

SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS

Conditions of Approval

Exhibit A

Date:	April 13, 2023	File No.:	UPE16-0052
Applicant:	Carneros Vintners, Inc.	Owner:	Dennis Rippey
Address:	4202 Stage Gulch Rd.	APN:	142-051-031

Project Description: Use Permit to modify the existing winery use permit (File No. PLP02-0085) to allow: (1) an increase in annual production capacity from 250,000 cases of wine to a maximum of 2.5 million cases by importing local grapes from Sonoma County growers and allowing additional grape crushing and wine production as a bulk wine/custom crush service, (2) the construction of an additional 22,000 sq ft winery production building, (3) the elimination of hospitality uses including public tours and wine tastings approved with PLP02-0085 and (4) other minor site improvements that include paving an internal access road, adding 9 new standard and 1 Americans with Disabilities Act (ADA) parking spaces, stormwater management improvements, site utilities and associated grading and landscaping improvements at the new building. The total number of full-time employees (non-harvest) would increase from a maximum of 10 to 15 and the total number of seasonal employees (harvest season) would decrease from 14 to 5, for a maximum of 20 employees total. The total number of business visitors would increase from 3 to 4 on a peak day. Project details are summarized below.

1. Increase annual wine production capacity from 250,000 cases of wine to 2,500,000 cases. The 2.5 million annual case wine production proposal includes processing grapes grown in the local area. Annual case wine production is projected to consist of the following breakdown:
 - a. 55,000 cases (873 tons) - full production (crush, fermenting, barrel storage) and bottled onsite
 - b. 289,000 cases (4,587 tons) - crush and bulk off haul of juice – grapes crushed onsite but fermented (or subsequently barrel-aged) in another location
 - c. 1,056,000 cases (16,762 tons) - crush, fermentation and bulk off haul wine
 - d. 300,000 cases (4,762 tons) - Lees wine – fermentation byproduct that is further pressed and filtered
 - e. 800,000 cases bottling only - bulk wine import for bottling on site
2. Construct a new 22,000 sq ft, two-level winery production building and canopy which includes the following occupancy areas:
 - a. 3,363 sq ft open canopy for grape receiving and processing
 - b. 14,933 sq ft wine production and support space
 - c. 1,615 sq ft administration, conference/meeting room and office space
 - d. 1,615 sq ft second story mezzanine for light storage located above administration space and employee restrooms
 - e. architectural design will be in character to the existing winery buildings
3. Eliminate preapproved tasting and hospitality uses, including retail, public tours and wine tasting for up to 90 visitors per day allowed under existing Use Permit (File No. PLP02-0085).
Note: special events were not approved by the original use permit.
4. Construct accessory facilities and improvements:
 - a. Place new gravel on the existing lower gravel driveway that serves the existing residence, garage and case goods/winery storage barn

- b. Add new paved access road that connects to existing driveway
 - c. Add nine new standard and one new ADA parking space(s) at the new winery production building
 - d. Expand existing process wastewater treatment system (increased aeration and reclaimed wastewater irrigation fields)
 - e. Improve storm water management
 - f. Improve site utilities and associated grading and landscaping at the new building
5. Employees and Business Visitors:
- a. 15 full-time employees year-round
 - b. 5 seasonal employees during harvest (August, September, October, November).
 - c. 4 daily business visitors (custom crush clients and marketing representatives).
6. Hours of Operation:
- a. 7:00 am – 6:00 pm Monday – Friday off harvest
 - b. 6:00 am – 10:00 pm Monday – Sunday during harvest season (August, September, October, November).

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. Workforce Housing Fee. 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. The estimated Workforce Housing Fee for the project (based on 2022 Fee Schedule) is \$67,200.00. Note the Workforce Housing Fee Schedule is automatically adjusted on January 1st of each year by the percentage change in the Construction Cost Index for the San Francisco Bay Area for the prior year, as reflected in the Engineering News Record.

GENERAL:

4. The Project Conditions of Approval and Mitigation Measures MUST BE PRINTED OR INCLUDED IN ALL FUTURE PLAN SETS SUBMITTED FOR PERMITTING. Building and grading permit plans plus all subsequent permit applications should have plan sheets that include all conditions as part of the package.
5. This project shall be constructed and maintained in conformance with the project description and project plans located in File No. UPE16-0052, and as modified by these Conditions of Approval.

