

**SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS**

**Draft Conditions of Approval  
Exhibit A**

<b>Staff:</b>	Georgia McDaniel	<b>Date:</b>	January 26, 2023
<b>Applicant:</b>	Starr Holding LLC	<b>File No.:</b>	UPE21-0001
<b>Owner:</b>	Starr Holding LLC	<b>APN:</b>	066-220-019
<b>Address:</b>	7493 Starr Road, Windsor		

**Project Description:** Use Permit modification to previously approved winery use permit File No. UPE17-0053 to increase the total number of permitted annual event days from 16 to 25, and to expand the food and wine pairing capacity from 15 to 45 people and expand the tasting room hours of operation from 5 days a week 10am-5pm to 7 days a week 10am-5pm, on an 18.93-acre parcel. The previously approved number of employees (15 full-time and 5-part-time), winery production and storage capacity, and associated hours of operation remain unchanged. The existing facilities approved under UPE17-0053 will accommodate the use permit modification request. This permit does not change the previously permitted maximum occupancy for each tasting room and indoor event area. All UPE17-0053 Final Conditions of Approval still apply to the winery facility. No new structures are proposed.

The agricultural promotional events and food and wine pairing will serve locally produced wines made by Bricoleur Vineyards which utilizes Sonoma County grown grapes, including grapes grown on 8 acres onsite (yielding 10 percent of the full annual case production) and in the 13-acre vineyard on the adjoining applicant-owned property. In addition, approximately 50 percent of Bricoleur’s grapes for wine production are from the applicant-owned vineyard by Santa Rosa and 25 percent of its grapes from local third-party vineyards in the local area in Sonoma County. The existing olive orchard with 200 producing trees and the olive oil it produces, the garden and the locally-grown and produced fruit, vegetables and cheeses will be incorporated in agricultural promotional and industry wide event meals plus food and wine pairings.

All events and tasting rooms are limited to the following:

<b>Event Type</b>	<b>No. of Event Days</b>	<b>No. of Event Guests</b>	<b>Hours*</b>
Agricultural Promotional	10	150	11 am – 9 pm
Agricultural Promotional	4	200 persons and up to 250 for Indoor events	11 am – 9 pm
Industry Wide	7	100 (at any one time)	10 am – 5 pm
Private Events	4	150	11 am – 9 pm
<b>Total Event Days</b>	<b>25</b>	---	---

*\*Event clean-up to be completed no later than 10:00 pm.*

Tasting Rooms	Food and Wine Pairing Activities
Public Tasting Room	Food and Wine Pairing is not allowed in the Public Tasting Room. Public Tasting Room is limited to serving small tastes of pre-packaged food, such as crackers, nuts or other palette cleansers, featuring local foods and food products.
Private Tasting Rooms	Private Tasting Rooms are permitted to offer food and wine pairing involving small appetizer-like portions featuring local foods and food products for a maximum of 15 people at any one time.
Outdoor Tasting Patio	Outdoor Tasting Patio is permitted to offer food and wine pairing involving small appetizer-like portions featuring local foods and food products for a maximum of 30 people at any one time.
Hours of Operation for all Tasting Rooms	10am – 5pm, 7 days per week

**Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.**

**FEES:**

1. Permit Processing and Development Fees. This “At Cost” entitlement is not vested until all permit processing costs and development fees are paid in full. No grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
2. Condition Compliance Fee. At the time of submitting a building permit application, the applicant/operator shall submit to Permit Sonoma an Approved Permit Condition Compliance Review fee deposit of \$3,029.00 (or other amount consistent with the adopted fee schedule in effect at the time). In addition, the applicant/operator shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final occupancy being granted.
3. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.

**GENERAL:**

4. This project shall be constructed and maintained in conformance with the project description and project plans located in File No. UPE21-0001, and as modified by these Conditions of Approval.
5. 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.

6. 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.
7. 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.
8. In any case where a Use Permit has not been used within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.
9. 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 PRMD demonstrating that the conditions 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 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.

**PERMIT SONOMA BUILDING:**

10. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction.

**PERMIT SONOMA NATURAL RESOURCES:**

**OPERATIONAL REQUIREMENTS:**

11. 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 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 PRMD.
12. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Project Review staff at least once every five years.

