

Resolution Number 25-06

County of Sonoma
Santa Rosa, California

April 24, 2025
PLP24-0012; Joshua Miranda

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,
COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A
MITIGATED NEGATIVE DECLARATION AND GRANTING TWO
ZONING PERMITS AND USE PERMIT TO OPERATE A NEW
FARM RETAIL OPERATION, AGRICULTURAL PROCESSING
AND AGRICULTURAL PROMOTIONAL EVENTS FOR
PROPERTY LOCATED AT 4486 D STREET, PETALUMA, CA;
APN 020-130-037.

WHEREAS, the applicant, Mario and Katherine Ghilotti, filed for two Zoning Permits and Use Permit application with the Sonoma County Permit and Resource Management Department for a Request for 1) a Zoning Permit to allow farm retail sales in an existing agricultural barn structure operating with 2 employees, open to the public by appointment only, from 10 AM until 6 PM.; 2) a Zoning Permit for a small-scale agricultural processing facility to process lavender grown onsite into various products including essential oils, and hydrosol, and perfumes, operating daily with up to 4 employees between 8:00 AM and 4:00 PM; and 3) a Use Permit to allow 12 annual agricultural promotional events held in the existing barn and outside near the barn to promote the lavender agricultural processing and other products produced on site. Twelve (12) agricultural promotional event days per year for a limited term of five years, which may be subject to Use Permit renewal. The 5-year period begins with the first ag promotional event which shall not occur until the lavender crops have been planted and have matured to a harvest-ready state, the grazing has commenced, and the olive trees are planted. A maximum of three (3) 200-person events, three (3) 150-person events, three (3) 100-person events and three (3) 50-person events, are permitted with this Use Permit, including live and amplified music (held indoors only), and will occur year-round, primarily weekend days between 11:00 AM and 10:00 PM. A two-story agricultural barn structure, 5,020 gross square feet in size, will be used to accommodate the 3,575 square foot lavender processing area, the 215 square foot farm retail sales area, two permanent restrooms, and 95 square feet of accessory storage area. A 690 square foot area on the second floor of the barn will continue to be used as a private office space and restroom for the landowner/operator. Project construction activities include a new driveway entrance, a 2,000-foot-long driveway leading from D Street to the agricultural barn, new bridge over an unnamed stream, new parking areas, located on a 56.76 acre parcel subject to a Land Conservation (Williamson Act) Contract at 4485 D Street Extension, Petaluma. Related records: File No. UPE21-0064, ZPE24-0113, and ZPE24-0114.; APN 020-130-037; Land Extensive Agriculture with 60 acre per dwelling unit (LEA B6 60) with Combining Districts for Accessory Dwelling Unit Exclusion (Z), Scenic Resources (SR), and Valley Oak Habitat (VOH); Supervisorial District No 2; and

WHEREAS, a Mitigated Negative Declaration (MND) was prepared for the Project, and on July 5, 2024, the MND was posted and made available for agency and public review in accordance with the California Environmental Quality Act ("CEQA"), 14 California Code of Regulations, §15000 et seq. ("CEQA Guidelines"), and County CEQA guidelines; and

WHEREAS, the Mitigated Negative Declaration (MND) was revised on November 18, 2024, for technical address agency comments provided agency comments provided by California Department of Conservation (DOC), State Water Resources Control Board (WRCB), and the

California Department of Fish and Wildlife (CDFW). Revisions include minor updates to the project description, a minor revision to mitigation measure BIO-11, and clarifying staff's analysis under Section 2. Agriculture and Forest Resources, Section 4. Biological Resources, and Section 10. Hydrology and Water Quality. Revisions made to the Mitigated Negative Declaration are pursuant to CEQA Guidelines Section 15073.5 (c)(1) and (4) as the revisions include replacing mitigation measures with equally effective measures and updating the project description to clarify the entitlements associated with the project. In accordance with CEQA Guidelines Section 15073.5, public recirculation of the Mitigated Negative Declaration is not required; and,

WHEREAS, the Mitigated Negative Declaration (MND) was revised on and on April 8, 2025, Permit Sonoma revised the Mitigated Negative Declaration project description and characteristics in response Sonoma County Board of Zoning Adjustment (BZA) comment issued during the February 27, 2025 Public Hearing. Revisions made to the Mitigated Negative Declaration are pursuant to CEQA Guidelines Section 15073.5 (c) (4) as the revisions update the project description with new project characteristics in response to BZA comments provided to the applicant. The project description update does not result in new impacts that were not previously identified, nor are new mitigation measures required for the project as a result of the project description update. In accordance with CEQA Guidelines Section 15073.5, public recirculation of the Mitigated Negative Declaration is not required; and,

WHEREAS, the Conditions of Approval have been sorted by individual land use, in Exhibits "A", "B", "C", and "D", attached hereto, to provide clarity to the applicant, staff, decision makers and the public as to what conditions govern each land use onsite; however, the conditions apply to the entire legal property; and

WHEREAS, in accordance with applicable provisions of law, the Board of Zoning Adjustments held a public hearing on February 27, 2025, and April 24, 2025 at which time the Board of Zoning Adjustments heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Project; and

WHEREAS, the Board of Zoning Adjustments has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Board regarding the Mitigated Negative Declaration and the Project.

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

1. Environmental Determination: The Board of Zoning Adjustments has reviewed and considered the Mitigated Negative Declaration prepared to address potential environmental impacts of the project, together with all comments received during the public review process. Based upon the full record of proceedings (including the Initial Study and all comments received), it has been determined that there is no substantial evidence that the project will have a significant environmental effect. Changes or alterations have been required in or incorporated into the project through the Conditions of Approval imposed herein that avoid or substantially lessen the potentially significant environmental effects of the project. These changes or alterations have been agreed to

by the applicant. The Mitigated Negative Declaration has been completed in compliance with State and County CEQA guidelines and reflects the independent judgment and analysis of the County of Sonoma.

2. General Plan Consistency: The proposed project is consistent with the General Plan land use designation of Land Extensive Agriculture, and the goals, objectives, policies and programs of the General Plan.
 - a. The Agricultural Resource Element policies allows for farm retail, small scale agricultural processing and agricultural promotional events, defining them as visitor serving uses.
 - b. The project is consistent with Policy AR-4a, as the project site would be devoted to agricultural production, and related processing.
 - c. The project is consistent with Policies AR-1a, AR-6a, AR-6d and AR-6f as the project's visitor serving uses only promote or sell products grown and produced on site or in the local area, the uses are secondary or incidental to local agriculture production, the uses will not require an extension of sewer or water and are compatible with the surrounding uses in the area.
 - d. The project is consistent with Policies AR-6f and AR-5g as the project would not constitute a detrimental concentration of visitor serving and recreational uses, and agricultural support uses. The project would not result in joint road access conflicts and traffic levels that exceed the Circulation and Transit Element's objectives for level of service on a site specific and cumulative basis.
 - e. The project is consistent with Petaluma Dairy Belt Area Plan Policies related to Riparian Corridors, Petaluma City Watershed and Resource Areas
3. Zoning Consistency: The proposed project is consistent with Sonoma County Zoning Code, in that the proposed farm retail, small scale agricultural processing and agricultural promotional events are allowed in the LEA (Land Extensive Agriculture) Zoning District with a permit.
 - a. The project is consistent with all the development standards for the Land Extensive Agriculture) Zoning District and all requirements for Scenic Corridors per Zoning Code Section 26-64-030.
 - b. The zoning permit request is consistent with the Standards of Zoning Code sections 26-18-140, 26-88-210 for farm retail, and small scale agricultural processing in the LEA Zoning District.
 - c. The use permit request is consistent with Zoning Code Section 26-06-030(C) which allows the Director to recommend the scope and quantity of the proposed annual events is found generally consistent with otherwise allowed winery events and tasting rooms and subject to conditional approval through the use permit process, consistent with LEA Zoning District.
4. 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: the project has been found to have insignificant environmental impacts in the Air Quality, Biological Resources, Cultural Resources, Noise and Tribal Cultural Resources topic areas based on the project design with the adoption of mitigation measures, conditions of approval and project operational characteristics; the proposed use is consistent with General Plan policies and the underlying Land Extensive

Agriculture zoning designation, which allows the proposed uses subject to approval of a Use Permit; and conditions of approval have been imposed on the project to control noise in accordance with the General Plan standards, and ensure compliance with all County and resource agency standards that will prevent impacts to biological resources.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring Program set forth in the Conditions of Approval. 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 CEQA Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby grants the requested Villa Vanto Farm; farm retail, small-scale agricultural processing, and agricultural promotional events, subject to the Conditions of Approval in Exhibit "A", "B", "C", and "D", attached hereto.

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 Reed, who moved its adoption, seconded by Commissioner Koenigshofer, and adopted on roll call by the following vote:

Commissioner Kapolchok, District 1
Commissioner Reed, District 2
Commissioner Absent, District 3
Commissioner McCaffery, Chair, District 4
Commissioner Koenigshofer, District 5

Ayes: 4 Noes: 0 Absent: 1 Abstain: 0

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

SO ORDERED.

SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS

EXHIBIT "A"

Zoning Permit Conditions of Approval - Small-Scale Agricultural Processing

Staff: Joshua Miranda

Date: April 24, 2025

Applicant: Mario & Katherine Ghilotti

File No.: PLP24-0012

Owner: Villa Vanto, LLC/Mario and Katherine Ghilotti

APN: 020-130-037

Address: 4485 D Street, Petaluma

Project Description: Request to allow agricultural support and visitor serving uses in an existing 5,020 square foot barn, including: 1) a Zoning Permit to allow a 215 square foot farm retail sales facility, operating with 2 employees, open to the public by appointment only from 10:00 AM to 6:00 PM, seven days a week; 2) a Zoning Permit to allow a 3,575 square foot small-scale agricultural processing facility to process lavender grown onsite into various products including essential oils, and hydrosol, and perfumes, operating daily with up to 4 employees from 8:00 AM to 4:00 PM; and, 3) a Use Permit to allow 12 annual agricultural promotional events ranging in size from 50 – 200 attendees, between the hours of 11:00 AM and 10:00 PM, with amplified music limited to indoors only. Construction includes legalizing grading and building modifications and developing a new access road, bridge, and 10 parking spaces near the barn. Onsite event parking for up to 90 vehicles will be provided in a graded and mowed pasture.

The agricultural products produced on site include dried lavender, hydrosol, sachets, bath salts, essential oils, custom herbal perfume scents, olive products, and honey. All events will be contractually required to purchase Villa Vanto products at a ratio of one product per guest minimum, and Villa Vanto and other local agricultural products will be highlighted in either the menu or as part of the event program. All events will include the opportunity to purchase local products individually and by subscription during the event. The following types of promotional events are proposed annually:

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

FEES:

1. 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 \$2,916.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of \$2,966.75 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. 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.
3. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.

GENERAL:

1. This project shall be constructed and maintained in conformance with the project description and project

plans located in File No. PLP24-0012, and as modified by these Conditions of Approval.

2. 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.
3. 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.
4. 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.
5. 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 CODE ENFORCEMENT:

6. Property Owner shall seek and obtain all required building and grading permits to correct code violations issued on the property within 180 days of Planning Permit Approval.

PERMIT SONOMA BUILDING:

7. The applicant shall apply for and obtain a building related permit from Permit Sonoma for any proposed or altered structures. Construction inspections shall occur and the building permit finalized (or approved for occupancy) prior to occupancy of any structure.
8. The proposed uses and occupancies of all building areas shall be accurately identified on the proposed plans. Building areas and exterior areas shall identify all proposed uses and occupant loads associated with all proposed uses. A room or space that is intended to be occupied at different times (even infrequently) for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied.
9. The means of egress from all proposed occupied areas within the facility (interior and exterior) shall comply with the applicable sections of the California Building Code (CBC). The means of egress and all

applicable code provisions shall be adequately justified for all proposed uses and special events proposed. The means of egress shall be continuous to the public way or a designated area of safe dispersal.

10. A geotechnical investigation, in accordance with CBC Chapter 18, shall be submitted, providing site specific foundation design criteria and other geotechnical recommendations for development.
11. Adequate CALGreen documentation shall be provided justifying adherence to the California Green Building Code. This documentation is required to be reviewed and approved by a CALGreen consultant who has been previously approved by permit Sonoma.
12. Per CBC Chapter 2, buildings used by employees, the public, or processing, treatment, or packaging of agricultural products shall not be identified as an “agricultural building”.
13. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division.
14. Minimum plumbing facilities for customers and employees, per the California Plumbing Code (CPC), shall be provided for all occupied areas, including during proposed special events.
15. The California Business & Professions Code requires plans and calculations affecting egress components, life safety, and structural elements to be prepared by California licensed design professionals (architects, engineers).
16. A registered design professional in responsible charge shall be identified on each building permit application and be responsible for reviewing and coordinating all submittal documents prepared by others, as required by CBC Section 107.3.4.
17. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division.
18. If, after Building Division approval, any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

PERMIT SONOMA FIRE PREVENTION:

19. A fire site evaluation is required due to it being located in the SRA and the conditions may be revised after the evaluation is completed. Contact Steve.Mosiurchak@sonoma-county.org to make an appointment.
20. **Emergency Access and Egress** – Require Compliance with 14 CCR §§1273.00-1273.11
California Department of Forestry and Fire Protection Fire Safe Regulations, 14 California Code of Regulations, §1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. This requires compliance with 14 CCR §§1273.00-1273.11.
21. **Signing and Building Numbering** – require compliance with 14 CCR §§1274.00-1274.04
22. **Emergency Water Standards** – require compliance with 14 CCR §§1275.00-1275.04

23. **Fuel Modification Standards** – require compliance with Chapter 13A and 14 CCR §§1276.00-1276.04.

