

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,
COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A
MITIGATED NEGATIVE DECLARATION AND APPROVING A USE
PERMIT TO STARR HOLDINGS, LLC, FOR PROPERTY
LOCATED AT 7390 STARR ROAD, WINDSOR; APN 066-220-019

WHEREAS, the applicant, Starr Holdings, LLC, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for a four-year phased development of a winery with maximum annual production of 40,000 cases, including public tours, three tasting rooms, and 16 total event days on an 18.93-acre project site, located at 7390 Starr Road, Windsor, APN 066-220-019; Zoned Diverse Agriculture (DA) B6 40; Floodway Combining District (F1); Floodplain Combining District (F2); Riparian Corridor Combining District (RC) 50/50; Riparian Corridor Combining District (RC) 100/50; Valley Oak Habitat (VOH); Supervisorial District No 4; and

WHEREAS, a Mitigated Negative Declaration was prepared and posted for the proposed project in accordance with the appropriate law and guidelines; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on April 11, 2019, at which time all interested persons were given an opportunity to be heard.

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

1. The project is consistent with the General Plan land use designation of Diverse Agriculture (DA) and General Plan objectives to facilitate County agricultural production by allowing sales and promotion of agricultural products, including tasting rooms, wine production and associated improvements, consistent with consistent with the Agricultural Land Use categories (Objective AR 5.1). The General Plan provides for facilities that promote agricultural products in all three agricultural land use categories only where the use supports and is proportional to agricultural production on the site or in the local area. The primary use of the site will remain in agriculture. Processing of agricultural products of a type grown or produced primarily on site or in the local area and tasting rooms and other temporary, seasonal, or year-round sales and promotion of agricultural products grown or processed in the county, subject to the criteria of General Plan Policies AR-6d and AR-6f, are uses permitted with a Use Permit in the Diverse Agriculture zoning district. The project is consistent with General Plan Goal AR-5, which states that agricultural support services should be conveniently and accessibly located to the primary agricultural activity in the area because the winery is located in an area producing grapes. Agricultural promotional events and industry-wide events have been found to promote the region's as well as the grapes grown on-site, educate visitors to the region's wines, on the making of wines, and help to increase wine club membership, thereby increasing direct marketing and sales of the wine produced on site. The size of the winery buildings are appropriate for the proposed 40,000 case per year production, and in supporting agricultural promotional, industry wide and private events, including the proposed four weddings per year. This is consistent with similar previous County actions, as it has been demonstrated agricultural products produced onsite or locally (including wines and olive oil) would be used in meals served at private events and in food and wine pairings. Food and wine pairing will occur in the private tasting rooms, limited to 15 seats and 15 persons, along with not allowing menu options to guests and

only being open during lunch hours a maximum of 4 days per week, to ensure that the food pairing remains accessory to the wine tasting.