**PERMIT SONOMA WELL & SEPTIC:**

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

**PRIOR TO COMMENCEMENT OF THE USE:**

Septic:

13. Prior to commencement of any increase in the number and capacity of agricultural promotional events plus food and wine pairing, the applicant shall obtain permits for the domestic sewage and process waste water disposal systems demonstrating there is adequate septic capacity. The systems 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 systems 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 systems, and shall include the required reserve areas. The septic system shall meet current Onsite Waste Water Treatment Systems (OWTs) manual.

If the commercial waste water is combined with residential waste water, then 200% septic replace area is required.

If the future commercial waste water is separated from the future residential waste water, then 200% reserve area shall be demonstrated for the future commercial system and 100% reserve shall be demonstrated for residential.

This project is approved for agricultural promotional events and food and wine tasting. Modifications to the existing septic system shall be made to accommodate the increased daily visitation and events associated with the proposed use permit modification. The project shall provide septic system capacity in accordance with PRMD Policy 9-2-31 (available on PRMD'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 150 guests in addition to peak wastewater flows from all other sources plumbed to the septic system, including the employees listed in the traffic study.

14. Prior to commencement of any increase in the number and capacity of agricultural promotional events plus food and wine pairing , the applicant shall have a capacity/wastewater flow analysis and proper functioning of the wastewater system inspection completed by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the Ag Exempt Barn existing septic system’s ability to accommodate the peak flows from all sources granted in the Use Permit The wastewater analysis and inspection findings report shall be submitted to PRMD Well & Septic for a “Review of Consultant’s Findings” with applicable fees paid. The Well and Septic Health Specialist shall receive a final clearance from the Well and Septic Section that the existing septic system capacity and functioning order are sufficient for the proposed use.

Any necessary system expansion or modifications, and demonstration of reserve areas, shall be done under permit and the current standards from the PRMD Well and Septic Section and may require both soils analysis, groundwater and percolation testing. 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.

Consumer Protection:

15. 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 applicant shall submit:** A letter of approval from the Environmental Health Division to the Project Review Health Specialist verifying compliance with requirements of the California Retail Food Code (CalCode).

OPERATIONAL REQUIREMENTS:

Water:

16. 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.

Septic:

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

19. Portable toilets and portable hand-washing facilities shall be placed and maintained for employees as needed on the construction sites, but in no case shall they be serviced less than once per three days when 24-hour operations are conducted, and once per seven days when only daytime operations are conducted. The permittee 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.

Noise:

20. 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)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	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 1 minute in any hour.

*Adjusted* TABLE NE-2: Maximum Allowable Exterior Noise Exposures for Outdoor Tasting Room Use Areas and Events

Hourly Noise Metric <sup>1</sup> , dBA	Daytime <sup>2</sup> (7 a.m. to 10 p.m.)	Nighttime Not allowed during nighttime hours (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	45	
L25 (15 minutes in any hour)	50	
L08 (4 minutes 48 seconds in any hour)	55	
L02 (72 seconds in any hour)	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 1 minute in any hour.

<sup>2</sup> Adjusted down 5 dBA for speech and music.

21. Events shall be limited to the hours of the Daytime Noise Standards found in the Noise Element of the Sonoma County General Plan), currently 7:00 a.m. to 10:00 p.m. All agricultural

promotional events must end by 9:00 p.m. with clean up to finish by 10:00 p.m. All industry-wide events must end by 5:00 p.m.

22. Amplified sound and the very loud musical instruments (such as horns, drums and cymbals) are not permitted outdoors, however are permitted indoors with all the windows and doors closed. The quieter, non-amplified musical instruments (such as piano, stringed instruments, woodwinds, flute, etc.) are allowed outdoors when in compliance with the Noise Element of the Sonoma County General Plan.
23. 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.
24. Agricultural promotional events that include outdoor music shall be background music not exceeding the level of ordinary conversations.

Solid Waste:

25. 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:

26. 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.
27. 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.

**PERMIT SONOMA GRADING AND STORM WATER:**

28. 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.