6. 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.
7. 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.
8. 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.
9. 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.
10. 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:

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

11. The applicant shall obtain all applicable permits from the Building Division. These appear to include but may not be limited to site review, building permits, and grading permits.
12. 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 and remodeling and, where required by the CBC, to retrofitting of the existing structure.

13. 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.

PERMIT SONOMA PROJECT REVIEW HEALTH:

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

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

Water and Septic:

14. 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. Please submit: A copy of the State Certified Lab report to the Project Review Health Specialist for review.

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.
15. 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 if more than 25 persons per day for 60 days within a year may 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.) Please 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.
 16. If a Water Supply Permit is required, then the water supply well is required to have a 50-foot annular seal prior to occupancy and operation of the project. Annular seals are installed at the

time of construction of the water well, and are very difficult (and sometimes impossible) to retro-fit in an economic manner. If documentation of a 50-foot annular seal cannot be obtained, then a new water well may be required. Please submit: Documentation (a well completion log) of a 50 foot annular seal on the water well serving the project.

17. Application for wastewater discharge requirements shall be filed by the applicant with the San Francisco Bay Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water Quality Control Board shall be submitted to the Project Review Health Specialist prior to building, grading for ponds or septic permit issuance (if the Regional Water Board Water Resource Engineer or Environmental Specialist have objections or concerns then the applicant shall obtain Waste Discharge Requirements prior to building permit issuance). Please 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.
18. Prior to building permit issuance, 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 existing septic system's ability to accommodate the peak flows from all sources granted in the Revised Use Permit.

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. Please 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.

PRIOR TO OCCUPANCY:

Water and Septic

19. Prior to occupancy and project operation, 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. Please submit: A copy of the Cross Connection Control Specialist's initial report to the Project Review Health Specialist for review.
20. Prior to occupancy and project operation, 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. Please submit: A letter from the Cross Connection Control Specialist to the Project Review Health Specialist stating that backflow prevention has been installed as recommended.
21. Prior to building occupancy and project operation, 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. **Please 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.

OPERATIONAL REQUIREMENTS:

Water and Septic

22. 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.
23. A safe, potable water supply shall be provided and maintained.
24. Maintain the Annual Operating Permit for any package treatment plant, alternative (mound or pressure distribution) or experimental sewage disposal system installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.
25. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
26. 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.
27. Obtain and maintain all required Food Industry Permits from the Sonoma County Environmental Health Division prior to serving any food.
28. Special events were not requested in this Use Permit and therefore are not authorized by this Use Permit. Note: Tasting and hospitality uses were approved as part of the original winery project (PLP02-0085) but are being relinquished/eliminated with the winery expansion project (UPE16-0052).
29. 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.

Solid Waste:

30. 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:

31. Smoking is prohibited at any public event, 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.
32. 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 FIRE PREVENTION:

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

33. 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 Department.
 - 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.
34. Applicant 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. Existing access complies with Board of Forestry Regulations. The Existing access has been providing access to the Winery, Rock Quarry and Sonoma County Refuse and meets minimum standards set for commercial development.
 - 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.
35. Applicant 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.
 36. Applicant 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.
 37. Applicant 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 two persons per vehicle shall be used in making such calculations.
 38. Prior to any business operation, applicant shall provide evidence to Sonoma County Fire that the prevention, control and mitigation of dangerous conditions related to storage, dispensing, use and handling of hazardous materials will be in accordance with Chapter 50 of the California Fire Code as adopted and amended by Sonoma County Code.
 - a. Provide CUPA Exemption form
 - b. Provide CERS ID Number
 - c. Contact Hazmat CUPA Division for inspection clearance 707-565-1152
 - d. This is not required when the facility falls under exemptions allowed in code.
 39. Applicant shall provide evidence to Sonoma County Fire that demonstrates compliance with Chapter 49 of the California Fire Code as adopted and amended by Sonoma County Code. This condition may be met by obtaining County Fire approval of a fire protection plan prepared by a qualified individual.
 40. 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. This can be waived by written approval by the fire code official.

PERMIT SONOMA GRADING AND STORM WATER:

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

41. 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.
42. 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.

43. 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.
44. 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.
45. 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.
46. 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.
47. 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.
48. Grading and land disturbance shall be setback from streams a minimum of 25 feet from the top of stream bank.