2. Agricultural promotional events and industry-wide events have been found to promote the region's as well as the grapes grown on-site, educate visitors to the region's wines, on the making of wines, and help to increase wine club membership, thereby increasing direct marketing and sales of the wine produced on site, all consistent with Policies AR-6d, AR -1a, AR-4a, and AR-6a.
3. The proposal is consistent with the Diverse Agriculture (DA) zoning designation, which allows the following under Section 26-08-020(j) and (K) of the Zoning Ordinance with a Use Permit approval: promotion of agricultural products grown or processed in the county. Sonoma County has a long history of permitting agriculture promotional events at wineries which are a marketing tool that promote the wine, and for this project, wine from the grapes produced or grown on site. The existing olive orchard and the olive oil it produces as well as related garden plantings and locally-grown and produced fruit, vegetables and cheeses will be incorporated in agricultural promotional and industry wide events, in food and wine pairings, and at other private events, such as charitable events and weddings. Project conditions of approval prohibit the winery facility from being rented out to any third-parties and for concerts.
4. Under this Use Permit approval, the Existing Vacation rental is not allowed to be used in conjunction with events. On non-event days, the Vacation Rental will continue to be rented to the general public under provisions of ZPE15-0086.
5. The primary potential land use conflicts associated with the proposed winery use and agricultural promotional events are traffic, noise, groundwater use and aesthetics. Conditions of approval have been incorporated into the project to reduce potential impacts to a less than significant level because: (a) The project generated traffic at the intersections of Starr Road/Reiman Lane, Windsor Road/Shiloh Road, and Mark West Station Road/Starr Road are expected to operate at LOS A or B overall during both peak hours with the addition of the project and event-related trips. (b) Based on the findings determined by the noise assessment, the noise associated with daytime indoor or outdoor events, tasting room and wine production and bottling would not result in noise levels which exceed the daytime or nighttime NE-2 noise standard at the property line of the adjacent residences. Use of amplified music would only occur indoors. (c) A project groundwater analysis report found that groundwater storage (2,900 acre-feet) and recharge (21 to 42 acre-feet/year) are substantially greater than proposed water demands of the project (1.2 acre-feet/year) or the cumulative impact area (13.5 acre-feet/year). The report concluded there is little potential to negatively impact groundwater supply, groundwater levels in neighboring wells, and surface waters. A peer review by the County's Natural Resources Geologist concluded that hydrogeologic study meets PRMD specifications and found the water use estimate of the project is conservative in nature and likely over estimates groundwater use of the project. Based on water use rates from similar projects, the project is expected to have a water use rate between 0.5 and 1.0 acre-feet/year. A condition of approval also requires the applicant to file with PRMD a Water Conservation Plan that will further address water conservation measures for the project. (d) GHG Reduction measures have been incorporated into the project. 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. (e) Aesthetics of the project were evaluated, finding that design materials and architecture are generally consistent with the County's Design Review Guidelines, including use of natural materials and colors.

6. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project, because mitigation measures have been incorporated into the project as Conditions of Approval. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.
7. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: (1) exterior lighting must be low mounted, downward casting and fully shielded to prevent glare, lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated; (2) The intersections of Starr Road/Reiman Lane, Windsor Road/Shiloh Road, and Mark West Station Road/Starr Road are expected to operate at LOS A or B overall; (3) the project will not compromise agricultural capability because the proposed use does not remove existing vines or olive trees; (4) the project site is not under a Land Conservation Act contract; (5) conditions have been incorporated into the project to ensure that noise from event activities meet the Daytime Noise limit standards established in the General Plan, with limited hours of event activities, and the conditions placed on the project to control noise; (6) event hours of operation are limited to ensure compliance with noise standards and neighborhood compatibility; and (7) amplified sound and music is only permitted indoors and shall cease by 9:00 p.m.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby adopts the Mitigated Negative Declaration as stated above and approves the requested Use Permit and the Mitigation Monitoring Program as set forth in the attached Conditions of Approval provided in Exhibit A. The Board of Zoning Adjustments certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and County Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment of the Board.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments' action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

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

Commissioner Carr	No
Commissioner Reed	Yes
Commissioner Cook	Yes
Commissioner Mauritson	Yes
Commissioner Davis	No

Ayes: 3 Noes: 2 Absent: 0 Abstain: 0

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

SO ORDERED.

SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS

Final Conditions of Approval

Staff:	Brian Millar	Date:	April 11, 2019
Applicant:	Bricoleur Vineyards	File No.:	UPE17-0053
Owner:	Starr Holdings, LLC	APN:	066-220-019
Address:	7390 Starr Road, Windsor		

Project Description: This is for a four-year phased Use Permit for a winery with a maximum annual production of 40,000 cases, public tours and three tasting rooms, and includes a total of 16 event days. Phase I (1-2 years) includes conversion of an existing 10,836 square foot barn to a barrel storage building with two tasting rooms (one containing a 640 square foot reserve tasting room, and an 1,140 square foot public tasting room located in the barrel storage area; the latter wine tasting room would close and be used for barrel storage once the new winery building at Phase II is completed), barrel storage room, offices, conference room, kitchen and related areas, along with construction of a 2,500 square foot agricultural storage building. The 16 event days per year would consist of 8 agricultural promotional events (4 with a maximum of 150 guests, and 4 with a maximum of 200 guests); and 8 industry wide events with a maximum of 100 guests on the site at any one time). The winery operation would include use of 8 acres of on-site grapes, and importation of 13 acres of grapes from the adjoining property owned by the applicant, approximately 50 percent of its grapes for wine production from an applicant-owned vineyard near Santa Rosa and 25 percent of its grapes from local third-party vineyards in the local area in Sonoma County. Grapes would be crushed and fermented during Phase I operations at an off-site location (Punchdown Cellars) near Santa Rosa, with barrel storage in the converted barn building. Case storage would occur at an off-site location in Windsor.