24. **Exceptions to Standards.** An applicant may request an exception to standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.06 due to environmental conditions and physical site limitations. A map of the development project area and licensed professional plans documenting the alternative(s) mitigate the problem and provide the same practical effect toward providing defensible space is included with this application as Exhibit.

To have the same practical effect for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR 1273.00 through 1273.09, applicant shall include turnouts, turnarounds, secondary access roads at locations as demonstrated in Exhibit.

1. This requirement shall apply from the property line of the application to the public right-of-way.
2. This includes providing turnarounds that may not exist.
3. This includes providing turnouts that may not exist.
4. Detailed vegetation clearance along the road side

25. **Water Supply**

Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the Sonoma County Fire Safety Ordinance.

26. **Vegetation Management**

To reduce the intensity of a conflagration by the proposed project shall be in accordance with the California Fire Code as adopted and amended by Sonoma County Fire Safety Ordinance.

27. **Occupancy and Operation**

1. Prior to operation, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
2. The subject property (*or properties*) shall be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations
 - a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property (*or properties*) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
 - b. The Buildings shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.

Operational Permits - Places of assembly:

28. An annual fire safety inspection may be required by the fire code official for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay its costs of that inspection.

29. **Emergency Planning and Response**

1. Fire Protection plan shall be provided prior to operation and shall provide information about the property to document compliance with the Use Permit Conditions including but not limited to the following. See Chapter 4 of the California Fire Code

- a. Emergency Contacts
- b. Address
- c. Property owner
- d. Site map with property lines
- e. Fire access roads including gates
- f. Water supplies and hydrants
- g. Location of hazardous materials
- h. Utilities
- i. Buildings and intended use

SONOMA PUBLIC INFRASTRUCTURE:**Intersections of Roads and Driveways:**

30. The Applicant shall construct a driveway entrance such that it conforms to Board of Forestry Fire Safety Regulations §1270 et seq. and County standards and meets the following criteria to allow for concurrent emergency ingress and egress as well as the smooth and safe movement of passenger vehicles entering and exiting the public road (D Street) 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 D Street) meets these requirements.

- a. A minimum paved throat width of twelve (12) feet.
- b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is a minimum of 12 feet distant from, and parallel with, the physical centerline of D Street. A 1:10 pavement taper shall be constructed on both sides of the entrance if required per County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815. Entrance curve radii may be reduced with the approval of the Fire Prevention of Permit Sonoma (PRMD).
- c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current County requirements for the speed traveled on D Street. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum County required sight distance at each driveway. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 812, latest revision, for rural County road driveway and private road intersections.
- d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
- e. The entry shall intersect the public road as close to perpendicular as possible, but in no case shall the entry intersect the public road at more than 20 degrees from perpendicular.
- f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815, latest revision, for private road and driveway intersection details.

31. The Applicant shall maintain all existing and proposed vegetation fronting the site as well as within the

public right-of-way to preserve the sight distance triangles necessary to achieve the minimum County required sight distance at any project driveway where it intersects a public roadway.

32. Driveway cross-drains within the County right-of-way shall be upgraded to a minimum 18 inch culvert under the driveway.

Emergency Vehicle Access:

33. In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements per County Fire Safe Standards:
- a. All driveways shall be constructed to provide a minimum of one (1) twelve-foot traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.
 - b. All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway. Driveways required to have a turnout, shall have a turnout that is a minimum of twenty-two feet (22') wide, including the road and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the road or driveway centerline and shall not be located on the inside of horizontal curves without approval from the fire code official.
 - c. All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround. All driveways exceeding three hundred feet (300') shall have the turnaround constructed within fifty feet (50') of the residential building served by the driveway and shall have additional space provided for parking. Any driveway longer than one thousand three hundred twenty feet (1,320') shall have additional turnarounds located at intervals no less than one thousand three hundred twenty feet (1,320') unless approved by the county fire warden/fire marshal. Parking shall not be allowed in the approved turnaround location.
 - d. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty-foot radius). If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the road or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the road or driveway entering the turnaround.

Traffic Safety Gate Setback:

34. The Applicant shall locate driveway gates a minimum distance of 30 feet from the edge of the pavement, in accordance with Standard Detail 242.

Fees:

35. The Applicant shall pay Traffic Mitigation fees to the County of Sonoma, as required by Chapter 26, Article 98 of the Sonoma County Code, prior to issuance of a building permit *for any new building or prior to any new use of an existing building*. Evidence of payment shall be submitted to the Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions. Credit is granted for existing, legal uses.

Processing:

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

PERMIT SONOMA GRADING AND STORMWATER:

37. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) 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.
38. 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 (Permit Sonoma). 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.
39. 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 Management Design Manual. 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 (Permit Sonoma) 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 Permit and Resource Management Department'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.
40. 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.
41. 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.
42. 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.

43. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm rain 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.
44. Grading and land disturbance shall be setback from ponds a minimum of 50 feet from the top of the ordinary high water mark.
45. Before construction may begin near a waterway/pond, a protective construction fence shall be placed in such a manner to allow the proposed development while preventing land disturbance adjacent to the waterway/pond. The protective construction fence shall be shown and noted on the grading/site plans.
46. Drainage easements are required when conveying 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.
47. 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.

PERMIT SONOMA WELL AND SEPTIC:**PRIOR TO BUILDING PERMIT ISSUANCE:****Water:**

48. Prior to building permit issuance, a potable water supply meeting all current standards for annular seal and setbacks shall be provided.

The applicant shall submit: copies of the well permit and drillers log to the Well & Septic Health Specialist.

49. 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.

Applicant shall 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.

Applicant shall submit: a draft deed restriction running with the land and a copy of the signed (paid for) service contract with a qualified water system operator, to the PRMD Project Review Health Specialist.

- 50. Prior to the issuance of building permits and project operation, the applicant shall apply for a Water Supply Permit from the California State Water Resources Control Board, Division of Drinking Water (707-576-2145), for 15 or more connections or the Sonoma County Public Health Section of Environmental Health for 5-14 connections (this process should begin as soon as possible, as the application, plan check and sampling may take some time).

Applicant shall submit: A copy of the Water Supply Permit Application *approval letter* must be submitted to the Project Review Health Specialist, or the Office of Drinking Water/ Sonoma County Environmental Health may e-mail approval directly to PRMD.

- 51. Prior to the issuance of building permits the applicant shall apply for a water supply permit from the State Division of Drinking Water (707-576-2145), because more than 25 persons per day for 60 days within a year may be served by the water system. The State Division of Drinking Water will either process the application to an operational water supply permit, or the applicant will be requested to sign a sub threshold affidavit, notify PRMD of their intent and give PRMD consent to proceed. 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.)

Applicant shall submit: A copy of the SWRCB *response letter* to the Water Supply Permit Application, or a copy of the *"Exclusion from Permitting" letter*, to the Project Review Health Specialist.

- 52. Prior to the issuance of building permits, the applicant shall obtain a water system construction permit (WAT) from PRMD Engineering Section. Any permits to operate a water supply system from the California State Water Boards Division of Drinking Water, or Sonoma County Environmental Health, require a water system construction application, plans, and specifications to be submitted to PRMD Engineering.

- 53. 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.

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

- a. Prior to building permit issuance, proof of water availability must meet all of the following:

- i. be conducted during the dry season (July 15 through October 1)
- ii. be performed by (or under the direction of) a licensed driller (C57), a pumping contractor (C61/D21), a Registered Geologist, or a Registered Geologist.
- iii. be conducted in accordance with Section 7-12 of the Sonoma County Code, Chapter 7 for SFD and/ or **GP2020 WR-2e** for commercial and/or discretionary projects.
- iv. submit results to PRMD Well and Septic for review and approval.
- v. achieve a minimum of one gallon per minute for each project activity, such as each commercial facility, special events, each tasting room, and each residence and/or second unit, etc.

(Testing procedures for 1-2 project activities = 8-12 hour test, 3-4 activities = 18-24 hour test, and 72 hour test for 5 or more activities).

Applicant shall submit: A final clearance from the Well and Septic Section that approved well and/or spring yield tests (during the dry weather test period if applicable) have been accepted and the results approved, to the Project Review Health Specialist.

54. Prior to building permit issuance the applicant shall abandon existing well(s) under permit from the PRMD Well and Septic Section. This department may review a request to upgrade the well to current standards relating to setbacks and annular well seals.

Applicant shall submit: A final clearance from the Well & Septic section for the proper abandonment of the water well or reconstruction of the water well or spring to the Project Review Health Specialist.

55. The new onsite water well shall comply with ongoing testing and monitoring requirements of the RWQCB for a chlorinated solvents plume with an undefined SW boundary, approximately 200 ft. north of the existing well on the project parcel. *(for water wells drilled within the setbacks to contaminated sites/plumes/etc)*

Septic:

56. Prior to building permit issuance, the applicant shall obtain a permit for the sewage disposal system. The system shall require to meet all sections of the Onsite Waste Treatment Systems (OWTs manual) especially Site Evaluation Methods and Criteria for Commercial section. A qualified septic consultant, either a Registered Environmental or Civil Engineer, shall be required to design the septic system.
- <https://permitsonoma.org/divisions/engineeringandconstruction/wellandsepticystems/septicystems/owtsmanual>
- a. A commercial system shall require 200% septic reserve area.
 - b. If residential and commercial wastewater commingles, then 200% reserve is required.

This project is approved for agricultural promotional events and shall provide septic system capacity in accordance with Permit Sonoma Special Cultural Event section of the OWTs manual. The project septic system shall be designed to accommodate 100 % percent of the wastewater flow from an event with guests, in addition to peak wastewater flows from all other sources plumbed to the septic system, including all employees listed in the traffic study.

If a permit for a standard, nonstandard, 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.

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 Well and Septic Health Specialist.

57. The process wastewater shall be separated from domestic wastewater.
58. 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 Well and Septic 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).

Applicant shall submit: Documentation of acceptance of a complete application, with no initial objections or concerns, by the Regional Water Quality Control Board to the Project Review Health Specialist.

59. 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.

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.

60. Prior to building permit issuance and vesting the Use Permit, all parking, grading, plowing, large animal confines or other soil compaction/disturbances must be located *outside* of the septic reserve areas. Septic reserve areas shall have protective perimeter barriers installed.

Applicant shall submit: Evidence of installed septic reserve area perimeter barriers to the Project Review Health Specialist.

Please Note: Sonoma County Onsite Wastewater Treatment System Regulations and Technical Standards, Section 3 definitions of septic expansion or reserve replacement area says the *Reserve Replacement Area* is an *unencumbered portion of land* that is reserved for the installation of a

future OWTS, in the event of primary OWTS failure. The reserve replacement area must be suitable for an OWTS as demonstrated with acceptable percolation testing, groundwater conditions, adequate depth to soil and a preliminary design.

61. In-room Jacuzzi tubs, hot tubs or any other over-size tub designed for use by two or more persons, or any common area Jacuzzi or hot tub, or Vichy Shower shall not be allowed unless they are specified in the septic system analysis and additional capacity in the septic system is allocated for their use.

62. Prior to structural demolition permit issuance, the applicant shall abandon existing septic tank(s) under permit and inspection from the PRMD Well and Septic Section. The Well and Septic Specialist shall receive a copy of the “finaled” Abandonment Permit.

Applicant shall submit: Final clearance from the Well and Septic Section that the septic tank abandonment requirements have been met to the Well and Septic Specialist.

63. Toilet facilities shall be provided for patrons and employees prior to occupancy and operation of the project.

Applicant shall submit: A copy of the Floor Plan showing the location of the restrooms, prior to issuance of building permits, to the Well and Septic Health Specialist.

64. 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.

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

65. Prior to building occupancy and project operation, the applicant shall submit a Septic Findings Report by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system’s ability to accommodate the proposed sewage loading to PRMD Well and Septic. Any necessary system expansion or modifications shall be done under permit and the current standards from the PRMD Well and Septic Section and may require both soils analysis and percolation testing.

Applicant shall submit: Well & Septic approval of the Septic Findings Report to the Specialist to the Project Review Health Specialist, that all required septic system assessment and evaluation elements have been completed and are acceptable for the proposed project.

66. Prior to building occupancy and project operation, the applicant shall abandon existing septic tank(s) under permit and inspection from the PRMD Well and Septic Section.

Applicant shall submit: A copy of the “finaled” Abandonment Permit to the Project Review Health Specialist.

OPERATIONAL REQUIREMENTS:

Water:

67. The property owner or lease holder shall have the backflow prevention assembly tested by a Certified Cross Connection Control and Back Flow Prevention Specialist at the time of installation, repair, or relocation and at least on an annual schedule thereafter.