49. Any waterway setbacks, including but not limited to building setbacks, grading setbacks, or riparian corridor setbacks, shall be clearly shown and noted on the grading/site plans.
50. Before construction may begin near a waterway, a protective construction fence shall be placed in such a manner to allow the proposed development while preventing land disturbance adjacent to the waterway. The protective construction fence shall be shown and noted on the grading/site plans.
51. Any stream crossing, such as a bridge or culvert, shall maintain at least one foot of freeboard between the 100-year water surface elevation the lowest structural component or soffit of culvert.
52. Drainage easements are required to convey storm water runoff through any neighboring properties. Drainage easements shall be clearly shown and noted on the grading/site plans. The applicant shall be responsible for obtaining or creating drainage easements necessary for the proposed project prior to grading or building permit issuance. Any proposed drainage easements shall be private easements unless otherwise approved by the Department of Transportation and Public Works.
53. 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.
54. The applicant is responsible to contact the San Francisco Bay Regional Water Quality Control Board and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work within 25 feet of a waterway.
55. The applicant is responsible to contact the California Department of Fish & Wildlife and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit work within 25 feet of a waterway.
56. The applicant is responsible to contact the California Department of Transportation and obtain any necessary permits or waivers for proposed work within Highway 116. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work adjacent to Highway 116.
57. The applicant is responsible to contact the U.S. Army Corps of Engineers and obtain any necessary permits or waivers for proposed work in or near a wetland or navigable waters. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any permit for work within 25 feet of a wetland or navigable waters.
58. A roiling permit from the Permit and Resource Management Department shall be obtained prior to start of work within any active waterway.

PERMIT SONOMA NATURAL RESOURCES:

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

PRIOR TO BUILDING PERMIT ISSUANCE:

California red-legged frog:

59. Prior to construction of the project, suitable amphibian exclusion fencing shall be installed along the outside edge of designated stream zone setbacks to ensure that dispersing California red-legged frogs are excluded from the work area. This fence shall be maintained throughout the duration of work and be removed once all other activities have concluded. California red-legged frog exclusion fencing shall consist of 4-foot ERTEC Wildlife Exclusion Fence or other Service approved exclusion fencing. The fence shall be buried along the bottom margin for four inches into the ground or if soils are not stable, shall be landscape stapled with 7-inch staples every three inches along the bottom of the fence. The approximate 3 feet of fencing above the ground shall be anchored to metal T-posts installed every 8 feet along the length of the fence. The top 6 inches of the fence shall be bent over in a semi-circle facing outwards to ensure that the fence cannot be climbed. Photographic documentation or site inspection by Permit Sonoma is required to ensure compliance with this condition.
60. A qualified biologist shall be on site during all initial ground disturbance activities to halt work if any sensitive wildlife species is found on the site. If sensitive wildlife species are found, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma immediately.
61. A qualified botanist shall conduct a pre-construction special status plant survey prior to ground disturbance activities. A copy of the survey shall be provided to Permit Sonoma.

Groundwater:

62. An Easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well or other water source serving this project and any required monitoring well or water meter to collect groundwater level measurements and water meter readings. Access shall be granted Monday through Friday from 8:00 a.m. to 5:00 p.m. All Easement language is subject to review and approval by Permit Sonoma Project Review staff and County Counsel prior to recordation.

PRIOR TO ANY EXPANSION OF EXISTING USE OR BUILDING PERMIT ISSUANCE:

Groundwater:

63. A separate, dedicated monitoring well is required to be drilled for this project. The monitoring well is required to be drilled under permit of this department and shall be of a depth, screening and development comparable to the supply well. The monitoring well shall be located as far away from other wells, ponds and wastewater disposal fields as is consistent with being in the same aquifer as the primary well and being accessible by street vehicle. The monitoring well location shall be approved by PRMD in advance of construction. The monitoring well shall be marked with a water level measuring reference point, and the GPS coordinates (in NAD83 California State Plane II or WGS 84 lat./long.) of the monitoring well shall be submitted to PRMD.