Phase II (1-4 years) includes demolition of an existing riding arena to allow the construction of a new 22,880 square foot two-story winery production building containing two tasting rooms (a 715 square foot public tasting room and a 378 square foot private tasting room for wine club members), offices, restrooms, wine production areas and storage, wine education and tour area (related to proposed tours of the production facilities, vineyards and olive orchards to project site visitors). Mobile bottling would occur on the crush pad. The winery operation would include use of 8 acres of on-site grapes, and importation of 13 acres of grapes from the adjoining property owned by the applicant, approximately 50 percent of its grapes for wine production from an applicant-owned vineyard near Santa Rosa and 25 percent of its grapes from local third-party vineyards in the local area in Sonoma County.

Total building area devoted to winery use would be approximately 33,716 square feet on the 18.93 acre parcel.

For both Phase I and Phase II operations, food and wine pairing is proposed, and would only be available to scheduled private tastings in the private tasting rooms. Bottles of olive oil

from on-site orchards would be sold on-site.

The project phasing is approved with two general phases of construction:

Phase I: Construction of the agricultural barn conversion to tasting rooms, barrel aging and storage, commercial kitchen, bathrooms, conference room, employee offices. Construction of a 2,500 sq. ft. agricultural storage building. Construction of driveway and parking areas. (Years 1-2)

Phase II: Construction of the new winery building, including crush pad, three tasting rooms, fermentation room, barrel storage, office, laboratory, employee and visitor restrooms. (By year 4, with a 1-year extension possible.)

Hours of operation are limited as follows:

Winery: 7:00 a.m. to 6:00 p.m., 5 days a week (non-harvest season) and 6:00 a.m. to 10:00 p.m. or hours as needed 7 days a week (harvest/crush season)

Tasting Room: 10:00 a.m. to 5:00 p.m. 5 days a week

Agricultural promotional events: 10:00 a.m. to 9:00 p.m. (guests exiting site) and event clean up completed by 10:00 p.m.

Industry-wide Events: 10:00 a.m. to 5:00 p.m.

Truck deliveries: Permitted between the hours of 7:00 a.m. and 10:00 p.m.

PRIOR TO COMMENCING THE USE, EVIDENCE MUST BE SUBMITTED TO THE FILE THAT ALL OF THE FOLLOWING PRE-OPERATIONAL CONDITIONS HAVE BEEN MET.

PROJECT REVIEW FEES:

1. 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 \$2,354.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of \$2,404.75 made payable to Sonoma County Clerk** and submitted to PRMD. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code). NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
2. At the time of submitting a building permit application, the applicant shall submit to Permit Sonoma 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.
3. This “At Cost” entitlement is not vested until all permit processing costs and development fees are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
4. 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.

BUILDING:

5. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
6. 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 PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.
7. Any earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code) and erosion control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code and Building Ordinance (Chapter 7, Sonoma County Code.)
8. 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.
9. 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.

NATURAL RESOURCES:

“The conditions below have been satisfied BY _____ DATE _____

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

Water:

10. 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 staff and County Counsel prior to recordation.

PRIOR TO OCCUPANCY:

Water:

11. 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. Water meter(s) 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.
12. 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. (*Large use*) Inspector or another inspector approved by the Permit Sonoma Director prior to Building Permit Final Occupancy.

OPERATIONAL REQUIREMENTS:

Water:

13. 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.
14. 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.

HEALTH:

“The conditions below have been satisfied BY _____ DATE _____

PRIOR TO BUILDING PERMIT AND VESTING OF USE PERMIT

15. 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 PRMD 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 PRMD Project Review Health Specialist.

The applicant shall submit: A copy of the State Certified Lab report to the Project Review Health Specialist for review.

16. 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. (This process should begin as soon as possible, as the application, plan check and sampling will take some time.)

The applicant shall submit: A copy of the clearance letter to the Project Review Health Specialist, or the State Drinking Water Program may e-mail clearance directly to PRMD, Project Review-Health.

17. 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 retrofit in an economic manner. If documentation of a 50-foot annular seal cannot be obtained, then a new water well may be required.