68. A safe, potable water supply shall be provided and maintained.
69. The new onsite water well shall comply continuously with ongoing testing and monitoring requirements of the RWQCB for the chlorinated solvents plume with an undefined SW boundary. *(for water wells drilled within the setbacks to contaminated sites/plumes/etc)*

Septic:

70. 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.
71. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
72. 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. There must be *no parking, grading, plowing, large animal corrals, or other soil compaction/disturbances* in the septic reserve areas. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by PRMD.
73. When permitted agricultural promotional events exceed 63 persons, the permit holder shall provide portable toilets meeting the following minimum requirements:
- a. An adequate number of portable toilets shall be provided, but in no case shall the number of portable toilets be less than one toilet per one hundred (100) event employees and visitors per day for day use.
 - b. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public. Employees serving food to visitors or the public must have access to permanently plumbed running hot and cold water sinks plumbed to a permitted on-site wastewater treatment system or public sewer.
 - c. Portable toilets shall be serviced as needed, but in no case less than once every seven days.
 - d. The applicant shall provide an accessible portable restroom on the job site where required by Federal, State or local law, including but not limited to, requirements imposed under OSHA, the Americans with Disabilities Act or Fair Employment and Housing Act.
 - e. Portable toilets shall not be brought on-site prior to 48 hours before the special event and shall be promptly serviced and removed within 48 hours after the special event.

- f. If complaints are received by PRMD regarding the number of available portable toilets that PRMD deems a valid complaint, the applicant or current operator of the Use Permit shall increase the number of portable toilets and/or increase the frequency of maintenance of the portable toilets for the remainder of the agricultural promotional event and at future agricultural promotional events as directed by PRMD. The property owner and/or his agent(s) are expected to maintain portable toilets and hand washing units so that:
 - i. The holding tank does not leak or overflow.
 - ii. Toilet paper is promptly replaced when the dispenser runs out.
 - iii. Water, paper towels and soap are promptly replaced when the hand washing units run out.
 - iv. The wait to use a portable toilet shall not be so long that people use alternatives to sanitary restroom facilities.
 - v. Reliance upon portable toilets shall not create a public nuisance.
74. Portable toilets and portable hand-washing facilities shall be placed and maintained for employees as needed on the drill 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.
- SONOMA COUNTY ENVIRONMENTAL HEALTH:**
75. All raw or prepared food products for retail sale must be obtained from an approved source.
 76. If the site participates in, or hosts, a special event that is two or more days, it must be approved as a community event. Community events require additional permits and inspections from this Department for the organizer as well as all food vendors.
 77. Public events held in the unincorporated areas of Sonoma County are required to comply with Sonoma County Ordinance #5953 which prohibits smoking in public places. The ordinance does allow for the establishment of a Designated Smoking Area that meets criteria outlined in the ordinance. Criteria can be found at www.SonomaCounty.org/BreatheEasy under Overview and Background – Major Provisions. Chapter 32 Ordinance Regulating Smoking and Secondhand Smoke.
 78. All owners/operators, managers, supervisors, and employees who sell or serve alcoholic beverages shall complete Responsible Beverage Service (RBS) Training within 90 days from issuance of a new permit and every third year thereafter. All servers/sellers of alcohol hired after the initial 90 day period shall complete the training course within 60 days of employment and every third year thereafter. It is strongly recommended, if alcohol is to be served at special events, that all employees and volunteers complete special event RBS training prior to the event.
 79. The RBS Training shall meet the recommended best practice guidelines of the State of California, Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. Records of successful completion for each owner/operator, manager, supervisor, employee and volunteer shall be maintained on the premises and shall be presented upon request by a

representative of the County or local law enforcement agency.

80. As of June 1, 2012 smoking is no longer allowed in outdoor dining areas. This includes picnic areas, sidewalks, and any area available to, or customarily used by, the general public or an employee that is intended or regularly used for consuming food or drink. A business with an unenclosed dining area may establish a designated smoking area elsewhere on the premises if it meets the criteria outlined in the County Smoking Ordinance #5953.
81. A designated smoking area is a portion of an unenclosed area where smoking may be allowed. It must meet all of the following criteria:
- It must be located at least 25 feet in any direction from any operable doorway, window, vent or other opening into an enclosed area.
 - It must be located at least 25 feet in any direction from any space that is designated as “smoke-free”.
 - It must be located at least 25 feet from unenclosed recreational areas that are primarily used by children and/or areas that have improvements that facilitate physical activity including playgrounds, tennis courts, swimming pools, walking paths, and sports fields.
 - It must be no more than five percent (5%) of the total unenclosed area for which it is designated.
 - It must be clearly identified by conspicuous signs and have ash receptacles, such as ash trays or ash cans, within the area for proper disposal of smoking waste.
82. All owners of properties with existing or new onsite water well(s) and transient non community water systems are required to apply for and maintain a state water system permit as an approved potable water supply for the food facility areas. The water system permit would be issued by the California Water Resources Control Board Drinking Water Branch (707)-576-2145.
83. If composting on site is proposed, a review of the proposal is required by the Sonoma County Local Enforcement Agency for Solid Waste to determine if a Solid Waste Permit is required prior to commencing operations.

PERMIT SONOMA PLANNING:

84. This Use Permit (File No. PLP24-0012) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
85. 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, except the project may include serving of prepared meals or appetizers featuring local foods and food products in conjunction with authorized events.
86. Use of on-site unimproved overflow parking area for 90 vehicles is allowed to accommodate events. Overflow parking and shuttling shall not be used to accommodate parking for the farm retail sales and small-scale agricultural processing facilities.
87. 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. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.
88. 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.

PRIOR TO BUILDING/GRADING PERMIT PHASE:

89. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.
90. Prior to building or grading permit issuance, the property owners shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
91. Prior to development permit issuance (including septic, grading, and building permit issuance), the property owners shall demonstrate the property contains a commercial agricultural operation and complies with the requirements of the Williamson Act Contract recorded under Document No. 2002-206759, the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules), and the Land Conservation Act. Contract compliance includes, but is not limited to, demonstrating the following:
 - a. A minimum of 50% of the property's total acreage is devoted to qualifying agricultural uses (e.g. lavender crop, olive trees, sheep grazing).
 - b. The property generates minimum annual income requirements listed in Table 4-2 of the Uniform Rules.
 - c. Any non-agricultural use is an allowable compatible use listed in the Uniform Rules.
92. All new structures, lighting and signs shall require final design review by Permit Sonoma prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.
93. 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.
94. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review. 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.

Additional measures for lighting impacts include: Lighting plans shall be designed to meet the Lighting Zone (LZ1 for dark areas, LZ2 for rural, LZ3 for urban) standards from Title 24 effective October 2005. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts).

95. 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.

96. 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. Additionally, development resulting removal of native oak trees or type conversion of land in the boundaries of Oak Woodland, is subject to the provisions of Article 67 of the Zoning Code. Type conversion activities include, but are not limited to, clearing, grading, or otherwise modifying land for roads, driveways, buildings or building pads, utility easements, and Agricultural Crop Cultivation within an Oak Woodland.

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 by County Code). 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.

97. 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.

98. 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.

99. The undergrounding of new utilities is required.

SMALL-SCALE AGRICULTURAL PROCESSING FACILITY:

100. Processing alcoholic or cannabis products or operations involving animal slaughter and/or meat cutting and packing is prohibited.

101. Processing operations shall avoid all sensitive environmental resources potentially occurring on or in vicinity of the project site and identified in the *Biological and Regulatory Constraints Report prepared by Huffman-Broadway Group, INC dated January 2024*.

102. Processing operations shall adhere to the performance standards of the Small-Scale Agricultural Processing Facility zoning regulations (Section 26-88-210 of the Sonoma County Code):

- a. No more than one (1) small-scale agricultural processing facility may be approved per contiguous ownership.
- b. All processing activities shall be conducted inside a building or in covered outdoor areas. The total combined square footage of all such facilities, including buildings and areas where agricultural products are processed, aged, stored, packaged, and areas where equipment is stored and washed, shall not exceed five thousand square feet (5,000).
- c. The processing facility requires a building permit and shall comply with applicable building codes including requirements for accessibility, restrooms, and washing facilities.
- d. At least seventy percent (70%) of the agricultural commodities used in the processing must be produced on-site or on lands owned or leased by the operator in the County.
- e. Educational tours are allowed subject to building code and accessibility requirements.
- f. The operator shall comply with all applicable building, plumbing, electrical, fire and hazardous material codes set forth in the County Code. The operator shall also comply with all laws and regulations applicable to the type of processing facility proposed and obtain and or comply with all permit, license, approval, inspection, reporting and operational requirement required by other local State and Federal regulatory agencies having jurisdiction over the type processing operations proposed, and shall provide copies or other agency verification to Permit and Resource Management Department to serve as verification for such compliance.
- g. The onsite water supply well used for the processing facility shall conform to the applicable requirements of Chapter 25b Water Wells of the County Code. The system must meet any performance or construction standards stipulated in the operational permits and well construction permit.

- h. The water supply used by the processing facility shall comply with all applicable water quality standards and monitoring requirements as required by the applicable regulatory permitting agencies. Operators shall be responsible for submitting verification of compliance from the appropriate agency.
- i. Water well(s) used for the processing facility shall be equipped with a meter and sounding tube or other water level sounding device and marked with a measuring reference point. Water meters shall be calibrated at least once every five (5) years. Static water level and total quantity of water pumped shall be recorded quarterly and reported annually. Static water level is the depth from ground level to the well water level when the pump is not operating after being turned off. Static water level shall be measured by turning the pump off at the end of the working day and recording the water level at the beginning of the following day before turning the pump back on. Groundwater monitoring reports shall be submitted annually to Permit Sonoma, Project Review Division by January 31 of each year. The annual report shall show a cumulative hydrograph of static water levels and the total quarterly quantities of water pumped from well(s) used in processing.
- j. Waste by-products generated by the facility shall be managed, disposed of or reused in an environmentally sound manner which does not result in adverse environmental impacts, nuisance complaints or health hazards. Waste discharge shall comply with applicable discharge and monitoring conditions required by the Regional Water Quality Control Board.
- k. The owner shall maintain a properly functioning septic system which complies with sewage disposal regulations set forth in Chapter 24 of the County Code. The nature and quantity of the waste discharged shall not exceed the design capacity of the septic system and any existing restrictions unless a new code-conforming replacement septic system is built. Septic systems built before 1975 need additional testing in order to determine the design capacity of the system. Proper functioning and design capacity of the septic system shall be verified by a registered Civil Engineer or registered Environmental Health Specialist.
- l. Indoor processing activities may be conducted seven (7) days a week, 24-hours per day as needed. Outdoor processing activities, deliveries and shipping shall be limited to the hours from 8:00 a.m. to 5:00 p.m., except during seasonal harvest when the hours may be extended for limited periods.
- m. Noise generation shall not exceed the General Plan noise standards.
- n. The processing facility is limited to one (1) non-illuminated sign not exceeding sixteen (16) square feet.
- o. All exterior night lighting fixtures shall be fully shielded and downward casting and do not cause glare or spill over onto neighboring properties or roadways.
- p. In addition to structural setbacks of the base zone, the processing facility shall be set back a minimum of sixty feet (60') from watering troughs, feed troughs, and buildings, pens or similar quarters where livestock or poultry congregate or are confined. Outdoor loading and activity areas must be located at least two hundred (200) feet from the outdoor activity area of any dwelling unit on an adjacent property.

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.		

103. Events shall be limited to the hours of the Daytime Noise Standards found in the Noise Element of the Sonoma County General Plan).

104. 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.

105. 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.

SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS

EXHIBIT "B"

Zoning Permit Conditions of Approval - Farm Retail Sales

Staff: Joshua Miranda

Date: April 24, 2025

Applicant: Mario & Katherine Ghilotti

File No.: PLP24-0012

Owner: Villa Vanto, LLC/Mario and Katherine Ghilotti

APN: 020-130-037

Address: 4485 D Street, Petaluma

Project Description: Request to allow agricultural support and visitor serving uses in an existing 5,020 square foot barn, including: 1) a Zoning Permit to allow a 215 square foot farm retail sales facility, operating with 2 employees, open to the public by appointment only from 10:00 AM to 6:00 PM, seven days a week; 2) a Zoning Permit to allow a 3,575 square foot small-scale agricultural processing facility to process lavender grown onsite into various products including essential oils, and hydrosol, and perfumes, operating daily with up to 4 employees from 8:00 AM to 4:00 PM; and, 3) a Use Permit to allow 12 annual agricultural promotional events ranging in size from 50 – 200 attendees, between the hours of 11:00 AM and 10:00 PM, with amplified music limited to indoors only. Construction includes legalizing grading and building modifications and developing a new access road, bridge, and 10 parking spaces near the barn. Onsite event parking for up to 150 vehicles will be provided in a graded and mowed pasture.