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

- 64. Totalizing water meter(s) to measure all groundwater extracted for the use shall be installed, subject to approval by Permit Sonoma Professional Geologist or Environmental Health Specialist.
- 65. A Site Plan showing the location of the well(s) with the groundwater level measuring device(s), water storage ponds, tanks, and reservoirs, and the location of all water meter(s) shall be submitted to PRMD. The monitoring well(s) shall be marked with a measuring reference point. The well's Global Positioning System (GPS) coordinates (in NAD83 California State Plane II or WGS 84lat./long.) shall be noted. The height of the water level measuring reference point above the ground surface shall be specified. Attached to the Site Plan should be the monitoring well(s) well completion reports (with owner information redacted, as is publicly available through California DWR).

OPERATIONAL REQUIREMENTS:

- 66. Groundwater Monitoring and Meter Calibration.
 - a. Groundwater levels and quantities of groundwater extracted for the use shall be measured monthly. Data shall be reported to Permit Sonoma in January of the following year pursuant to Section WR-2d of the Sonoma County General Plan and County policies. Data should be provided on template monitoring forms provided by Permit Sonoma.
 - b. Water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to Permit Sonoma at least once every five years.
- 67. Total well groundwater use for the project shall not exceed 20 acre feet per year. In the event that average water use over 3 years exceeds 20 acre feet per year, the applicant shall develop or update the Water Conservation Plan to utilize the best available technologies to reduce water use, subject to review and approval by Permit Sonoma. In the event that average water use over 3 years exceeds the estimated water use of the approved Water Conservation Plan by more than 10%, Permit Sonoma shall bring this matter back to the BZA for review of additional measures to reduce net groundwater use.
- 68. The project shall comply with all applicable regulations, monitoring, and fees associated with the Groundwater Sustainability Agency as applicable to the project site.

PERMIT SONOMA PLANNING:

"The conditions below have been satisfied BY _____ DATE _____

- 69. This Use Permit allows the applicant to expand the existing winery as described in the application, proposal statement and site plan for File No. UPE16-0052, as modified by these conditions and discussed in the 2022 CEQA Addendum to the Mitigated Negative Declaration (MND) adopted by the Sonoma County Board of Supervisors on April 24, 2007, under File No.

PLP02-0085.

70. This Use Permit rescinds approval of the Phase II visitor-serving and hospitality uses authorized by File No. PLP02-0085 but does not supersede the mitigation and monitoring measures included in the Final Conditions of Approval for File No. PLP02-0085.
71. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation or modification.
72. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.
73. The winery shall process grapes grown on-site and in the local area. No storage of off-site produced wines is permitted with the exception of locally grown and processed bulk wine imported for bottling (800,000 cases per year) as outlined in the approved project description.

PRIOR TO BUILDING PERMIT ISSUANCE:

74. 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 form PJR-015 provided by PRMD.
75. All grading and development on site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the drip-line, and replacement of damaged or removed trees. The project's grading and landscape plans shall detail all tree protection implementation measures.

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

76. Prior to building permit issuance, the applicant shall submit a Greenhouse Gas Emissions Reduction Plan that defines measures to reduce greenhouse gas emissions for long-term operations of the project. The applicant/operator must maintain documentation of the implementation of the Greenhouse Gas Reduction measures included in the Greenhouse Gas Emissions Reduction Plan. The Greenhouse Gas Emissions Reduction Plan shall, at a minimum, consist of the following:
 - a. The purchase of 100% renewable energy;
 - b. Low wattage/energy efficient fixtures will be installed that can be dimmed to at least 50% capacity; and
 - c. Facilitating and encouraging carpooling among employees as often as possible.
77. All new structures, lighting and signs shall require final design review by (PRMD or Design Review Committee) prior to issuance of building permits. All exterior finishes shall be of non-

reflective materials and colors.

78. The applicant/owner shall be required to maintain in good condition all street frontage improvements along the property to the face of curb, including any landscape areas, sidewalks, or surface drainage contained within the public right-of-way. Landscape plans shall be subject to Design Review approval prior to issuance of grading or building permits. Landscaping shall consist of a mixture of trees, shrubs and groundcover in accordance with an approved landscape plan. All landscaping shall be automatically irrigated with primary irrigation lines and equipment located on private property. An Encroachment Permit and/or a Maintenance Agreement with the County shall be required prior to issuance of grading or building permits.
79. Applicant applied for a building permit (BLD18-3356) from Permit Sonoma in 2018 to enlarge the slab around the existing winery production building for wine tank and storage bins. As part of approval of BLD18-3356, applicant agreed on June 7, 2018, to replant the vegetation that was impacted by these improvements. PRMD shall not sign off the grading or building permit for issuance unless the project's landscape plans provide detail of replanted vegetation.
80. Prior to issuance of grading and building permits, the Project Planner shall verify the following NOTES are printed on all grading and building permit plan sheets:

"If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit and Resource Management Department (PRMD) – Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to PRMD. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify PRMD and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code."