The applicant shall submit: Documentation (a well completion log) of a 50 foot annular seal on the water well serving the project.

Septic:

18. Prior to building permit issuance and vesting the Use Permit, the applicant shall obtain permits for the domestic sewage and process waste water disposal systems. 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.

This project is approved for agricultural promotional events and 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 100 guests, in addition to peak wastewater flows from all other sources plumbed to the septic system, including the employees listed in the traffic study.

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 applicant shall submit: Final clearance from the Well and Septic Section that all required septic system testing and design elements have been met to the Project Review Health Specialist.

19. 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).

The applicant shall submit: A copy of the Waste Discharge Permit to the Project Review Health Specialist prior to issuance of a Certificate of Occupancy or project operation and vesting the Use Permit.

20. Prior to building permit issuance and vesting the Use Permit, 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 Project Review 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.

The applicant shall submit: A final clearance from the Well and Septic Section that all required septic system testing and design elements have been met to the Project Review Health Specialist.

21. 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.

The applicant shall submit: A copy of the Floor Plan showing the location of the restrooms, prior to issuance of building permits, to the Project Review Health Specialist

Consumer Protection:

22. 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. 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. If the project will operate under a Wine Tasting Room Exemption, the exemption requires:
 - a. Proof of a State Wine Grower License (Alcoholic Beverage Control 02 license).
 - b. A statement that the wine tasting facility will not offer for sale, food or beverage for onsite consumption (with the exception of authorized events, the actual wine tasting, prepackaged non-potentially hazardous beverages and crackers).
 - c. Note that this Use Permit requires that if any of the following items are new or replacement installations they shall be built to CalCode standards: all flooring, counter tops, restrooms and sinks in the food or beverage service area. The goal is to minimize the need to replace new materials when a small change in the menu triggers the need for a Food Facility permit.

Contact the Department of Health Services, Environmental Health & Safety Section at 565-6565 for information and instructions.

The applicant shall submit: an e-mail of the approval from the Environmental Health & Safety Section or a copy of the Environmental Health Plan Check Approval to the Project Review Health Specialist to verify compliance with requirements of the California Retail Food Code (CalCode).

Solid Waste:

23. Prior to building permit issuance, the applicant shall submit a design for trash enclosures and recycling areas for review and approval by the PRMD 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.

The applicant shall submit: A design for trash enclosures and recycling areas for review and approval by the PRMD Building Plan Check Section. Provide the Building plan page and detail number for the trash enclosures to the Project Review Health Specialist.

24. **Prior to building permit issuance**, areas within refuse enclosures for food facilities, food retailers, inns and hotels, and *multiple housing units with seven (7) or more bedrooms*, shall
- Drain to the sanitary sewer system or other appropriately permitted disposal facility.
 - Container areas shall not be less than ten feet (10') wide, seven and one-half feet deep and six feet (6') high.
 - Gates, if installed on the container area, shall be double doors, opening at the center and level with the access road.
 - The outside perimeter of the trash enclosure shall be graded to prevent storm water from draining into the sanitary sewer system.
 - The trash enclosure shall be covered with a roof or awning. Overhangs, wiring or other obstructions on the approach to the container area must be at least thirteen feet six inches (13'6") high and at least sixteen feet (16') high directly over the container area.
 - The containers for refuse and recyclables shall be of sufficient size and adequate number to contain without overflowing all of the refuse and recyclables that are generated on the premises during the designated removal period per the Solid Waste Management Plan.

The applicant shall submit: A copy of a design and drainage for trash enclosures and recycling areas to the Project Review Health Specialist for review and approval.

Vector Control:

25. A Mosquito and Vector Control Plan acceptable to the Marin-Sonoma Mosquito and Vector Control District (telephone 707-285-2200) shall be submitted prior to bringing the public

(employees and renters) onto a property with ponds. The Project Review Health Specialist shall receive a copy of the Mosquito and Vector Control Plan and an acceptance letter from the Marin-Sonoma Mosquito and Vector Control District.

The applicant shall submit: A copy of the Mosquito and Vector Control Plan and an acceptance letter from the Marin-Sonoma Mosquito and Vector Control District to the Project Review Health Specialist.