The agricultural products produced on site include dried lavender, hydrosol, sachets, bath salts, essential oils, custom herbal perfume scents, olive products, and honey. All events will be contractually required to purchase Villa Vanto products at a ratio of one product per guest minimum, and Villa Vanto and other local agricultural products will be highlighted in either the menu or as part of the event program. All events will include the opportunity to purchase local products individually and by subscription during the event. The following types of promotional events are proposed annually:

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

FEES:

1. 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 \$2,916.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of \$2,966.75 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. 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.
3. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.

GENERAL:

1. This project shall be constructed and maintained in conformance with the project description and project

plans located in File No. PLP24-0012, and as modified by these Conditions of Approval.

2. 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.
3. 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.
4. 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.
5. 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 CODE ENFORCEMENT:

6. Property Owner shall seek and obtain all required building and grading permits to correct code violations issued on the property within 180 days of Planning Permit Approval.

PERMIT SONOMA BUILDING:

7. The applicant shall apply for and obtain a building related permit from Permit Sonoma for any proposed or altered structures. Construction inspections shall occur and the building permit finalized (or approved for occupancy) prior to occupancy of any structure.
8. The proposed uses and occupancies of all building areas shall be accurately identified on the proposed plans. Building areas and exterior areas shall identify all proposed uses and occupant loads associated with all proposed uses. A room or space that is intended to be occupied at different times (even infrequently) for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied.

9. The means of egress from all proposed occupied areas within the facility (interior and exterior) shall comply with the applicable sections of the California Building Code (CBC). The means of egress and all applicable code provisions shall be adequately justified for all proposed uses and special events proposed. The means of egress shall be continuous to the public way or a designated area of safe dispersal.
10. A geotechnical investigation, in accordance with CBC Chapter 18, shall be submitted, providing site specific foundation design criteria and other geotechnical recommendations for development.
11. Adequate CALGreen documentation shall be provided justifying adherence to the California Green Building Code. This documentation is required to be reviewed and approved by a CALGreen consultant who has been previously approved by permit Sonoma.
12. Per CBC Chapter 2, buildings used by employees, the public, or processing, treatment, or packaging of agricultural products shall not be identified as an “agricultural building”.
13. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division.
14. Minimum plumbing facilities for customers and employees, per the California Plumbing Code (CPC), shall be provided for all occupied areas, including during proposed special events.
15. The California Business & Professions Code requires plans and calculations affecting egress components, life safety, and structural elements to be prepared by California licensed design professionals (architects, engineers).
16. A registered design professional in responsible charge shall be identified on each building permit application and be responsible for reviewing and coordinating all submittal documents prepared by others, as required by CBC Section 107.3.4.
17. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division.
18. If, after Building Division approval, any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

PERMIT SONOMA FIRE PREVENTION:

19. A fire site evaluation is required due to it being located in the SRA and the conditions may be revised after the evaluation is completed. Contact Steve.Mosiurchak@sonoma-county.org to make an appointment.
20. **Emergency Access and Egress** – Require Compliance with 14 CCR §§1273.00-1273.11 California Department of Forestry and Fire Protection Fire Safe Regulations, 14 California Code of Regulations, §1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. This requires compliance with 14 CCR §§1273.00-1273.11.
21. **Signing and Building Numbering** – require compliance with 14 CCR §§1274.00-1274.04

22. **Emergency Water Standards** – require compliance with 14 CCR §§1275.00-1275.04
23. **Fuel Modification Standards** – require compliance with Chapter 13A and 14 CCR §§1276.00-1276.04.
24. **Exceptions to Standards.** An applicant may request an exception to standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.06 due to environmental conditions and physical site limitations. A map of the development project area and licensed professional plans documenting the alternative(s) mitigate the problem and provide the same practical effect toward providing defensible space is included with this application as Exhibit.
To have the same practical effect for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR 1273.00 through 1273.09, applicant shall include turnouts, turnarounds, secondary access roads at locations as demonstrated in Exhibit.
1. This requirement shall apply from the property line of the application to the public right-of-way.
 2. This includes providing turnarounds that may not exist.
 3. This includes providing turnouts that may not exist.
 4. Detailed vegetation clearance along the road side
25. **Water Supply**
Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the Sonoma County Fire Safety Ordinance.
26. **Vegetation Management**
To reduce the intensity of a conflagration by the proposed project shall be in accordance with the California Fire Code as adopted and amended by Sonoma County Fire Safety Ordinance.
27. **Occupancy and Operation**
1. Prior to operation, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
 2. The subject property (*or properties*) shall be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations
 - a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property (*or properties*) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
 - b. The Buildings shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.

Operational Permits - Places of assembly:

28. An annual fire safety inspection may be required by the fire code official for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay its costs of that inspection.

29. Emergency Planning and Response

1. Fire Protection plan shall be provided prior to operation and shall provide information about the property to document compliance with the Use Permit Conditions including but not limited to the following. See Chapter 4 of the California Fire Code
 - a. Emergency Contacts
 - b. Address
 - c. Property owner
 - d. Site map with property lines
 - e. Fire access roads including gates
 - f. Water supplies and hydrants
 - g. Location of hazardous materials
 - h. Utilities
 - i. Buildings and intended use

SONOMA PUBLIC INFRASTRUCTURE:

Intersections of Roads and Driveways:

30. The Applicant shall construct a driveway entrance such that it conforms to Board of Forestry Fire Safety Regulations §1270 et seq. and County standards and meets the following criteria to allow for concurrent emergency ingress and egress as well as the smooth and safe movement of passenger vehicles entering and exiting the public road (D Street) 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 D Street) meets these requirements.
 - a. A minimum paved throat width of twelve (12) feet.
 - b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is a minimum of 12 feet distant from, and parallel with, the physical centerline of D Street. A 1:10 pavement taper shall be constructed on both sides of the entrance if required per County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815. Entrance curve radii may be reduced with the approval of the Fire Prevention of Permit Sonoma (PRMD).
 - c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current County requirements for the speed traveled on D Street. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum County required sight distance at each driveway. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 812, latest revision, for rural County road driveway and private road intersections.
 - d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
 - e. The entry shall intersect the public road as close to perpendicular as possible, but in no case shall the entry intersect the public road at more than 20 degrees from perpendicular.

- f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815, latest revision, for private road and driveway intersection details.
31. The Applicant shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum County required sight distance at any project driveway where it intersects a public roadway.
32. Driveway cross-drains within the County right-of-way shall be upgraded to a minimum 18 inch culvert under the driveway.

Emergency Vehicle Access:

33. In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements per County Fire Safe Standards:
- a. All driveways shall be constructed to provide a minimum of one (1) twelve-foot traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.
 - b. All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway. Driveways required to have a turnout, shall have a turnout that is a minimum of twenty-two feet (22') wide, including the road and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the road or driveway centerline and shall not be located on the inside of horizontal curves without approval from the fire code official.
 - c. All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround. All driveways exceeding three hundred feet (300') shall have the turnaround constructed within fifty feet (50') of the residential building served by the driveway and shall have additional space provided for parking. Any driveway longer than one thousand three hundred twenty feet (1,320') shall have additional turnarounds located at intervals no less than one thousand three hundred twenty feet (1,320') unless approved by the county fire warden/fire marshal. Parking shall not be allowed in the approved turnaround location.
 - d. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty-foot radius). If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the road or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the road or driveway entering the turnaround.

Traffic Safety Gate Setback:

34. The Applicant shall locate driveway gates a minimum distance of 30 feet from the edge of the pavement, in accordance with Standard Detail 242.

Fees:

35. The Applicant shall pay Traffic Mitigation fees to the County of Sonoma, as required by Chapter 26, Article 98 of the Sonoma County Code, prior to issuance of a building permit *for any new building or prior to any new use of an existing building*. Evidence of payment shall be submitted to the Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions. Credit is granted for existing, legal uses.

Processing:

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

PERMIT SONOMA GRADING AND STORMWATER:

37. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) 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.
38. 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 (Permit Sonoma) . 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.
39. 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 Management Design Manual. 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 (Permit Sonoma) 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 Permit and Resource Management Department'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.
40. 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.
41. 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.

42. 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.
43. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm rain 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.
44. Grading and land disturbance shall be setback from ponds a minimum of 50 feet from the top of the ordinary high water mark.
45. Before construction may begin near a waterway/pond, a protective construction fence shall be placed in such a manner to allow the proposed development while preventing land disturbance adjacent to the waterway/pond. The protective construction fence shall be shown and noted on the grading/site plans.
46. Drainage easements are required when conveying 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.
47. 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.

PERMIT SONOMA WELL AND SEPTIC:

PRIOR TO BUILDING PERMIT ISSUANCE:

Water:

48. Prior to building permit issuance, a potable water supply meeting all current standards for annular seal and setbacks shall be provided.

The applicant shall submit: copies of the well permit and drillers log to the Well & Septic Health Specialist.

49. 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.

Applicant shall 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.

Applicant shall submit: a draft deed restriction running with the land and a copy of the signed (paid for) service contract with a qualified water system operator, to the PRMD Project Review Health Specialist.

50. Prior to the issuance of building permits and project operation, the applicant shall apply for a Water Supply Permit from the California State Water Resources Control Board, Division of Drinking Water (707-576-2145), for 15 or more connections or the Sonoma County Public Health Section of Environmental Health for 5-14 connections (this process should begin as soon as possible, as the application, plan check and sampling may take some time).

Applicant shall submit: A copy of the Water Supply Permit Application *approval letter* must be submitted to the Project Review Health Specialist, or the Office of Drinking Water/ Sonoma County Environmental Health may e-mail approval directly to PRMD.

51. Prior to the issuance of building permits the applicant shall apply for a water supply permit from the State Division of Drinking Water (707-576-2145), because more than 25 persons per day for 60 days within a year *may* be served by the water system. The State Division of Drinking Water will either process the application to an operational water supply permit, or the applicant will be requested to sign a sub threshold affidavit, notify PRMD of their intent and give PRMD consent to proceed. 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.)

Applicant shall submit: A copy of the SWRCB *response letter* to the Water Supply Permit Application, or a copy of the *"Exclusion from Permitting" letter*, to the Project Review Health Specialist.

52. Prior to the issuance of building permits, the applicant shall obtain a water system construction permit (WAT) from PRMD Engineering Section. Any permits to operate a water supply system from the California State Water Boards Division of Drinking Water, or Sonoma County Environmental Health, require a water system construction application, plans, and specifications to be submitted to PRMD Engineering.

53. 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.

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

- a. Prior to building permit issuance, proof of water availability must meet all of the following:
 - i. be conducted during the dry season (July 15 through October 1)
 - ii. be performed by (or under the direction of) a licensed driller (C57), a pumping contractor (C61/D21), a Registered Geologist, or a Registered Geologist.
 - iii. be conducted in accordance with Section 7-12 of the Sonoma County Code, Chapter 7 for SFD and/ or **GP2020 WR-2e** for commercial and/or discretionary projects.
 - iv. submit results to PRMD Well and Septic for review and approval.
 - v. achieve a minimum of one gallon per minute for each project activity, such as each commercial facility, special events, each tasting room, and each residence and/or second unit, etc.

(Testing procedures for 1-2 project activities = 8-12 hour test, 3-4 activities = 18-24 hour test, and 72 hour test for 5 or more activities).

Applicant shall submit: A final clearance from the Well and Septic Section that approved well and/or spring yield tests (during the dry weather test period if applicable) have been accepted and the results approved, to the Project Review Health Specialist.

54. Prior to building permit issuance the applicant shall abandon existing well(s) under permit from the PRMD Well and Septic Section. This department may review a request to upgrade the well to current standards relating to setbacks and annular well seals.

Applicant shall submit: A final clearance from the Well & Septic section for the proper abandonment of the water well or reconstruction of the water well or spring to the Project Review Health Specialist.

55. The new onsite water well shall comply with ongoing testing and monitoring requirements of the RWQCB for a chlorinated solvents plume with an undefined SW boundary, approximately 200 ft. north of the existing well on the project parcel. *(for water wells drilled within the setbacks to contaminated sites/plumes/etc)*

Septic:

56. Prior to building permit issuance, the applicant shall obtain a permit for the sewage disposal system. The system shall require to meet all sections of the Onsite Waste Treatment Systems (OWTs manual) especially Site Evaluation Methods and Criteria for Commercial section. A qualified septic consultant, either a Registered Environmental or Civil Engineer, shall be required to design the septic system.
- <https://permitsonoma.org/divisions/engineeringandconstruction/wellandsepticystems/sept>

[icsystems/owtsmanual](#)

- a. A commercial system shall require 200% septic reserve area.
- b. If residential and commercial wastewater commingles, then 200% reserve is required.

This project is approved for agricultural promotional events and shall provide septic system capacity in accordance with Permit Sonoma Special Cultural Event section of the OWTs manual. The project septic system shall be designed to accommodate 100 % percent of the wastewater flow from an event with guests, in addition to peak wastewater flows from all other sources plumbed to the septic system, including all employees listed in the traffic study.

If a permit for a standard, nonstandard, 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.

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 Well and Septic Health Specialist.

57. The process wastewater shall be separated from domestic wastewater.
58. 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 Well and Septic 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).

Applicant shall submit: Documentation of acceptance of a complete application, with no initial objections or concerns, by the Regional Water Quality Control Board to the Project Review Health Specialist.

59. 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.

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.

