign off the grading or building permit for occupancy until a site inspection has been conducted, and the applicant has provided written verification from the project's landscape architect or contractor, that the tree

protection measures were complied with.

43. Prior to any tree removal or tree trimming between February 1 and July 31 a qualified biologist shall perform a raptor and nest search. This report shall be provided to the Project Planner at least one week prior to the start of the removal or trimming activities. If raptor nests are discovered all work within 300 feet of the nest site must halt. The California Department of Fish Game must be consulted to determine what measures must be implemented to protect the nest site.

Mitigation Monitoring: The applicant shall provide the Project Planner with a copy of the contract with the qualified biologist prior to any work which will involve tree trimming or removal. The biologist's report shall be provided to the Project Planner one week prior to the start of activities involving tree removals and trimming. If raptors are present the applicant shall provide the Project Planner with the response from the California Department of Fish and Game regarding protection measures to be implemented.

44. At the time of submitting a building permit application, the applicant shall submit to PRMD a Condition Compliance Review fee deposit (amount to be determined consistent with the Ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.
45. 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.
46. The applicant shall include these Conditions of Approval on a separate sheet(s) of plan sets to be submitted for building and grading permit applications.
47. Prior to the issuance of grading or building permits, the applicant will hire a qualified architectural historian to evaluate the historic dwelling and complete a State Department of Parks and Recreation (DPR) 523 form.

Mitigation Monitoring: The Project Planner will ensure that the building has been evaluated and the DPR 523 form has been completed and submitted to the Northwest Information Center at Sonoma State University prior to issuance of grading or building permits.

48. Prior to the Use Permit being issued associated historic features (the brick well, china shards, etc.) shall also be recorded on a DPR 523 form and submitted to the Northwest Information Center at Sonoma State University.

Mitigation Monitoring: The Project Planner will ensure that the historic artifacts have been recorded on the DPR 523 form prior to issuance of grading or building permits.

49. Prior to issuance of building or grading permits the project shall be submitted to a joint session of the Design Review Committee and the Sonoma County Landmarks Commission. The materials submitted for this review shall incorporate the changes and recommendations from the preliminary Design Review Committee review. Revisions and conditions from the Landmarks Commission shall be completed in accordance with their timing recommendations (i.e., prior to building permit issuance, prior to occupancy, etc.)
50. Prior to the issuance of any permits for grading, building, or septic systems. The applicant shall hire an archaeologist to further survey the prehistoric site and provide a determination as to its eligibility as a significant or unique cultural resource and to define the boundaries of the site. The study shall incorporate review by the Federated Indians of Graton Rancheria. Based on the determination of the significance of the site the archaeologist shall make recommendations about how best to preserve this resource. In addition the items which are catalogued must be reported to the Northwest Information Center.

Mitigation Monitoring: Copies of the archaeologist's determination on the prehistoric site shall be provided to the Northwest Information Center at Sonoma State University and the Project Planner prior to the issuance of any building, grading, or septic permits.

51. All earth disturbing activities shall be monitored/inspected by a qualified archaeologist and a representative of the Federated Indians of Graton Rancheria. The level of archaeological monitoring will depend on the location of the ground disturbing activity. The on-site archaeologist and tribal representative should determine when and where full-time or part-time monitoring or spot checks are appropriate.

Mitigation Monitoring: The applicant shall provide the Project Planner with a copy of the archaeologist's contract for monitoring. This contract shall be in place at the start of any earth disturbing activities and shall be in place until earth disturbing activities are complete.

52. 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 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 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 fifty (50) years of age including trash pits older than fifty (50) years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. PRMD may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by PRMD - Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant's sole expense.

"If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed."

Mitigation Monitoring: Building/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.

53. 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.
54. The following dust control measures will be included in the project:
- a. Water or other dust palliative will be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust.

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

Mitigation Monitoring: Building/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)

55. Prior to occupancy of the structure, bicycle racks shall be installed in the parking lot area near the winery buildings. The Sonoma County Parking Regulations (Sec. 26-86-010. Required parking) require that one bicycle parking space be provided for every 5 spaces required for automobiles. If shower facilities are provided for bicycle commuters they shall use low-flow showerheads.

Please use Bicycle Parking Guidelines by the Association of Pedestrian and Bicycle Professionals (http://drusilla.hsrc.unc.edu/cms/downloads/BikePark_Guidelines.pdf).

Mitigation Monitoring: The bicycle racks are to be shown on the site plan and their installation will be verified by the Project Planner. The shower facilities, if any, shall be shown on the winery building floor plans and will be inspected by the building inspector at the time of construction.

56. The building/s shall be constructed using the Sonoma County Green Building Program standards. These standards are based on 2009 LEED v3 for new commercial construction, and 2008-11 BIG rating systems, and result in buildings that are more energy efficient and reduce Greenhouse Gas emissions.