PRIOR TO OCCUPANCY:

Water:

26. Prior to building permit issuance the applicant shall have the proposed water supply system evaluated for potential contamination or pollution via backflow by an American Water Works Association certified Cross Connection Control Specialist. The recommendations for cross connection control shall, at a minimum, meet the requirements of the 2016 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.

The applicant shall submit: A copy of the Cross Connection Control Specialist's initial report to the Project Review Health Specialist for review.

27. 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 PRMD. The Project Review Health Specialist shall receive a letter from the Cross Connection Control Specialist stating that backflow prevention has been installed as recommended.

The applicant shall submit: A letter from the Cross Connection Control Specialist to the Project Review Health Specialist stating that backflow prevention has been installed as recommended.

Septic:

28. Prior to building occupancy, all wastewater plumbing shall be connected to a sewage disposal system that has been constructed under permit for the proposed use by the PRMD Well and Septic Section. The Project Review Health Specialist shall receive a final clearance from the District Specialist that all required septic system testing, design elements, construction inspections and any required operating permits have been met.

The applicant shall submit: A final clearance from the Well & Septic Specialist to the Project Review Health Specialist, that all required septic system testing, design elements, construction inspections and any required operating permits have been met.

Consumer Protection:

29. 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:

30. 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.

31. 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.
- b. 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.
- c. 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

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.

Septic:

- 32. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
- 33. 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.
- 34. 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:

- 35. 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 ¹ , 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

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.

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

Hourly Noise Metric ¹ , dBA	Daytime ² (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	

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.

² Adjusted down 5 dBA for speech and music.

36. 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.
37. 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.
38. 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.
39. Agricultural promotional events that include outdoor music shall be background music not exceeding the level of ordinary conversations.
40. 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:

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.

Solid Waste:

41. 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:

42. 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.
43. 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 _____

Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) 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.

44. All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code). All construction activities shall meet the California Building

Code regulations for seismic safety. 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 PRMD 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.

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.

45. A soils engineering report, prepared by a soils engineer, and engineering geology report, prepared by an engineering geologist, shall to be submitted with the grading permit application(s) for the proposed project. The soils engineer and the engineering geologist must be currently registered in the State of California.
46. 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 (PRMD). 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 relevant 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.
47. 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 and Resource Management Department (PRMD) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in compliance with PRMD'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. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.
48. Permit Sonoma would verify post-construction storm water Best Management Practices installation and functionality, through inspections, prior to finalizing the

permit(s). The owner/operator shall maintain the required post-construction Best Management Practices for the life of the development. The owner/operator shall conduct annual inspections of the post-construction Best Management Practices to ensure proper maintenance and functionality. The annual inspections shall typically be conducted between September 15 and October 15 of each year.

Mitigation Monitoring

PRMD staff shall conduct an inspection of the project site to ensure implementation of the required Best Management Practices.

49. 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, limits of disturbed area/total work, 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.

Mitigation Monitoring

PRMD staff shall not issue the Grading Permit until the Drainage Review Section receives, reviews and approves the construction plans and final drainage report.

50. 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/total work, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and 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.

Mitigation Monitoring

PRMD staff shall not issue the Grading Permit until the Drainage Review Section receives the NOI and the WDID.

51. 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.
52. Residue or polluted runoff from the crush pad or from production areas/activities shall not

be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Crush pads and production areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.

53. 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.
54. If the cumulative land disturbance of the project is equal to or greater than one (1) acre, then 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.

TRANSPORTATION AND PUBLIC WORKS:

"The conditions below have been satisfied BY _____ DATE _____

Right of Way Requirements:

55. The Applicant shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width:
 - a. As necessary to create public right-of-way a total of thirty (30) feet wide on the Applicant's side of the road, as measured from the existing pavement centerline, for the full length of the property's frontage on Starr Road. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.
 - b. To contain all Public drainage facilities.
56. The Applicant shall dedicate right-of-way as roadway easement. The Applicant shall have prepared an easement deed, together with the required descriptions and shall submit them to the County Surveyor for review and approval. A copy of the recorded deed shall be submitted to the Land Development Section of the Permit and Resource Management Department prior to clearance of these conditions.