**SONOMA PUBLIC INFRASTRUCTURE:**

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

- 29. The Applicant shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum AASHTO required sight distance at any project driveway where it intersects a public roadway.
- 30. The Applicant shall locate driveway gates a minimum distance of 30 feet from the edge of the pavement, in accordance with Standard Detail 242.
- 31. The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma (PRMD) prior to working within County road right-of-way.

**PERMIT SONOMA FIRE PREVENTION:**

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

- 32. 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 California Fire Code as adopted and amended by Sonoma County Code shall be obtained from the Sonoma County Fire Prevention Division.
  - a. The applicant or owner shall demonstrate all existing use permit conditions are in compliance and recommend changes to address previously approved conditions set by the Fire Code Official.
- 33. Owners and Operators shall provide evidence to Sonoma County Fire that the fire service features for buildings, structures and premises will comply with the 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.
    - i. Residential and Commercial Roads 20 feet in width required.
    - ii. Exception per Fire Safe Regulations must be submitted for review prior to permit approval for CEQA Review. SRA Parcels.



- b. 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.
  - c. Gates: Where gates or similar barriers are installed across access roads, an approved lock shall be installed as required by the fire code official.
  - d. Water Supply: An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises.
  - e. Building features: Fire sprinklers and fire alarm system may be required based on existing and new use.
34. Owners and Operators shall provide evidence to Sonoma County Fire that applicable Fire Code Operational Permits required by Chapter 1, Division II of the California Fire Code as adopted and amended by Sonoma County Code will be obtained from Sonoma County Fire or the local fire code official.
35. Owners and Operators shall provide a written “Fire Safety and Evacuation Plan” (as required by Section 403 and 404 of the California Fire Code) to Sonoma County Fire for approval. This includes but not limited to medial trained staff, fire watch, crowd managers. This plan shall be re-evaluated at any time when requested in writing by the fire code official.
36. Owners and Operators shall provide evidence to Sonoma County Fire that there are enough parking spaces to support the proposed activity without compromising emergency access. A ratio of 2.5 persons per vehicle shall be used in making such calculations.
37. Local Responsibility Area (LRA). Compliance with the general defensible space clearances per CCR Title 19 Div. 1, Chapter 1, Subchapter 1 §3.07.
38. Due to the scope of this project a Fire Services Pre-Construction meeting or occupancy fire inspection is required at the applicant’s cost with the local fire authority included.
- a. This can be waived by written approval by the fire code official.

**SONOMA COUNTY ENVIRONMENTAL HEALTH:**

39. If the site participates in, or hosts, a special event that is two or more days, it must be approved as a community event. Community events require additional permits and inspections from this Department for the organizer as well as all food vendors.
40. Public events held in the unincorporated areas of Sonoma County are required to comply with Sonoma County Ordinance #5953 which prohibits smoking in public places. The ordinance does allow for the establishment of a Designated Smoking Area that meets criteria outlined in the ordinance. Criteria can be found at [www.Sonoma-County.org/BreatheEasy](http://www.Sonoma-County.org/BreatheEasy) under Overview and Background – Major Provisions.

41. All owners/operators, managers, supervisors, and employees who sell or serve alcoholic beverages shall complete Responsible Beverage Service (RBS) Training within 90 days from issuance of a new permit and every third year thereafter. All servers/sellers of alcohol hired after the initial 90 day period shall complete the training course within 60 days of employment and every third year thereafter. It is strongly recommended, if alcohol is to be served at special events, that all employees and volunteers complete special event RBS training prior to the event.
42. The RBS Training shall meet the recommended best practice guidelines of the State of California, Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. Records of successful completion for each owner/operator, manager, supervisor, employee and volunteer shall be maintained on the premises and shall be presented upon request by a representative of the County or local law enforcement agency.
43. As of June 1, 2012 smoking is no longer allowed in outdoor dining areas. This includes picnic areas, sidewalks, and any area available to, or customarily used by, the general public or an employee that is intended or regularly used for consuming food or drink. A business with an unenclosed dining area may establish a designated smoking area elsewhere on the premises if it meets the criteria outlined in the County Smoking Ordinance #5953.
44. A designated smoking area is a portion of an unenclosed area where smoking may be allowed. It must meet all of the following criteria:
  - It must be located at least 25 feet in any direction from any operable doorway, window, vent or other opening into an enclosed area.
  - It must be located at least 25 feet in any direction from any space that is designated as “smoke-free”.
  - It must be located at least 25 feet from unenclosed recreational areas that are primarily used by children and/or areas that have improvements that facilitate physical activity including playgrounds, tennis courts, swimming pools, walking paths, and sports fields.
  - It must be no more than five percent (5%) of the total unenclosed area for which it is designated.
  - It must be clearly identified by conspicuous signs and have ash receptacles, such as ash trays or ash cans, within the area for proper disposal of smoking waste.