Mitigation Monitoring: The Green Building Program will become mandatory in Sonoma County once it is adopted and approved by the Board of Supervisors and California Energy Commission (Ordinance effective date is February 26, 2010). If building plans are submitted for review prior to the effective date of the Green Building Program they need not comply with the Green Building Program.

57. Prior to occupancy, the applicant/developer shall submit a greenhouse gas reduction plan. It shall include measures such as: water conservation, the use of more fuel efficient trucks, the use of alternative energy sources (solar, wind, etc.), reduced truck idling times, the implementation of measures to encourage carpooling and other alternative forms of transportation (i.e.: TDM measures such as the installation of showers and bike lockers, preferred parking, shuttles, etc.).

Mitigation Monitoring: The greenhouse gas reduction plan will be provided to the Project Planner for review. The plan shall be implemented with all available measures incorporated into the building plans and inspected by the Building Inspection Section of PRMD. The Building Inspector will provide clearance that the applicant has carried out the installation to the Project Planner.

58. To ensure that odors caused by grape crush residue are minimized, all residues must be removed from the site or spread in vineyards within two days of processing.

Mitigation Monitoring: If PRMD receives complaints regarding objectionable odors, staff will investigate the complaint. If it's determined by PRMD staff that complaints are warranted, the permit holder shall implement additional odor control measures as determined by PRMD (Ongoing).

59. The project shall comply with all provisions of the County Water Efficient Landscaping Ordinance.
60. A Water Conservation Plan shall be submitted for all buildings prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall include, at a minimum, proposals for low-flow fixtures. The measures in the plan shall be implemented and verified by PRMD staff prior to Certificate of Occupancy.
61. A Water Conservation Plan shall be submitted for all landscaping prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall comply with all provisions of the County Low Water Use Landscaping Ordinance and the State and/or County Water Model Efficiency Ordinance as applicable. Verification, from a qualified irrigation specialist, that landscaping complies with the State and/or County Model Water Efficiency Ordinance shall be provided prior to building permit issuance. The measures in the plan shall be implemented and verified by PRMD staff prior to Certificate of Occupancy.
62. Parking lot surfaces, lighting and exterior landscaping shall be maintained in good condition in compliance with the approved plans and conditions herein.
63. The applicant shall provide additional parking spaces that provide parking spaces for the maximum number of employees on-site at one time and the average maximum number of visitors or at least one parking space per 60 square feet of tasting room area. Based on 24 employees and 15 visitors there is a need for 39 parking spaces unless the applicant provides documentation that through alternating work schedules or other means fewer parking spaces are required. A revised site plan and justification for the number of parking spaces shall be provided for review and approval by the Design Review Committee. These spaces must be paved or graveled and have storm water pollution control measures installed (vegetated swales, retention basin, etc.) to prevent runoff of stormwater directly into Pitkin Creek. Overflow parking areas must also be designated to accommodate the number of visitors anticipated as part of the industry-wide events.

Mitigation Monitoring: The applicant will provide a revised Site Plan for review and approval by the Design Review Committee prior to building permit issuance that details where the parking will be located. The Storm Water Management Plan will be submitted to the PRMD Grading and Storm Water Section for review and approval prior to building permit issuance.
64. Construction of new or expanded non-residential development on each lot shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.
65. All new structures, lighting and signs shall require final design review by (PRMD or Design Review Committee) prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.
66. The project shall be submitted to the Sonoma County Design Review Committee for review of final design, landscaping, lighting, signage, and colors and materials which address the concerns raised by the Design Review Committee during the preliminary review. One primary issue is to modify building designs for the new winery buildings to be more compatible with the architectural style of the historic dwelling on the site. This will ensure that the project is compatible with the Highway 116 Scenic design guidelines, the historic dwelling, and surrounding development.

Mitigation Monitoring: The Project Planner shall ensure that the project is reviewed by the Design Review Committee and shall ensure that the structure is built in compliance with all conditions, landscaping is installed, lighting is installed as approved, etc.
67. Prior to issuance of building permits, an Exterior Lighting Plan shall be submitted for design review (by PRMD or Design Review Committee). Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.

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

68. Additional measures for lighting impacts include: Lighting plans shall be designed to meet the Lighting Zone LZ2 standards from Title 24 effective October 2005.
69. Parking lot fixtures shall be bollard style fixtures not to exceed four feet in height. All parking lot fixtures shall use full cut-off fixtures.
70. All exterior fixtures shall be limited to lamps (light bulbs) not exceeding 100 watts.
71. 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.

Mitigation Monitoring: If PRMD receives complaints regarding objectionable odors, PRMD staff would investigate the complaint and if the condition is violated the Use Permit may be subject to modification.

72. 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. However, one exterior on-site sign shall be permitted, subject to design review.

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

73. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
74. 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.

75. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) year after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.