60. Prior to building permit issuance and vesting the Use Permit, all parking, grading, plowing, large animal confines or other soil compaction/disturbances must be located *outside* of the septic reserve areas. Septic reserve areas shall have protective perimeter barriers installed.

Applicant shall submit: Evidence of installed septic reserve area perimeter barriers to the Project Review Health Specialist.

Please Note: Sonoma County Onsite Wastewater Treatment System Regulations and Technical Standards, Section 3 definitions of septic expansion or reserve replacement area says the *Reserve Replacement Area is an unencumbered portion of land* that is reserved for the installation of a future OWTS, in the event of primary OWTS failure. The reserve replacement area must be suitable for an OWTS as demonstrated with acceptable percolation testing, groundwater conditions, adequate depth to soil and a preliminary design.

61. In-room Jacuzzi tubs, hot tubs or any other over-size tub designed for use by two or more persons, or any common area Jacuzzi or hot tub, or Vichy Shower shall not be allowed unless they are specified in the septic system analysis and additional capacity in the septic system is allocated for their use.

62. Prior to structural demolition permit issuance, the applicant shall abandon existing septic tank(s) under permit and inspection from the PRMD Well and Septic Section. The Well and Septic Specialist shall receive a copy of the “finalized” Abandonment Permit.

Applicant shall submit: Final clearance from the Well and Septic Section that the septic tank abandonment requirements have been met to the Well and Septic Specialist.

63. Toilet facilities shall be provided for patrons and employees prior to occupancy and operation of the project.

Applicant shall submit: A copy of the Floor Plan showing the location of the restrooms, prior to issuance of building permits, to the Well and Septic Health Specialist.

64. 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.

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

65. Prior to building occupancy and project operation, the applicant shall submit a Septic Findings Report by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system’s ability to accommodate the proposed sewage loading to PRMD Well and Septic. Any necessary system expansion or modifications shall be done under permit and the current standards from the PRMD Well and Septic Section and may require both soils analysis and percolation testing.

Applicant shall submit: Well & Septic approval of the Septic Findings Report to the Specialist to the Project Review Health Specialist, that all required septic system assessment and evaluation elements have been completed and are acceptable for the proposed project.

66. Prior to building occupancy and project operation, the applicant shall abandon existing septic

tank(s) under permit and inspection from the PRMD Well and Septic Section.

Applicant shall submit: A copy of the “finalized” Abandonment Permit to the Project Review Health Specialist.

OPERATIONAL REQUIREMENTS:

Water:

67. The property owner or lease holder shall have the backflow prevention assembly tested by a Certified Cross Connection Control and Back Flow Prevention Specialist at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
68. A safe, potable water supply shall be provided and maintained.
69. The new onsite water well shall comply continuously with ongoing testing and monitoring requirements of the RWQCB for the chlorinated solvents plume with an undefined SW boundary. *(for water wells drilled within the setbacks to contaminated sites/plumes/etc)*

Septic:

70. 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.
71. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
72. 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. There must be *no parking, grading, plowing, large animal corrals, or other soil compaction/disturbances* in the septic reserve areas. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by PRMD.
73. When permitted agricultural promotional events exceed 63 persons, the permit holder shall provide portable toilets meeting the following minimum requirements:
 - a. An adequate number of portable toilets shall be provided, but in no case shall the number of portable toilets be less than one toilet per one hundred (100) event employees and visitors per day for day use.
 - b. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public. Employees serving food to visitors or the public must have access to permanently plumbed running hot and cold water

sinks plumbed to a permitted on-site wastewater treatment system or public sewer.

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

SONOMA COUNTY ENVIRONMENTAL HEALTH:

75. All raw or prepared food products for retail sale must be obtained from an approved source.
76. If the site participates in, or hosts, a special event that is two or more days, it must be approved as a community event. Community events require additional permits and inspections from this Department for the organizer as well as all food vendors.
77. Public events held in the unincorporated areas of Sonoma County are required to comply with Sonoma

County Ordinance #5953 which prohibits smoking in public places. The ordinance does allow for the establishment of a Designated Smoking Area that meets criteria outlined in the ordinance. Criteria can be found at www.SonomaCounty.org/BreatheEasy under Overview and Background – Major Provisions. Chapter 32 Ordinance Regulating Smoking and Secondhand Smoke.

78. All owners/operators, managers, supervisors, and employees who sell or serve alcoholic beverages shall complete Responsible Beverage Service (RBS) Training within 90 days from issuance of a new permit and every third year thereafter. All servers/sellers of alcohol hired after the initial 90 day period shall complete the training course within 60 days of employment and every third year thereafter. It is strongly recommended, if alcohol is to be served at special events, that all employees and volunteers complete special event RBS training prior to the event.
79. The RBS Training shall meet the recommended best practice guidelines of the State of California, Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. Records of successful completion for each owner/operator, manager, supervisor, employee and volunteer shall be maintained on the premises and shall be presented upon request by a representative of the County or local law enforcement agency.
80. As of June 1, 2012 smoking is no longer allowed in outdoor dining areas. This includes picnic areas, sidewalks, and any area available to, or customarily used by, the general public or an employee that is intended or regularly used for consuming food or drink. A business with an unenclosed dining area may establish a designated smoking area elsewhere on the premises if it meets the criteria outlined in the County Smoking Ordinance #5953.
81. A designated smoking area is a portion of an unenclosed area where smoking may be allowed. It must meet all of the following criteria:
 - It must be located at least 25 feet in any direction from any operable doorway, window, vent or other opening into an enclosed area.
 - It must be located at least 25 feet in any direction from any space that is designated as “smoke-free”.
 - It must be located at least 25 feet from unenclosed recreational areas that are primarily used by children and/or areas that have improvements that facilitate physical activity including playgrounds, tennis courts, swimming pools, walking paths, and sports fields.
 - It must be no more than five percent (5%) of the total unenclosed area for which it is designated.
 - It must be clearly identified by conspicuous signs and have ash receptacles, such as ash trays or ash cans, within the area for proper disposal of smoking waste.
82. All owners of properties with existing or new onsite water well(s) and transient non community water systems are required to apply for and maintain a state water system permit as an approved potable water supply for the food facility areas. The water system permit would be issued by the California Water Resources Control Board Drinking Water Branch (707)-576-2145.
83. If composting on site is proposed, a review of the proposal is required by the Sonoma County Local Enforcement Agency for Solid Waste to determine if a Solid Waste Permit is required prior to commencing operations.

PERMIT SONOMA PLANNING:

84. This Use Permit (File No. PLP24-0012) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.

85. 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, except the project may include serving of prepared meals or appetizers featuring local foods and food products in conjunction with authorized events.
86. Use of on-site unimproved overflow parking area for 150 vehicles is allowed to accommodate events. Overflow parking and shuttling shall not be used to accommodate parking for the farm retail sales and small-scale agricultural processing facilities.
87. 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. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.
88. 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.

PRIOR TO BUILDING/GRADING PERMIT PHASE:

89. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.
90. Prior to building or grading permit issuance, the property owners shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
91. Prior to development permit issuance (including septic, grading, and building permit issuance), the property owners shall demonstrate the property contains a commercial agricultural operation and complies with the requirements of the Williamson Act Contract recorded under Document No. 2002-206759, the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules), and the Land Conservation Act. Contract compliance includes, but is not limited to, demonstrating the following:
 - a. A minimum of 50% of the property's total acreage is devoted to qualifying agricultural uses (e.g. lavender crop, olive trees, sheep grazing).
 - b. The property generates minimum annual income requirements listed in Table 4-2 of the Uniform Rules.
 - c. Any non-agricultural use is an allowable compatible use listed in the Uniform Rules.
92. All new structures, lighting and signs shall require final design review by Permit Sonoma prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.
93. 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.

94. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review. 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.

Additional measures for lighting impacts include: Lighting plans shall be designed to meet the Lighting Zone (LZ1 for dark areas, LZ2 for rural, LZ3 for urban) standards from Title 24 effective October 2005. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts).

95. 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.
96. 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. Additionally, development resulting removal of native oak trees or type conversion of land in the boundaries of Oak Woodland, is subject to the provisions of Article 67 of the Zoning Code. Type conversion activities include, but are not limited to, clearing, grading, or otherwise modifying land for roads, driveways, buildings or building pads, utility easements, and Agricultural Crop Cultivation within an Oak Woodland.

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 by County Code). 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.

97. 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.

98. 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.

99. The undergrounding of new utilities is required.

FARM RETAIL SALES FACILITY:

100. Onsite retail sales shall be limited to whole produce, eggs, honey or value-added prepackaged foods or non-food products processed from crops grown on site or other lands owned or leased by the farm operator.

101. The facility shall comply with Food and Agricultural Code Section 47050 and Public Health and Safety Code Section 113778.2.

102. Food sampling shall be limited to fresh produce and prepackaged processed foods grown on site in compliance with a retail food facility permit. No other food service is allowed.

103. Incidental sales of merchandise or goods not produced on site is limited to ten percent (10%) of the floor area up to a maximum of fifty (50) square feet.

104. Signs up to sixteen (16) square feet are allowed in compliance with County Signage Regulations. Sign text shall be limited to the name of the agricultural enterprise, the address, and the general type of produce sold. Banners, flags or balloons or cost advertisements shall not be allowed. One (1) portable sandwich board sign is allowed on site, provided that it does not exceed nine (9) square feet per side and is removed when the facility is closed. Offsite signs are prohibited.

105. Educational tours for promotion of agricultural products are allowed. Participation in farm trails and similar promotional activities is allowed.

106. A minimum of three (3) parking spaces is required on-site. All customer and employee parking shall be provided onsite.

107. Noise generation shall not exceed General Plan noise standards.

108. All scales used for retail sales shall be approved for commercial use and sealed by the Sonoma County Agricultural Commissioner's Office of Weights and Measures.

SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS

EXHIBIT “C”

Use Permit Conditions of Approval – Agricultural Promotional Events

Staff: Joshua Miranda

Date: April 24, 2025

Applicant: Mario & Katherine Ghilotti

File No.: PLP24-0012

Owner: Villa Vanto, LLC/Mario and Katherine Ghilotti

APN: 020-130-037

Address: 4485 D Street, Petaluma

Project Description: Request to allow agricultural support and visitor serving uses in an existing 5,020 square foot barn, including: 1) a Zoning Permit to allow a 215 square foot farm retail sales facility, operating with 2 employees, open to the public by appointment only from 10:00 AM to 6:00 PM, seven days a week; 2) a Zoning Permit to allow a 3,575 square foot small-scale agricultural processing facility to process lavender grown onsite into various products including essential oils, and hydrosol, and perfumes, operating daily with up to 4 employees from 8:00 AM to 4:00 PM; and, 3) a Use Permit to allow 12 annual agricultural promotional events ranging in size from 50 – 200 attendees, between the hours of 11:00 AM and 10:00 PM, with amplified music limited to indoors only. Construction includes legalizing grading and building modifications and developing a new access road, bridge, and 10 parking spaces near the barn. Onsite event parking for up to 90 vehicles will be provided in a graded and mowed pasture.

The agricultural products produced on site include dried lavender, hydrosol, sachets, bath salts, essential oils, custom herbal perfume scents, olive products, and honey. All events will be contractually required to purchase Villa Vanto products at a ratio of one product per guest minimum, and Villa Vanto and other local agricultural products will be highlighted in either the menu or as part of the event program. All events will include the opportunity to purchase local products individually and by subscription during the event. The following types of promotional events are proposed annually:

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

FEES:

1. 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 \$2,916.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of \$2,966.75 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. 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.
3. 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 \$3,615.00 (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.
4. Permit Sonoma Annual Well Monitoring Fee. Prior to building permit final or issuance of a Use

Permit Certificate to operate the use, the applicant/operator shall submit to Permit Sonoma an Annual Well Monitoring fee of \$244.00 (or other amount consistent with the adopted fee schedule in effect at the time). The applicant/operator shall be responsible for payment of additional annual well monitoring fees for each year over the effective term of the permit. The annual well monitoring fee shall be paid by January 31 of each year the permitted operation is active.

5. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.

GENERAL:

1. This project shall be constructed and maintained in conformance with the project description and project plans located in File No. PLP24-0012, and as modified by these Conditions of Approval.
2. 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.
3. 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.
4. 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.
5. 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 CODE ENFORCEMENT:

6. Property Owner shall seek and obtain all required building and grading permits to correct code violations issued on the property within 180 days of Planning Permit Approval.