**PERMIT SONOMA PLANNING:**

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

45. This Use Permit shall not alter the nature or scope of the construction activities and agricultural production and related storage activities authorized by UPE17-0053. The use permit modification to events and tasting shall be operated in accordance with the proposal statement and site plan located in File No. UPE21-0001 and as modified by these conditions.
46. No construction is authorized by this use permit File No. UPE21-0001 with exception of meeting septic modification requirements. All construction is to be conducted in accordance with the original use permit UPE17-0053 Conditions of Approval issued on April 11, 2019 and attached hereto under Attachment 1.

47. The 25 authorized agricultural promotional event days 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.
48. Events are allowed both indoors and outdoors. The events will continue to occur on the property either within the proposed winery buildings or in the established outdoor garden event areas approved by UPE17-0053 in the southern portion of the site near the winery buildings and adjacent vineyards. All events exceeding 200 guests must be held entirely indoors. All amplified music will continue to be limited to indoors only.
49. The maximum number of guests allowed for all outdoor events is 200 guests based upon the noise assessment prepared for UPE17-0053.
50. Food and wine pairing indoors within the winery building shall only occur in the private tasting rooms and not in the public tasting room.
51. No rental of the facility to third parties is permitted.
52. On days when events are held at the site, the existing vacation rental unit approved under ZPE15-0806 may not be rented, and all applicable performance standards of ZPE15-0806 continue to apply.
53. A total of 124 parking spaces shall be provided on-site, to include 66 standard spaces, 3 van accessible spaces, 3 standard accessible spaces, and 52 standard overflow event spaces. Parking is not permitted within the public right-of-way.
54. Food Service Condition:  
A restaurant, café, delicatessen or any other food service offering cooked-to-order food is prohibited. Table service, and retail sales of cooked or prepared food are prohibited in the tasting rooms, except as limited below. The following types of food service are allowed under this permit:
  - a. Food services: the project may include serving of prepared meals or appetizers featuring local foods and food products in conjunction with authorized events. Such meals / appetizers may be prepared offsite or in a food preparation area in the winery buildings prior to serving.
  - b. Samples or tastes of pre-packaged food, such as crackers, nuts or other palette cleansers, featuring local foods and food products offered in conjunction with wine tasting open to the public.
  - 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 featuring local foods and food products shall be permitted only during tasting

room hours as approved by this Use Permit, and limited in area to no more than 200 square feet.

- 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.

e. Food and Wine Pairing:

Food and wine pairings is permitted outdoors for a maximum of 30 people and indoors in the private tasting rooms for a maximum of 15 people at any one time between the hours of 10am-5pm, 7 days a week.

- i) Food and wine pairings shall be selected by the winery with no menu options allowed.
- ii) Food and Wine Pairing is not allowed in the Public Tasting Room. The Public Tasting Room is limited to serving small tastes of pre-packaged food, such as crackers, nuts or other palette cleansers, featuring local foods and food products.

55. 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.

56. 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.

57. The days and hours for agricultural promotional events and industry wide events shall be subject to review and approval by an 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 agricultural promotional events and industry wide events for each calendar year including the maximum number of participants, times and dates, and to report the actual events from the previous year. 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.

58. Annual Report. After commencement of event activities, the owner/operator shall submit a report each year to PRMD 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.