81. A Water Conservation Plan shall be submitted for all buildings and landscaping prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall include all reasonably feasible measures to reduce water demand to the maximum extent

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

MITIGATION MEASURES

Aesthetics

82. **Mitigation Measure 1.a:** All new construction or existing building renovation shall require Administrative Design Review (ADR). Buildings and access roads shall be placed below ridgelines and should utilize existing topography and vegetation for screening. In addition, the maximum building height for all new construction within 200 feet of Stage Gulch Road shall be 24 feet as measured from the natural grade. Renovation of the existing barn* shall require ADR, but is not considered new construction subject to the 24-foot height limit.

Mitigation Monitoring 1.a: No building permits shall be issued on any structures prior to Administrative Design Review approval by Project Review staff. Subsequently, all grading permits shall be reviewed for visual impacts from Highway 116.

**Mitigation Measure 1.a in the Aesthetics section of the 2007 MND required review and approval by the Design Review Committee for a Phase II element of the original project (PLP02-0085) that would have remodeled the existing 1,260 sq ft residence and 4,200 sq ft case goods/winery storage barn for tasting and hospitality uses which was never implemented. As described under Project Description Revision, the proposed winery expansion project does not include a tasting/hospitality component. If the proposed winery expansion project is approved, the applicant would be forfeiting the ability to engage in any hospitality uses including public tastings, public tours, tastings by appointment, special events, agricultural gatherings and industry-wide events approved as part of the original use permit (PLP02-0085).*

83. **Mitigation Measure 1.d:** Prior to issuance of the Building Permit, an exterior lighting plan shall be submitted to the Design Review Committee for review and approval. Exterior lighting is required to be fully shielded, and directed downward to prevent "wash out" onto adjacent properties. Generally fixtures should accept sodium vapor lamps and not be located at the periphery of the property. Flood lights are not allowed. The lighting shall be installed in accordance with the approved lighting plan during the construction phase.

Mitigation Monitoring 1.d: The Permit and Resource Management Department 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 the permit. (Ongoing)

Air Quality

84. **Mitigation Measure 3.c:** The following dust control measures will be included in the project:
- a. Water or other dust palliative will be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust.
 - b. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
 - c. Paved roads will be swept as needed to remove any visible soil that has been carried onto them from the project site.

Mitigation Monitoring 3.c: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order. (Ongoing during construction)

85. **Mitigation Measure 3.e:** To ensure that odors caused by grape crush residue are minimized, all residues must be removed from the site or spread in vineyards* within two days of processing.

Mitigation Monitoring 3.e: If PRMD receives complaints regarding objectionable odors, staff will investigate the complaint. If its determined by PRMD staff that complaints are warranted, the permit holder shall implement additional odor control measures as determined by PRMD. (Ongoing)

**Mitigation measure 3.e in the Air Quality section of the 2007 MND required all residues to be removed from the site or spread in adjacent vineyards within two days of processing in an effort to ensure that odors caused by grape crush residues are minimized. Since approval of the original use permit (File No. PLP02-0085), the site has been reconfigured and no longer contains vineyards. However, the applicant will off-haul pomace or disperse on adjacent property pursuant to the Winery Wastewater Disposal Agreement recorded May 19, 2008, which meets the intent of original Mitigation Measure 3.e.*

Biological Resources

86. **Mitigation Measure 4.a.1:** No new grading or construction shall be permitted within 50 feet of the top of the bank of Champlin Creek to ensure that any potential California red-legged frog habitat within the creek remain undisturbed. The existing barn* may be rehabilitated, but any new structure or expansion of the barn shall be placed a minimum of 50 feet from the top of the bank of Champlin Creek.

Mitigation Monitoring 4.a.1: PRMD shall verify that construction plans for the Phase II tasting and hospitality buildings* do not include encroachment into the 50 foot setback for new grading or construction prior to issuance of Grading or Building permits.