Intersections of Roads and Driveways:

57. The Applicant shall construct driveway entries that conform to AASHTO standards and meet the following criteria to allow for the smooth and safe movement of passenger

vehicles entering and exiting the public road (Starr Road) that provides access to the property. This condition shall be void if the existing entrance meets these requirements. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove the driveway (project's entry to Starr Road) meets these requirements (location: westerly two driveway entries per site plan).

- a. A minimum throat width of 24 feet.
 - b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is 12 feet distant from, and parallel with, the physical centerline of Starr Road. A 1:10 pavement taper shall be constructed on both sides of the entrance. Entrance curve radii may be reduced with the approval of the Fire Services Division of the Sonoma County Department of Emergency Services.
 - c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current AASHTO requirements for the speed traveled on Starr Road. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum AASHTO required sight distance at each driveway. Fences that adversely affect sight distance must be modified.
 - d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
 - e. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 814, latest revision, for private road and driveway intersection details.
58. The applicant shall move the existing fence at the perimeter of subject parcel bordering on Starr Drive back to provide adequate sight lines at the project entry.

Mitigation Monitoring

PRMD staff will not sign off on building plans until the fence has been moved and inspected by PRMD.

59. The Applicant shall prove the existing driveway entry to the existing residence conforms to AASHTO standards and meets the following criteria to allow for the smooth and safe movement of passenger vehicles entering and exiting the public road (Starr Road) that provides access to the property. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove the driveway (project's entry to Starr Road) meets these requirements (location: easterly driveway entry to existing residence per site plan).

- a. A minimum throat width of 18 feet.
 - b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is 12 feet distant from, and parallel with, the physical centerline of Starr Road. A 1:10 pavement taper shall be constructed on both sides of the entrance. Entrance curve radii may be reduced with the approval of the Fire Services Division of the Sonoma County Department of Emergency Services.
 - c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current AASHTO requirements for the speed traveled on Starr Road. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum AASHTO required sight distance at each driveway. Fences that adversely affect sight distance must be modified.
 - d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
60. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 814 and 818, latest revision, for private road and driveway intersection details.

Emergency Vehicle Access:

61. The Applicant shall locate driveway gates a minimum distance of 30 feet from the edge of the public road traveled way, in accordance with Sonoma County Mandatory Fire Safe Standards, Section 13-38.

Fees:

62. The Applicant, his or her personal representatives, and project consultants are advised that the issuance of a building permit for any new building or prior to any new use of an existing building, payment of a development fee (Traffic Mitigation Fee) shall be made to Permit Sonoma (PRMD) per Section 26, Article 98 of the Sonoma County Code. The fee is computed multiplying project Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance. Project ADT is the sum of case production ADT and permitted event ADT.

Processing:

63. The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma (PRMD) prior to constructing any improvements within County road right-of-way.

Use Permit:

64. The Applicant shall complete construction of all the required public improvements prior to occupancy of any new building or new use of an existing building which result from this application.

FIRE AND EMERGENCY SERVICES:

“The conditions below have been satisfied BY _____ DATE _____

65. 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 sites), addressing, water storage for firefighting 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.
66. Applicant shall provide any 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, and shall be obtained from the fire code official. Including but not limited to: fire apparatus access roads; access to building openings and roofs; premises identification and road naming; gate access and key boxes; fire protection water supplies; and building features.
- a. **Access Roads:** Required access roads shall be suitable for use by fire apparatus and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of buildings as measured by an approved route around the exterior of the building. Additional access shall be provided and developed across the northerly portion of the site to connect to existing access driveways located to the east and west and shall be a minimum of 20-0 feet in width and shall be of all-weather surface.
 - b. **Premises Identification and Road Naming:** Road names and 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 protection systems, where provided, shall be functional.

PLANNING:

“The conditions below have been satisfied BY _____ DATE _____

67. This Use Permit authorizes a four-year phased Use Permit for a winery with a maximum annual production of 40,000 cases, public tours and three tasting rooms, and includes a total of 16 event days. Phase I (1-2 years) includes conversion of an existing 10,836 square foot barn to a barrel storage building with two tasting rooms (one containing a 640 square foot reserve tasting room, and an 1,140 square foot public tasting room located in the barrel storage area; the latter wine tasting room would close and be used for barrel storage once the new winery building at Phase II is completed), barrel storage room, offices, conference room, kitchen and related areas, along with construction of a 2,500 square foot agricultural storage building. The 16 event days per year would consist of 8 agricultural promotional events (4 with a maximum of 150 guests, and 4 with a maximum of 200 guests); and 8 industry wide events with a maximum of 100 guests on the site at any one time). The winery operation would include use of 8 acres of grapes grown onsite, and importation of 13 acres of grapes grown on the adjacent property owned by the applicant, approximately 50 percent of its grapes for wine production from an applicant-owned vineyard near Santa Rosa and 25 percent of its grapes from local third-party vineyards in the local area in Sonoma County. Case storage would occur at an off-site location, with limited on-site storage related to tasting room and events. Grapes would be crushed and fermented during Phase I operations at an off-site location (Punchdown Cellars) near Santa Rosa, with barrel storage in the converted barn building.

Phase II (1-4 years) includes demolition of an existing riding arena to allow the construction of a new 22,880 square foot two-story winery production building containing two tasting rooms (a 715 square foot public tasting room and a 378 square foot private tasting room for wine club members), offices, restrooms, wine production areas and storage, wine education and tour area (related to proposed tours of the production facilities, vineyards and olive orchards to project site visitors). Mobile bottling would occur on the crush pad. The 1,140 square foot public tasting room located in the barrel storage area during Phase would close and be converted to barrel storage once the new winery building at Phase II is completed. At final development under Phase II, three rooms would remain (two private and one public tasting room). The winery operation would include importation of approximately 50 percent of its grapes for wine production from an applicant-owned vineyard near Santa Rosa and 25 percent of its grapes from local third-party vineyards in the local area in Sonoma County.

Total building area devoted to winery use would be approximately 33,716 square

feet.

For both Phase I and Phase II operations, food and wine pairing is proposed, and would only be available to scheduled private tastings in the private tasting rooms.

The project phasing is approved with two general phases of construction:

Phase I: Construction of the agricultural barn conversion to two tasting rooms, barrel aging and storage, commercial kitchen, bathrooms, conference room, employee offices. Construction of a 2,500 sq. ft. agricultural storage building. Construction of driveway and parking areas. (Years 1-2)

Phase II: Construction of the new winery/wine production building, including crush pad, two tasting rooms, wine education and tour area, fermentation room, barrel storage, office, laboratory, employee and visitor restrooms. (By year 4.)

Hours of operation are limited as follows:

Winery: 7:00 a.m. to 6:00 p.m., 5 days a week (non-harvest season)

6:00 a.m. to 10:00 p.m. or hours as needed 7 days a week (harvest/crush season)

Tasting Room: 10:00 a.m. to 5:00 p.m. 5 days a week

Agricultural promotional events: 10:00 a.m. to 9:00 p.m. (guests exiting site) and event clean up completed by 10:00 p.m.

Industry-wide Events: 10:00 a.m. to 5:00 p.m.

Truck deliveries: permitted between the hours of 7:00 a.m. and 10:00 p.m.

No rental of the facility to third parties is permitted.

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.

The use shall be operated in accordance with the proposal statement and site plan (as amended by this application) located in File No. UPE17-0053.

68. Prior to final occupancy of the Phase II winery building, a building permit to convert the public tasting room in the existing processing barn must be finalized.
69. A total of 104 parking spaces shall be provided on-site, to include 72 standard spaces, including required ADA spaces, and 32 overflow spaces
70. This project 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 this Permit, subject to enforcement.
71. The applicant shall obtain a demolition permit from Permit Sonoma for the horse arena

- structure prior to issuance of a grading or building permit for the winery.
72. Prior to the issuance of any grading permits, final design review shall be approved by the Design Review Committee to include any exterior colors, materials, landscaping and all signage.
 73. The applicant shall submit an application for Design Review for the Phase II construction of the new winery building and obtain approval from the Design Review Committee prior to submittal of grading or building permits for the winery building and related improvements.
 74. The applicant shall obtain and complete all necessary permits and approvals from Permit Sonoma for the operation of the accessory dwelling unit on the property prior to enacting this use permit.
 75. The applicant shall obtain a use permit based on the provisions of Sonoma County Code Section 26-08-020 to allow the existing agricultural employee residence to remain on the site prior to enacting UPE17-0053, and not later than April 11, 2020. If a use permit is not obtained, the structure must be converted to a permitted use consistent with the provisions of the property's Diverse Agriculture zoning district. If determined by the County and property owner to be a legal option, any future sale of the project site should include joint sale of the adjoining property under the same ownership (APN 066-220-019).
 76. 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 PRMD.
 77. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.
 78. 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. Verification, from a qualified irrigation specialist, that landscaping complies with the State Model 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 the issuance of any Certificate of Occupancy.
 79. 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: 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.

80. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review by PRMD and the 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:

The PRMD staff 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. The Permit and Resource Management Department 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, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke or modify the permit.
(Ongoing)

81. The following dust control measures shall be included in the project:

- a. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- 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 soil that has been carried onto them from the project site.

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.

82. 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. All construction activities, including the start-up of equipment shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturday. If work outside the times specified above becomes necessary, the applicant shall make a written request to PRMD.
- c. The delivery of materials or equipment shall only occur during approved construction hours. A sign(s) shall be posted on the site regarding the allowable hours of construction and include the developer's and construction manager's phone numbers for public contact.
- d. 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.
- e. The developer shall designate a Project Manager with authority to implement this mitigation prior to issuance of a building/grading permit. The Developer and Project Manager shall be responsible for taking prompt action to address any complaints.

Mitigation Monitoring: PRMD staff shall ensure that these measures are listed on all site development 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.

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

"A Tribal or Archaeological Monitor is required to be present during all grading or other ground-disturbing work. The Tribal Monitor must be present on site before the start of any ground-disturbing work, including scraping. In the event that cultural resources are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find. Artifacts associated with prehistoric sites may 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. The Tribal Monitor, Archaeological Monitor, and Permit Sonoma - Project Review Staff shall be notified. Permit Sonoma Staff should consult with the appropriate tribal representative(s) from the tribes known to Permit Sonoma to have interests in the area to determine if the resources qualify as Tribal Cultural Resources (as defined in Public Resource Code §

21074). If determined to be a Tribal Cultural Resource, Permit Sonoma would further consult with the appropriate tribal representative(s) and project proponents in order 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. Evaluation and mitigation shall be at the applicant's sole expense.

'If human remains, paleontological or historical resources are encountered, all work must stop in the immediate vicinity of the discovered remains and Permit Sonoma Staff and County Coroner must be notified immediately pursuant to State law 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 would be followed."

Mitigation Monitoring:

Building/grading permits shall not be approved for issuance by PRMD staff until the above notes are printed on the building, grading and improvement plans. The applicant shall provide a contact with a qualified consultant to monitor ground disturbing activities to Permit Sonoma and the Tribal Representative for the Lytton Rancheria Tribe.

84. 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

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.

85. The undergrounding of new utilities is required.
86. The applicant/owner shall be required to maintain in good condition all site improvements, surface drainage, sidewalks, and landscape areas.

87. 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.
- c. Prepared meals or appetizers featuring local foods and food products offered in conjunction with authorized events and with food and wine pairings as limited below. Such meals/appetizers may be prepared in a food preparation area in the winery buildings prior to serving as described on the approved project floor plans. The preparation areas of the commercial kitchens are permitted to include counter space, double sink, microwave oven(s), warming oven(s), refrigeration, a stove or range, and an exhaust hood.
- d. 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.

Food and Wine Pairing:

Seating in the private tasting rooms shall be limited to 15 seats and no more than 15 persons.

Small tastes of pre-packaged food, such as crackers, nuts or other palette cleansers,

featuring local foods and food products may be offered in conjunction with the wine tasting in the tasting rooms open to the public.

Food and wine pairings shall be selected by the winery with no menu options allowed.

Such pairing shall be limited to small appetizer-like portions, are 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.

88. 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.

89. 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 disked 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.

90. All easements shall be shown on the working drawings (grading, utility and building permit plans).

91. 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.
92. 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.
93. Any proposed modification, alteration, and/or expansion of the use authorized by this Permit shall require the prior review and approval of the Permit and Resource Management Department or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Design Review permit and full environmental review.
94. 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.
95. 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.

97. 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.

Commissioner Carr	No
Commissioner Reed	Yes
Commissioner Cook	Yes
Commissioner Mauritson	Yes
Commissioner Davis	No

Ayes: 3 Noes: 2 Absent: 0 Abstain: 0

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

SO ORDERED.