PERMIT SONOMA BUILDING:

7. The applicant shall apply for and obtain a building related permit from Permit Sonoma for any proposed or altered structures. Construction inspections shall occur and the building permit finalized (or approved for occupancy) prior to occupancy of any structure.
8. The proposed uses and occupancies of all building areas shall be accurately identified on the proposed plans. Building areas and exterior areas shall identify all proposed uses and occupant loads associated with all proposed uses. A room or space that is intended to be occupied at different times (even infrequently) for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied.
9. The means of egress from all proposed occupied areas within the facility (interior and exterior) shall comply with the applicable sections of the California Building Code (CBC). The means of egress and all applicable code provisions shall be adequately justified for all proposed uses and special events proposed. The means of egress shall be continuous to the public way or a designated area of safe dispersal.
10. A geotechnical investigation, in accordance with CBC Chapter 18, shall be submitted, providing site specific foundation design criteria and other geotechnical recommendations for development.
11. Adequate CALGreen documentation shall be provided justifying adherence to the California Green Building Code. This documentation is required to be reviewed and approved by a CALGreen consultant who has been previously approved by permit Sonoma.
12. Per CBC Chapter 2, buildings used by employees, the public, or processing, treatment, or packaging of agricultural products shall not be identified as an “agricultural building”.
13. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division.
14. Minimum plumbing facilities for customers and employees, per the California Plumbing Code (CPC), shall be provided for all occupied areas, including during proposed special events.
15. The California Business & Professions Code requires plans and calculations affecting egress components, life safety, and structural elements to be prepared by California licensed design professionals (architects, engineers).
16. A registered design professional in responsible charge shall be identified on each building permit application and be responsible for reviewing and coordinating all submittal documents prepared by others, as required by CBC Section 107.3.4.
17. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the CBC, as determined by the Permit Sonoma Building Division.
18. If, after Building Division approval, any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

PERMIT SONOMA FIRE PREVENTION:

19. A fire site evaluation is required due to it being located in the SRA and the conditions may be revised after the evaluation is completed. Contact Steve.Mosiurchak@sonoma-county.org to make an appointment.
20. **Emergency Access and Egress** – Require Compliance with 14 CCR §§1273.00-1273.11
California Department of Forestry and Fire Protection Fire Safe Regulations, 14 California Code of Regulations, §1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. This requires compliance with 14 CCR §§1273.00-1273.11.
21. **Signing and Building Numbering** – require compliance with 14 CCR §§1274.00-1274.04
22. **Emergency Water Standards** – require compliance with 14 CCR §§1275.00-1275.04
23. **Fuel Modification Standards** – require compliance with Chapter 13A and 14 CCR §§1276.00-1276.04.
24. **Exceptions to Standards.** An applicant may request an exception to standards to provide the same practical effect pursuant to 14 California Code of Regulations §1270.06 due to environmental conditions and physical site limitations. A map of the development project area and licensed professional plans documenting the alternative(s) mitigate the problem and provide the same practical effect toward providing defensible space is included with this application as Exhibit.
To have the same practical effect for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR 1273.00 through 1273.09, applicant shall include turnouts, turnarounds, secondary access roads at locations as demonstrated in Exhibit.
 1. This requirement shall apply from the property line of the application to the public right-of-way.
 2. This includes providing turnarounds that may not exist.
 3. This includes providing turnouts that may not exist.
 4. Detailed vegetation clearance along the road side
25. **Water Supply**
Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the Sonoma County Fire Safety Ordinance.
26. **Vegetation Management**
To reduce the intensity of a conflagration by the proposed project shall be in accordance with the California Fire Code as adopted and amended by Sonoma County Fire Safety Ordinance.
27. **Occupancy and Operation**
 1. Prior to operation, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
 2. The subject property (*or properties*) shall be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations
 - a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property (*or properties*) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
 - b. The Buildings shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.

Operational Permits - Places of assembly:

28. An annual fire safety inspection may be required by the fire code official for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay its costs of that inspection.

29. Emergency Planning and Response

1. Fire Protection plan shall be provided prior to operation and shall provide information about the property to document compliance with the Use Permit Conditions including but not limited to the following. See Chapter 4 of the California Fire Code
 - a. Emergency Contacts
 - b. Address
 - c. Property owner
 - d. Site map with property lines
 - e. Fire access roads including gates
 - f. Water supplies and hydrants
 - g. Location of hazardous materials
 - h. Utilities
 - i. Buildings and intended use

SONOMA PUBLIC INFRASTRUCTURE:**Intersections of Roads and Driveways:**

30. The Applicant shall construct a driveway entrance such that it conforms to Board of Forestry Fire Safety Regulations §1270 et seq. and County standards and meets the following criteria to allow for concurrent emergency ingress and egress as well as the smooth and safe movement of passenger vehicles entering and exiting the public road (D Street) 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 D Street) meets these requirements.

- a. A minimum paved throat width of twelve (12) feet.
- b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is a minimum of 12 feet distant from, and parallel with, the physical centerline of D Street. A 1:10 pavement taper shall be constructed on both sides of the entrance if required per County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815. Entrance curve radii may be reduced with the approval of the Fire Prevention of Permit Sonoma (PRMD).
- c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current County requirements for the speed traveled on D Street. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum County required sight distance at each driveway. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 812, latest revision, for rural County road driveway and private road intersections.

- d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
 - e. The entry shall intersect the public road as close to perpendicular as possible, but in no case shall the entry intersect the public road at more than 20 degrees from perpendicular.
 - f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815, latest revision, for private road and driveway intersection details.
31. The Applicant shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum County required sight distance at any project driveway where it intersects a public roadway.
32. Driveway cross-drains within the County right-of-way shall be upgraded to a minimum 18 inch culvert under the driveway.

Emergency Vehicle Access:

33. In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements per County Fire Safe Standards:
- a. All driveways shall be constructed to provide a minimum of one (1) twelve-foot traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.
 - b. All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway. Driveways required to have a turnout, shall have a turnout that is a minimum of twenty-two feet (22') wide, including the road and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the road or driveway centerline and shall not be located on the inside of horizontal curves without approval from the fire code official.
 - c. All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround. All driveways exceeding three hundred feet (300') shall have the turnaround constructed within fifty feet (50') of the residential building served by the driveway and shall have additional space provided for parking. Any driveway longer than one thousand three hundred twenty feet (1,320') shall have additional turnarounds located at intervals no less than one thousand three hundred twenty feet (1,320') unless approved by the county fire warden/fire marshal. Parking shall not be allowed in the approved turnaround location.
 - d. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty-foot radius). If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the road or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the road or

driveway entering the turnaround.

Traffic Safety Gate Setback:

34. The Applicant shall locate driveway gates a minimum distance of 30 feet from the edge of the pavement, in accordance with Standard Detail 242.

Fees:

35. The Applicant shall pay Traffic Mitigation fees to the County of Sonoma, as required by Chapter 26, Article 98 of the Sonoma County Code, prior to issuance of a building permit *for any new building or prior to any new use of an existing building*. Evidence of payment shall be submitted to the Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions. Credit is granted for existing, legal uses.

Processing:

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

PERMIT SONOMA GRADING AND STORMWATER:

37. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (Permit Sonoma) 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.
38. 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 (Permit Sonoma). 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.
39. 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 Management Design Manual. 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 (Permit Sonoma) 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 Permit and Resource Management Department'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.
40. 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.

41. 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.
42. 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.
43. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm rain 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.
44. Grading and land disturbance shall be setback from ponds a minimum of 50 feet from the top of the ordinary high water mark.
45. Before construction may begin near a waterway/pond, a protective construction fence shall be placed in such a manner to allow the proposed development while preventing land disturbance adjacent to the waterway/pond. The protective construction fence shall be shown and noted on the grading/site plans.
46. Drainage easements are required when conveying 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.
47. 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.

PERMIT SONOMA WELL AND SEPTIC:**PRIOR TO BUILDING PERMIT ISSUANCE:**

Water:

48. Prior to building permit issuance, a potable water supply meeting all current standards for annular seal and setbacks shall be provided.

The applicant shall submit: copies of the well permit and drillers log to the Well & Septic Health Specialist.

49. 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.

Applicant shall 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.

Applicant shall submit: a draft deed restriction running with the land and a copy of the signed (paid for) service contract with a qualified water system operator, to the PRMD Project Review Health Specialist.

50. Prior to the issuance of building permits and project operation, the applicant shall apply for a Water Supply Permit from the California State Water Resources Control Board, Division of Drinking Water (707-576-2145), for 15 or more connections or the Sonoma County Public Health Section of Environmental Health for 5-14 connections (this process should begin as soon as possible, as the application, plan check and sampling may take some time).

Applicant shall submit: A copy of the Water Supply Permit Application *approval letter* must be submitted to the Project Review Health Specialist, or the Office of Drinking Water/ Sonoma County Environmental Health may e-mail approval directly to PRMD.

51. Prior to the issuance of building permits the applicant shall apply for a water supply permit from the State Division of Drinking Water (707-576-2145), because more than 25 persons per day for 60 days within a year *may* be served by the water system. The State Division of Drinking Water will either process the application to an operational water supply permit, or the applicant will be requested to sign a sub threshold affidavit, notify PRMD of their intent and give PRMD consent to proceed 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.)

Applicant shall submit: A copy of the SWRCB *response letter* to the Water Supply Permit Application, or a copy of the *"Exclusion from Permitting" letter*, to the Project Review Health Specialist.

52. Prior to the issuance of building permits, the applicant shall obtain a water system construction permit (WAT) from PRMD Engineering Section. Any permits to operate a

water supply system from the California State Water Boards Division of Drinking Water, or Sonoma County Environmental Health, require a water system construction application, plans, and specifications to be submitted to PRMD Engineering.

53. 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.

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

- a. Prior to building permit issuance, proof of water availability must meet all of the following:
 - i. be conducted during the dry season (July 15 through October 1)
 - ii. be performed by (or under the direction of) a licensed driller (C57), a pumping contractor (C61/D21), a Registered Geologist, or a Registered Geologist.
 - iii. be conducted in accordance with Section 7-12 of the Sonoma County Code, Chapter 7 for SFD and/ or **GP2020 WR-2e** for commercial and/or discretionary projects.
 - iv. submit results to PRMD Well and Septic for review and approval.
 - v. achieve a minimum of one gallon per minute for each project activity, such as each commercial facility, special events, each tasting room, and each residence and/or second unit, etc.

(Testing procedures for 1-2 project activities = 8-12 hour test, 3-4 activities = 18-24 hour test, and 72 hour test for 5 or more activities).

Applicant shall submit: A final clearance from the Well and Septic Section that approved well and/or spring yield tests (during the dry weather test period if applicable) have been accepted and the results approved, to the Project Review Health Specialist.

54. Prior to building permit issuance the applicant shall abandon existing well(s) under permit from the PRMD Well and Septic Section. This department may review a request to upgrade the well to current standards relating to setbacks and annular well seals.

Applicant shall submit: A final clearance from the Well & Septic section for the proper abandonment of the water well or reconstruction of the water well or spring to the Project Review Health Specialist.

55. The new onsite water well shall comply with ongoing testing and monitoring requirements of the RWQCB for a chlorinated solvents plume with an undefined SW boundary, approximately 200 ft. north of the existing well on the project parcel. *(for water wells drilled within the setbacks to contaminated sites/plumes/etc)*

Septic:

56. Prior to building permit issuance, the applicant shall obtain a permit for the sewage disposal system. The system shall require to meet all sections of the Onsite Waste Treatment Systems (OWTs manual) especially Site Evaluation Methods and Criteria for Commercial

section. A qualified septic consultant, either a Registered Environmental or Civil Engineer, shall be required to design the septic system.

<https://permitsonoma.org/divisions/engineeringandconstruction/wellandsepticssystems/septicssystems/owtsmanual>

- a. A commercial system shall require 200% septic reserve area.
- b. If residential and commercial wastewater commingles, then 200% reserve is required.

This project is approved for agricultural promotional events and shall provide septic system capacity in accordance with Permit Sonoma Special Cultural Event section of the OWTs manual. The project septic system shall be designed to accommodate 100 % percent of the wastewater flow from an event with guests, in addition to peak wastewater flows from all other sources plumbed to the septic system, including all employees listed in the traffic study.

If a permit for a standard, nonstandard, 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.

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 Well and Septic Health Specialist.

- 57. The process wastewater shall be separated from domestic wastewater.
- 58. 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 Well and Septic 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).

Applicant shall submit: Documentation of acceptance of a complete application, with no initial objections or concerns, by the Regional Water Quality Control Board to the Project Review Health Specialist.

- 59. 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.

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.

60. Prior to building permit issuance and vesting the Use Permit, all parking, grading, plowing, large animal confines or other soil compaction/disturbances must be located *outside* of the septic reserve areas. Septic reserve areas shall have protective perimeter barriers installed.

Applicant shall submit: Evidence of installed septic reserve area perimeter barriers to the Project Review Health Specialist.

Please Note: Sonoma County Onsite Wastewater Treatment System Regulations and Technical Standards, Section 3 definitions of septic expansion or reserve replacement area says the *Reserve Replacement Area is an unencumbered portion of land* that is reserved for the installation of a future OWTS, in the event of primary OWTS failure. The reserve replacement area must be suitable for an OWTS as demonstrated with acceptable percolation testing, groundwater conditions, adequate depth to soil and a preliminary design.

61. In-room Jacuzzi tubs, hot tubs or any other over-size tub designed for use by two or more persons, or any common area Jacuzzi or hot tub, or Vichy Shower shall not be allowed unless they are specified in the septic system analysis and additional capacity in the septic system is allocated for their use.

62. Prior to structural demolition permit issuance, the applicant shall abandon existing septic tank(s) under permit and inspection from the PRMD Well and Septic Section. The Well and Septic Specialist shall receive a copy of the “finaled” Abandonment Permit.