**Mitigation measure 4.a.1 in the Biological Resources section of the 2007 MND required all new or expanded structures to be placed a minimum of 50 feet from the top of the bank of Champlin*

Creek. As described in the revised project description, Phase II of the original winery project, which included converting the existing 1,260 sq ft residence and 4,200 sq ft barn to tasting and hospitality uses, was never implemented. Because the existing barn lies within the riparian corridor of Champlin Creek, Mitigation Measure 4.a.1 was included in the 2007 MND to provide protection for the riparian corridor and the potential occurrence of California Red-Legged Frog (CRLF) in the event the barn was ever rehabilitated to a hospitality use as authorized by Phase II of the original use permit.

The proposed winery expansion project does not include a tasting/hospitality component and, if approved, the applicant understands they are forfeiting ability to engage in any of the hospitality uses including public tastings, public tours, tastings by appointment, special events, agricultural gatherings and industry-wide events approved under the original use permit (PLP02-0085). No changes to the existing residence or barn are proposed as part of the winery expansion project. However, Mitigation Measure 4.a.1 remains valid for the proposed winery expansion project because it provides protection for the riparian corridor of Champlin Creek and potential CRLF occurrences on the property.

87. **Mitigation Measure 4.b.2:** All drainage from the roads, parking areas and buildings shall be directed into vegetative swales, ponds, etc. and allowed to infiltrate into native soils prior to draining into Champlin Creek.

Mitigation Monitoring 4.b.2: PRMD shall verify that grading and construction plans show drainage swales and other infiltration devices prior to issuance of Grading or Building permits.

Cultural Resources Protection

88. **Mitigation Measure 5.b:** The following notes shall be included on building or grading plans for ground disturbing activities:

“If archaeological materials such as pottery, arrowheads or midden are found, all work shall cease and PRMD staff shall be notified so that the find can be evaluated by a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists). The developer shall designate a Project Manager with authority to implement the mitigation prior to issuance of a building/grading permit.

When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop proper procedures required for the discovery. No work shall commence until a protection plan is completed and implemented subject to the review and approval of the archaeologist and Project Review staff. Mitigation may include avoidance, removal, preservation and/or recordation in accordance with accepted professional archaeological practice.

“If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated.”

Mitigation Monitoring 5.b: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement to cease construction if archaeological

materials are found during ground disturbing activities. The project planner shall work with the applicant in reviewing and revising construction plans if archaeological materials are found. (Ongoing during construction)

Geology and Soils

89. **Mitigation Measure 6.a.1:** All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the Sonoma County Code and Building Ordinance (Chapter 7, Sonoma County Code) and the Uniform Building Code (UBC). All construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.). Construction plans shall be subject to review and approval of PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

Mitigation Monitoring 6.a.1: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on applicable building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about code requirements.

90. **Mitigation Measure 6.b:** The applicant shall submit an Erosion and Sediment Control Plan prepared by a registered professional engineer as an integral part of the grading plan. The Erosion and Sediment Control Plan shall be subject to review and approval of the Permit and Resource Management Department prior to the issuance of a grading permit. The Plan shall include temporary erosion control measures to be used during construction of cut and fill slopes, excavation for foundations, and other grading operations at the site to prevent discharge of sediment and contaminants into the drainage system. The Erosion and Sediment Control Plan shall include the following measures as applicable.

- a. Throughout the construction process, groundwater disturbance shall be minimized and existing vegetation shall be retained to the extent possible to reduce soil erosion. All construction and grading activities, including short-term needs (equipment staging areas, storage areas and field office locations) shall minimize the amount of land area disturbed. Whenever possible, existing disturbed areas shall be used for such purposes.
- b. All drainage ways, wetland areas and creek channels shall be protected from silt and sediment in storm runoff through the use of silt fences, diversion berms, and check dams. Fill slopes shall be compacted to stabilize. All exposed surface areas shall be mulched and reseeded and all cut and fill slopes shall be protected with hay mulch and /or erosion control blankets as appropriate.
- c. Material and equipment for implementation of erosion control measures shall be on-site by October 1st. All grading activity shall be completed by October 15th, prior to the onset of the rainy season, with all disturbed areas stabilized and revegetated by October 31st. Upon approval of PRMD, extensions for short-term grading may be allowed. PRMD in conjunction with any specially permitted rainy season grading may require special erosion control measures.