**Original Use Permit File No. UPE17-0053 Mitigation Measures that are required for UPE21-0001:**

**59. Mitigation Measure HYD-2 Groundwater Monitoring:**

- a. Groundwater levels and quantities extracted for this use shall be measured quarterly. Data shall be reported to PRMD in January of the following year pursuant to Section WR-2d of the Sonoma County General Plan and County policies. Data shall be provided on template monitoring forms provided by PRMD.
- a. Additionally, water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Natural Resources Geologist at least once every five years.
- b. In the event that net water use exceeds 1.0 acre feet per year, Permit Sonoma may bring the project back to the Board of Zoning Adjustments for review of additional measures to reduce water use. If use exceeds 1.0 acre feet per year by more than 10 percent, Permit Sonoma shall bring this project back to the Board of Zoning Adjustment for review of additional measures to reduce water use.
- d. The project shall comply with all applicable regulations, monitoring and fees associated with the Groundwater Sustainability Agency as applicable to the project.

**Mitigation Monitoring – HYD 2**

PRMD staff shall review operator groundwater monitoring reports and data, and bring the project back to the Board of Zoning Adjustment if groundwater use exceeds specified limits.

**60. Mitigation Measure NOISE-1:**

PRMD Project Review Division staff shall ensure that the project complies with project conditions of approval and measures identified in the project noise analysis prepared by Illingworth & Rodkin.

**Mitigation Monitoring NOISE-1:**

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. PRMD staff shall inspect the site prior to construction to assure that the signs are in place and the applicable phone numbers are correct. Any noise complaints will be investigated by PRMD staff. If violations are found, PRMD shall seek voluntary compliance from the permit holder, or may require a noise consultant to evaluate the problem and recommend corrective actions, and

thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate.

**61. Mitigation Measure AIR-1:**

The applicant shall submit a Greenhouse Gas Reduction Plan for PRMD review and approval that defines measures to reduce greenhouse gas emissions in the design, construction, and long-term operations of the project. The applicant intends to incorporate the following planned greenhouse gas and energy efficiency measures for the project: (1) solar, (2) electric charging stations, (3) bicycle racks, (4) energy efficient buildings, (5) plantings of trees and other plants, and (6) a commitment to remain a California Certified Sustainable vineyard. A condition of approval requires submittal of a Greenhouse Gas Reduction Plan, which may include, but not be limited to, the following:

- 1) A solar permit has already been submitted (#BLD17-3520) to install ~260 panels on the western roof of the existing Ag Barn (proposed Winery) which could supply ~95% + of the existing electricity needs for the property. Additional solar will be installed on the proposed Winery and Ag Storage buildings to handle future energy requirements with the goal of being energy self-sufficient.
- 2) An electric charging station has already been installed in the vacation rental unit, which is utilized by the owners and will also be available to all potential vacation rental guests that utilize an electric vehicle. An additional charging station will be added during the construction of the winery production building. The charging station will be available to all winery visitors. Electric forklifts will be utilized in the winery operations in an additional effort to reduce emissions.
- 3) Applicant will add two bicycle parking areas with racks, beyond the current county code requirements, to encourage visitors to utilize bicycles to reduce carbon emissions.
- 4) Construction of all new buildings will utilize significant insulation in the walls and ceilings, as well as energy saving appliances to ensure that the buildings will be extremely energy efficient.
- 5) Over the last three years, the applicant has already planted over 200 olive trees, 12 oak trees, 36 fruit trees, 80 rose bushes and many other plants to help reduce the carbon footprint and improve the environment.
- 6) In 2018, the Bricoleur Vineyard was officially certified as a Certified California Sustainable Vineyard by the Sonoma County Winegrowing Alliance. This process included an audit of Bricoleur's sustainable farming practices. This process included the installation of 12 owl & bird boxes throughout the vineyard, planting of winter cover crops in the 20 acre vineyard, installation of a weather station and moisture probes to monitor and reduce water usage, as well as adopting other organic and sustainable farming techniques. Bricoleur Vineyards is committed to annual improvements to continuously reduce greenhouse gases, water usage, and improvements in its farming techniques to maintain its vineyard certification.

**Mitigation Monitoring AIR-1:**

PRMD staff shall ensure that the methods selected in the Greenhouse Gas Emissions Reduction Plan are listed on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits. Building/grading permits shall not be approved for issuance by

Project Review Staff until the Greenhouse Gas Reduction Plan has been approved and incorporated into the design and construction documents for the project.