Applicant shall submit: Final clearance from the Well and Septic Section that the septic tank abandonment requirements have been met to the Well and Septic Specialist.

63. Toilet facilities shall be provided for patrons and employees prior to occupancy and operation of the project.

Applicant shall submit: A copy of the Floor Plan showing the location of the restrooms, prior to issuance of building permits, to the Well and Septic Health Specialist.

64. 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.

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

65. Prior to building occupancy and project operation, the applicant shall submit a Septic Findings Report by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system’s ability to accommodate the proposed sewage loading to PRMD Well and Septic. Any necessary system expansion or modifications shall be done under permit and the current standards from the PRMD Well and Septic Section and may require both soils analysis and percolation testing.

Applicant shall submit: Well & Septic approval of the Septic Findings Report to the Specialist to the Project Review Health Specialist, that all required septic system assessment and evaluation elements have been completed and are acceptable for the proposed project.

66. Prior to building occupancy and project operation, the applicant shall abandon existing septic tank(s) under permit and inspection from the PRMD Well and Septic Section.
Applicant shall submit: A copy of the “finalized” Abandonment Permit to the Project Review Health Specialist.

OPERATIONAL REQUIREMENTS:

Water:

67. The property owner or lease holder shall have the backflow prevention assembly tested by a Certified Cross Connection Control and Back Flow Prevention Specialist at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
68. A safe, potable water supply shall be provided and maintained.
69. The new onsite water well shall comply continuously with ongoing testing and monitoring requirements of the RWQCB for the chlorinated solvents plume with an undefined SW boundary. *(for water wells drilled within the setbacks to contaminated sites/plumes/etc)*

Septic:

70. 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.
71. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
72. 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. There must be *no parking, grading, plowing, large animal corrals, or other soil compaction/disturbances* in the septic reserve areas. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by PRMD.
73. When permitted agricultural promotional events exceed 63 persons, the permit holder shall provide portable toilets meeting the following minimum requirements:
- a. An adequate number of portable toilets shall be provided, but in no case shall the number of portable toilets be less than one toilet per one hundred (100) event employees and visitors per day for day use.
 - b. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public. Employees serving food to visitors or the public must have access to permanently plumbed running hot and cold water

sinks plumbed to a permitted on-site wastewater treatment system or public sewer.

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

PERMIT SONOMA NATURAL RESOURCES:

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

- 75. Prior to issuance of any required occupancy approvals, building permits, grading permits, septic system permits, commencement of use permit activities and vesting the use permit, the applicant shall provide the County copies of all required state and federal regulatory permits, or if such permits are not required, written documentation from the respective state or federal agency that no such permit is required, for all of the following: Section 401 certification from the Region 2 San Francisco Water Quality Control Board (SFWQCB) for impacts to wetlands or streams, Section 404 permit from the Army Corps of Engineers

(ACOE) for any impacts to wetlands or streams, Lake and Stream Bed Alteration Agreement for any impacts to wetlands, streams, lakes, ponds, or riparian habitats from the California Department of Fish and Wildlife (CDFW), Incidental Take Permit for any impacts to California Endangered Species Act (CESA) species from CDFW, and/or an Endangered Species Act (ESA) consultation, permit and/or habitat conservation plan from the U.S. Fish and Wildlife Service (USFWS) for impacts to any federally listed species.

76. 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.
77. Water well(s) serving the project shall be equipped to enable regular groundwater level monitoring, subject to approval by Permit Sonoma Professional Geologist or Environmental Health Specialist. A dedicated monitoring well shall be installed west of the project well between the project well and the nearest neighboring well, subject to approval by Permit Sonoma Professional Geologist or Environmental Health Specialist.
78. Totalizing water meter(s) to measure all groundwater extracted for the use of the parcel shall be installed, subject to approval by Permit Sonoma Professional Geologist or Environmental Health Specialist.
79. A complete Water Resources Monitoring application form (PJR-147) shall be submitted. The application shall include 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.), ground elevation, and elevation of the top of the well casing shall be provided. The height of the water level measuring reference point above the ground surface shall be specified.
80. The design and operation of all proposed structures will achieve residential or commercial water efficiency and conservation standards for new construction as specified through the 2019 CA Green Code or most current version.
81. Prior to vesting the use, a rainwater capture system which collects water from the event center roof area and has a minimum storage capacity of 50,000 gallons shall be installed and approved by Permit Sonoma. Excess water from the project well shall be routed into the rainwater capture tanks.
82. The design and operation of all new or improved landscaped areas will meet or exceed standards in Sonoma County's Water Efficient Landscape Ordinance (WELO).

OPERATIONAL REQUIREMENTS:

83. Groundwater Monitoring and Meter Calibration
 - a. Groundwater levels and quantities of groundwater extracted for the parcel shall be measured quarterly. 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.

- c. If the County determines that groundwater levels are declining in the local groundwater basin, then the applicant shall submit and implement a Water Conservation Plan, subject to review and approval by Permit Sonoma. The Conservation Plan may include a system to enhance groundwater recharge with overflow from the horizontal well, as discussed in the hydrogeologic report prepared by Hurvitz Environmental Services Inc., with revised date of January 10, 2025.
84. Total well water use on the project, including domestic uses for visitors and employees, processing of farm products, and landscape irrigation of the event center, shall not exceed 1.3 acre feet per year. In the event that average water use over 3 years exceeds 1.3 acre feet per year, the applicant shall 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.
85. The project shall comply with all applicable regulations, monitoring, and fees associated with the Groundwater Sustainability Agency as applicable to the project site.

SONOMA COUNTY ENVIRONMENTAL HEALTH:

86. All raw or prepared food products for retail sale must be obtained from an approved source.
87. If the site participates in, or hosts, a special event that is two or more days, it must be approved as a community event. Community events require additional permits and inspections from this Department for the organizer as well as all food vendors.
88. Public events held in the unincorporated areas of Sonoma County are required to comply with Sonoma County Ordinance #5953 which prohibits smoking in public places. The ordinance does allow for the establishment of a Designated Smoking Area that meets criteria outlined in the ordinance. Criteria can be found at www.SonomaCounty.org/BreatheEasy under Overview and Background – Major Provisions. Chapter 32 Ordinance Regulating Smoking and Secondhand Smoke.
89. All owners/operators, managers, supervisors, and employees who sell or serve alcoholic beverages shall complete Responsible Beverage Service (RBS) Training within 90 days from issuance of a new permit and every third year thereafter. All servers/sellers of alcohol hired after the initial 90 day period shall complete the training course within 60 days of employment and every third year thereafter. It is strongly recommended, if alcohol is to be served at special events, that all employees and volunteers complete special event RBS training prior to the event.
90. The RBS Training shall meet the recommended best practice guidelines of the State of California, Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. Records of successful completion for each owner/operator, manager, supervisor, employee and volunteer shall be maintained on the premises and shall be presented upon request by a representative of the County or local law enforcement agency.
91. As of June 1, 2012 smoking is no longer allowed in outdoor dining areas. This includes picnic areas, sidewalks, and any area available to, or customarily used by, the general public or an employee that is intended or regularly used for consuming food or drink. A business with an unenclosed dining area may establish a designated smoking area elsewhere on the premises if it meets the criteria outlined in the County Smoking Ordinance #5953.

92. A designated smoking area is a portion of an unenclosed area where smoking may be allowed. It must meet all of the following criteria:
- It must be located at least 25 feet in any direction from any operable doorway, window, vent or other opening into an enclosed area.
 - It must be located at least 25 feet in any direction from any space that is designated as “smoke-free”.
 - It must be located at least 25 feet from unenclosed recreational areas that are primarily used by children and/or areas that have improvements that facilitate physical activity including playgrounds, tennis courts, swimming pools, walking paths, and sports fields.
 - It must be no more than five percent (5%) of the total unenclosed area for which it is designated.
 - It must be clearly identified by conspicuous signs and have ash receptacles, such as ash trays or ash cans, within the area for proper disposal of smoking waste.
93. All owners of properties with existing or new onsite water well(s) and transient non community water systems are required to apply for and maintain a state water system permit as an approved potable water supply for the food facility areas. The water system permit would be issued by the California Water Resources Control Board Drinking Water Branch (707)-576-2145.
94. If composting on site is proposed, a review of the proposal is required by the Sonoma County Local Enforcement Agency for Solid Waste to determine if a Solid Waste Permit is required prior to commencing operations.

PERMIT SONOMA PLANNING:

95. This Use Permit (File No. PLP24-0012) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
96. Twelve (12) agricultural promotional event days per year for a limited term of five years, which may be subject to Use Permit renewal. The 5-year period begins with the first ag promotional event which shall not occur until the lavender crops have been planted and have matured to a harvest-ready state, the grazing has commenced, and the olive trees are planted. A maximum of three (3) 200-person events, three (3) 150-person events, three (3) 100-person events and three (3) 50-person events, are permitted with this Use Permit.
97. Additional events, including any periodic events under Sonoma County Code Chapter 26, section 26-22-120, are not allowed, without a use permit modification. Prior to use of the property associated with the annual event land use entitlement resulting from this application, the applicant may continue to apply for periodic special events, under Sonoma County Code Chapter 26, 26-22-120.
98. No more than 2 event days per month, and no more than 2 events in a 7-day period are permitted.
99. 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, except the project may include serving of prepared meals or appetizers featuring local foods and food products in conjunction with authorized events.
100. Use of on-site unimproved overflow parking area for 90 vehicles is allowed to accommodate events. Overflow parking and shuttling shall not be used to accommodate parking for the farm retail sales and small-scale agricultural processing facilities.

101. 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. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.

102. 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.

PRIOR TO BUILDING/GRADING PERMIT PHASE:

103. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.

104. Prior to building or grading permit issuance, the property owners shall execute and record a Right-to-Farm declaration on a form provided by PRMD.

105. Prior to development permit issuance (including septic, grading, and building permit issuance), the property owners shall demonstrate the property contains a commercial agricultural operation and complies with the requirements of the Williamson Act Contract recorded under Document No. 2002-206759, the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules), and the Land Conservation Act. Contract compliance includes, but is not limited to, demonstrating the following:

- a. A minimum of 50% of the property's total acreage is devoted to qualifying agricultural uses (e.g. lavender crop, olive trees, sheep grazing).
- b. The property generates minimum annual income requirements listed in Table 4-2 of the Uniform Rules.
- c. Any non-agricultural use is an allowable compatible use listed in the Uniform Rules.

106. All new structures, lighting and signs shall require final design review by Permit Sonoma prior to issuance of building permits. All exterior finishes shall be of non-reflective materials and colors.

107. 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.

108. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review. 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.

Additional measures for lighting impacts include: Lighting plans shall be designed to meet the Lighting

Zone (LZ1 for dark areas, LZ2 for rural, LZ3 for urban) standards from Title 24 effective October 2005. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts).

109.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.

110.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. Additionally, development resulting removal of native oak trees or type conversion of land in the boundaries of Oak Woodland, is subject to the provisions of Article 67 of the Zoning Code. Type conversion activities include, but are not limited to, clearing, grading, or otherwise modifying land for roads, driveways, buildings or building pads, utility easements, and Agricultural Crop Cultivation within an Oak Woodland.

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 by County Code). 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.

111.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:

- d. The purchase of 100% renewable energy;
- e. Low wattage/energy efficient fixtures will be installed that can be dimmed to at least 50% capacity; and
- f. Facilitating and encouraging carpooling among employees as often as possible.

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

- g. 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.
- h. 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.

- i. 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.
- j. 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.
- k. 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.

113. The undergrounding of new utilities is required.

AGRICULTURAL PROMOTIONAL EVENTS:

114. The 12 authorized agricultural promotional event days must be directly related to agricultural education, or the promotion or sale of agricultural commodities and agricultural products grown or processed onsite; and be secondary and incidental to agricultural production. Events shall last no longer than one day.

112. Events may occur during the hours of 11:00 a.m.—10:00 p.m., with all cleanup occurring no later than between 9:30 p.m.—10:00 p.m.

113. The facility shall not be rented out to third parties for events.

114. Events shall not provide overnight accommodations on the property.

115. No permanent structure dedicated to the events shall be constructed or maintained on the property.

116. One (1) parking space per two and one-half (2.5) guests and one (1) space per employee shall be provided onsite. No event parking is permitted along any public or private roadways.

117. Prior to exercising this approval, a traffic management and parking plan shall be submitted and approved by Permit Sonoma Planning to address the maximum number of people visiting during events. For events exceeding one hundred (100) participants and for events that require use of overflow parking, the traffic management plan shall include the following:

- a. Provisions for event coordination to avoid local traffic delays.
- b. Parking attendants for each day of the event.
- c. A plan for on-site parking requirements and queuing of traffic.
- e. Enforcement of the on-street parking restrictions.
- d. Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.

118. The days and hours for events shall be subject to review and approval by a Special Events Coordinator or similar program established by the County or at the County's direction. The applicant shall submit to the County an annual request and schedule for special events for each calendar year including the maximum

number of participants, times and dates. The applicant shall contribute, on an annual basis, a fair share towards the cost of establishing and maintaining the program. The program should consider the fairness for long established uses and establish reasonable costs for managing the program.