Mitigation Monitoring 6.b: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on applicable building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about erosion control requirement.

Hazards and Hazardous Materials

91. **Mitigation Measure 7.a:** During construction, hazardous materials shall be stored away from drainage or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.

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

Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.

During construction, portable toilets shall be located and maintained to prevent the discharge of pollutants to the environment.

Mitigation Monitoring 7.a: Building/grading permits shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for responsible storage and spill cleanup of hazardous materials.

Hydrology and Water Quality

92. **Mitigation Measure 8.a:** The project is subject to the National Pollution Discharge Elimination System (NPDES) requirements and coverage under the General Construction Stormwater Permit, as set by the State Water Resources Control Board. A copy of the Notice of Intent (NOI) filed with the SWRCB, as well as the Waste Discharge Identification Number (WDID) issued by that agency; must be submitted to the Drainage Review Section of the Permit and Resource Management Department.

Mitigation Monitoring 8.a: PRMD shall not issue any grading and/or building permits, until the applicant has submitted a copy of the filed NOI and WDID forms to the Drainage Review Section of PRMD.

93. **Mitigation Measure 8.c:** Drainage improvements shall be designed by a civil engineer in accordance with the Water Agency Flood Control Design Criteria for approval by the Drainage Review Section of the Permit and Resource Management Department, and shall be shown on the improvement drawings. The engineer shall include a grading plan as part of the required improvement drawings. The grading plan shall include all pertinent details. An erosion control plan is also required, and shall include all pertinent details, notes, and specifications to minimize project's impact to the environment.

Mitigation Monitoring 8.c: PRMD shall not issue any grading permits until the drainage improvements designed by a civil engineer in accordance with the Water Agency Flood Control Design Criteria, and shown on the improvement drawings, have been approved by the drainage review specialist.

Noise

94. **Mitigation Measure 11.a:** Noise shall be controlled in accordance with Table NE-2* of the Noise Element of the Sonoma County General Plan as measured at the exterior property line of any affected residential or sensitive land use:

Maximum Exterior Noise Level Standards, dBA

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

- A. If the ambient noise level exceeds the standard, adjust the standard to equal the ambient level.
- B. The applicable standards shall be reduced by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.
- C. The applicable standards shall be reduced by 5 decibels if they exceed the ambient level by 10 or more decibels.

Mitigation Monitoring 11.a: Any noise complaints will be investigated by PRMD staff. If such investigation indicates that the appropriate noise standards have been or may have been exceeded, the permit holders shall be required to install, at their expense, additional professionally designed noise control measures.

Failure to install the additional noise control measure(s) will be considered a violation of the use permit conditions. If noise complaints continue, PRMD shall investigate complaints. If violations are found, PRMD shall seek voluntary compliance from the permit holder and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate. (Ongoing)

**Mitigation Measure 11.a in the Noise section of the 2007 MND required noise to be controlled in accordance with Table NE-2 of the Noise Element of the Sonoma County General Plan which was amended on October 23, 2012. The Noise Element of the Sonoma County General Plan now allows noise to 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 (updated Table NE-2 below).*

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric ¹ , dBA	Daytime	Nighttime
	(7 a.m. to 10 p.m.)	(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 72 seconds in any hour.

Transportation/Traffic

The six mitigation and monitoring measures included in the Transportation/Traffic section of the 2007 MND as conditions of approval for File No. PLP02-0085 have been satisfied or are no longer applicable. Four of the six mitigation measures (15.a.1, 15.a.2, 15.a.3 and 15.a.4) were related to the left-hand turn lane on Stage Gulch Road at the intersection of County Dump Road, which was part of Caltrans Route 116 Stage Gulch Road Curve Improvement and Realignment Project which was completed by Caltrans in 2012. The remaining two mitigation measures (15.a.5 and 15.f) were related to public tasting room hours and associated parking, a Phase II component of the original winery project that never commenced, and are no longer applicable. Note: The proposed winery expansion project does not include a tasting/hospitality component and, if approved, the applicant understands the ability to engage in any tasting/hospitality uses approved under the original use permit is forfeited. Sonoma Public Infrastructure (formerly Transportation and Public Works) did not propose any new mitigation measures for the proposed winery expansion project (File No. UPE16-0052).