119. Annual Report. After commencement of event activities, the owner/operator shall submit a report each year to PRMD by January 15th describing the number of agricultural promotional events that occurred during the previous year, the day, date, time, and duration of each event, the number of persons attending each event, the purpose of each event, and any other information required by the director. The annual report shall also include the proposed events for the coming year.

120. 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.		

121. Events shall be limited to the hours of the Daytime Noise Standards found in the Noise Element of the Sonoma County General Plan).

122. 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.

123. 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.

SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS

EXHIBIT “D”

Mitigation Measures Conditions of Approval

Staff: Joshua Miranda

Date: April 24, 2025

Applicant: Mario & Katherine Ghilotti

File No.: PLP24-0012

Owner: Villa Vanto, LLC/Mario and Katherine Ghilotti

APN: 020-130-037

Address: 4485 D Street, Petaluma

Project Description: Request to allow agricultural support and visitor serving uses in an existing 5,020 square foot barn, including: 1) a Zoning Permit to allow a 215 square foot farm retail sales facility, operating with 2 employees, open to the public by appointment only from 10:00 AM to 6:00 PM, seven days a week; 2) a Zoning Permit to allow a 3,575 square foot small-scale agricultural processing facility to process lavender grown onsite into various products including essential oils, and hydrosol, and perfumes, operating daily with up to 4 employees from 8:00 AM to 4:00 PM; and, 3) a Use Permit to allow 12 annual agricultural promotional events ranging in size from 50 – 200 attendees, between the hours of 11:00 AM and 10:00 PM, with amplified music limited to indoors only. Construction includes legalizing grading and building modifications and developing a new access road, bridge, and 10 parking spaces near the barn. Onsite event parking for up to 90 vehicles will be provided in a graded and mowed pasture.

The agricultural products produced on site include dried lavender, hydrosol, sachets, bath salts, essential oils, custom herbal perfume scents, olive products, and honey. All events will be contractually required to purchase Villa Vanto products at a ratio of one product per guest minimum, and Villa Vanto and other local agricultural products will be highlighted in either the menu or as part of the event program. All events will include the opportunity to purchase local products individually and by subscription during the event. The following types of promotional events are proposed annually:

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

FEES:

1. 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 \$2,916.75 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a **total of \$2,966.75 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. 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.
3. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.

GENERAL:

1. This project shall be constructed and maintained in conformance with the project description and project plans located in File No. PLP24-0012, and as modified by these Conditions of Approval.
2. 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.
3. 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.
4. 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.
5. 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.

MITIGATION MEASURES

6. **Mitigation Measure AIR-1:** The following note shall be printed on all construction plans:

NOTE ON PLANS: “All construction shall implement the following dust control measures:

- 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 AIR-1: Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above notes are printed on all construction plans including plans for building and grading.

7. **Mitigation Measure AIR-2:**

Any odor complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma shall seek voluntary compliance from the permit holder, or may require a qualified professional to evaluate the problem and recommend additional measures to reduce outdoor odor generation, such as including use of engineered solutions such as Vapor-Phase Systems (Fog Systems), and thereafter may initiate an enforcement action and/or revocation or modification proceedings, as appropriate. (ongoing)

Mitigation Monitoring AIR-2:

Permit Sonoma staff shall perform a site inspection to verify any odor complaint received and shall evaluate odor complaint history, whether the small scale processing operation is creating objectionable odors affecting a substantial number of people, and may require that the project go back to the Board of Zoning Adjustments for review of additional measures to reduce outdoor odor generation, including use of engineered solutions such as Vapor-Phase Systems (Fog Systems).

BIOLOGICAL RESOURCES:

8. **Mitigation Measure BIO-1, Preconstruction Rare Plant Survey:** Although considered unlikely to be found, a focused spring survey (April-May) by a Qualified Biologist for Congested-headed hayfield tarplant and Two-fork clover is recommended given the presence of potential habitat. It should also be noted that approximately half of the Project Site had been burned when previous plant surveys were conducted. If either of these plants are found, an adjustment(s) to the alignment of new roadways and/or lands to be cultivated would be warranted to avoid populations of either species. If populations cannot be avoided then transplantation is recommended as a mitigation strategy to avoid impact to either of these plant species. If any special-status plant species are observed, the applicant will coordinate with the County, CDFW and USFWS, as appropriate, to prepare a plant salvage and mitigation plan on-site. No work will be conducted until the County, CDFW and USFWS provide written approval of the plan.

Mitigation Monitoring BIO-1:

Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

9. **Mitigation Measure BIO-2: Preconstruction Western Bumble Bee Survey.** A preconstruction clearance survey shall be conducted for the Western bumble bee by a qualified biologist within 48 hours of the start of ground disturbing activities, including mowing. A qualified biologist shall also be present during vegetation mowing and/or removal activities associated with construction. If Western bumble bee is observed, the bee or bees shall be allowed to disperse out of the construction area prior to continuing construction.

Mitigation Monitoring BIO-2:

Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

10. **Mitigation Measure BIO-3, California red-legged Frog:** The following measures are recommended to minimize potential impacts to California red-legged frog:

- a) A Qualified Biologist with experience in the identification of all life stages of the California red-legged frog, and its critical habitat, will survey the Project Site no more than 48 hours before the onset of work activities. If any life stage of the California red-legged frog is detected, the Project Developer shall notify the USFWS and the CDFW prior to the start of construction. If the USFWS or CDFW determines that adverse effects to the California red-legged frog cannot be avoided, the proposed project will not commence until the appropriate level of consultation with these agencies occurs.
- b) The Project Developer will conduct work activities between May 1 and October 31 to avoid the breeding season of the California red-legged frog, when activities would be most disruptive to the species.
- c) Before work begins on any proposed project, a Qualified Biologist will conduct a training session for all construction personnel, which will include a description of the California red-legged frog, its critical habitat, and specific measures that are being implemented to avoid adverse effects to the species and critical habitat during the proposed project.
- d) A Qualified Biologist monitor will be present during all authorized construction activities involving ground disturbance. If the Qualified Biologist detects any life stage of the California red-legged frog on the Project Site during construction, work will cease immediately and the Project Developer or Qualified Biologist will notify the USFWS and CDFW via telephone and electronic mail. If the USFWS or CDFW determines that adverse effects to California red-legged frogs cannot be avoided, construction activities will remain suspended until these agencies complete the appropriate level of consultation.
- e) During project activities, the Project Developer will ensure that all trash that may attract predators will be properly contained and removed from the work site and disposing of regularly. Following construction, the Project Developer will ensure that all trash and construction debris is removed from work areas.
- f) Prior to the onset of work, the Project Developer will have a plan in place for prompt and effective response to any accidental spills. The plan will include informing all workers of the importance of preventing spills and of the appropriate measures to implement should a spill occur.
- g) The Project Developer will ensure that all refueling, maintenance, and staging of equipment and vehicles be conducted at least 60 feet from aquatic or riparian habitat and not in a location from where a spill would drain directly toward aquatic habitat. The Qualified Biologist will ensure contamination of aquatic or riparian habitat does not occur during such operations by implementing the spill response plan described in measure 6, above.
- h) The Project Developer will ensure that all habitat contours are restored to their original configuration at the end of project activities in all areas that have been temporarily disturbed by activities associated with the project, unless it is determined that it is not feasible, or modification of original contours would benefit the California red-legged frog.
- i) The Project Developer will ensure the project site is revegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. The Project Developer will ensure

locally collected plant materials are used to the extent practicable. The applicant will control invasive, exotic plants to the maximum extent practicable.

- j) The Project Developer will ensure that the number of access routes, size of staging areas, and the total area of the activity will be limited to the minimum necessary to achieve the project goals.
- k) The Project Developer will ensure that Environmentally Sensitive Areas are delineated to confine access routes and construction areas to the minimum area necessary to complete construction and minimize the impact to habitat for the California red-legged frog. This goal includes locating access routes and construction areas outside of aquatic habitat and riparian areas to the maximum extent practicable. To control sedimentation during and after project implementation, the Project Developer will ensure that best management practices are implemented as outlined by the County. If best management practices are ineffective, as determined by the Qualified Biologist, the Project Developer will attempt to remedy the situation immediately, in coordination with the County.
- l) The Qualified monitor will inspect all holes and trenches each morning. If the USFWS-and CDFW approved biological monitor finds a California red-legged frog in a hole or trench, the procedures from measure 4 above will apply.
- m) If a work site is to be temporarily dewatered by pumping, the applicant will screen the intake with wire mesh not larger than 0.2 inch to prevent any California redlegged frogs not initially detected from entering the pump system. If California redlegged frogs are detected during dewatering, the applicant will halt work activities and will contact the USFWS and the CDFW to determine what measures may be necessary to avoid “take” of California red-legged frogs.
- n) Upon completion of construction activities, the applicant will remove any diversions or barriers to flow in a manner that would allow flow to resume with the least disturbance to the substrate. The applicant will minimize alteration of the creek bed to the maximum extent possible and remove any imported material from the stream bed upon completion of the project.
- o) Unless approved by the USFWS and CDFW, the applicant will not impound water in a manner that may attract California red-legged frogs.
- p) A USFWS-and CDFW approved biologist will permanently remove any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes from the project area to the maximum extent possible. The Qualified Biologist will be responsible for ensuring that his or her activities are in compliance with the California Fish and Game Code requirements.

Mitigation Monitoring BIO-3:

Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

11. **Mitigation Measure BIO-4, Preconstruction Western Pond Turtle Survey:** A Qualified Biologist shall conduct a preconstruction survey for the western pond turtle and their nests within 48 hours of the commencement of Project activities. If western pond turtle or their nests are detected at any time, CDFW shall be notified immediately, and the Qualified Biologist shall relocate the turtle to appropriate habitat within the Project Site. Turtle nests shall be avoided. The Permittee shall prepare and implement a

Western Pond Turtle Habitat Improvement Plan, if western pond turtle or their nests are found, if required and approved by CDFW.

Mitigation Monitoring BIO-4:

Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

12. **Mitigation Measure BIO-5, Preconstruction Nesting Bird Survey** A preconstruction nesting bird survey shall be conducted if construction occurs during the bird nesting season (February 1- August 31). The survey should be conducted within 5 days prior to the start of work. The survey should include the entire project footprint and areas immediately adjacent to the project work area. The survey should include the trees and shrubs on and immediately adjacent to the project work area. Other large trees in the project vicinity are on the opposite sides of major roads; birds nesting in these trees are unlikely to be impacted by the proposed project; however, a qualified biologist conducting surveys shall determine the appropriate survey area. If the survey indicates the potential presence of nesting birds, a buffer should be placed around the nest and marked with orange construction fencing within which no work will be allowed until the young have successfully fledged or the nest has otherwise become inactive. The size of the nest buffer will be determined by a qualified biologist and will be based to a large extent on the nesting species, its sensitivity to disturbance, and the context of the nest location. In general, typical buffer widths range from 500 feet for large raptors such as buteos, 250 feet for small raptors such as accipiters, and 100 feet for passerines (songbirds) and other bird species. Buffers may be increased or decreased, as appropriate, with approval from CDFW. No construction or earth-moving activity shall occur within the established buffer zone until it is determined by the biologist that the young have fledged or that the nesting cycle is otherwise determined to be complete based on monitoring of the active nest. A copy of the nesting bird survey report shall be provided to the County prior to construction.

Mitigation Monitoring BIO-5:

If construction occurs during nesting bird season (February 1-August 31) then, prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

13. **Mitigation Measure BIO-6, Preconstruction Burrowing Owl Survey.** Prior to any ground disturbance, pre-construction surveys for burrowing owl shall be conducted within the project and a minimum of 150 meters from the project site to the extent properties are accessible. The preconstruction surveys shall be conducted within 2 weeks prior to the onset of any ground disturbing activities. Surveys shall be conducted by a qualified Biologist following the CDFW staff report (CDFW 2012), including survey methods and Biologist qualifications, to establish the status of burrowing owl on the project site. If no burrowing owls are detected during the preconstruction survey, no further action is necessary. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed in accordance with previously described methods. If burrowing owl is found to occupy the project site during the nonbreeding season (September 1 to January 31), occupied burrows shall be avoided by establishing a no-disturbance buffer zone marked by orange construction fencing a minimum of 100 feet around the burrow. Buffers may be increased to address site-specific conditions using the impact assessment approach described in the CDFW 2012 staff report. If a qualified Biologist determines that the location of an occupied burrow(s) may be impacted even with a 100-foot buffer, or the burrow(s) are in a location(s) on the project site where a buffer cannot be established without preventing the proposed project from moving forward, then a passive relocation effort may be instituted to relocate the

individual(s) out of harm's way pursuant to a Burrowing Owl Exclusion Plan prepared in accordance with the CDFW 2012 staff report. The applicant will coordinate the Burrowing Owl Exclusion Plan with CDFW and provide habitat mitigation consistent with the 2012 CDFW Staff Report. If burrowing owl is found to be present during the breeding season (February 1 to August 31), the proposed project ground-disturbing activities shall follow the CDFW 2012 staff report recommended avoidance protocol whereby occupied burrows shall be avoided with a no disturbance buffer of between 50 meters and 500 meters depending on time of year and disturbance level, as described in the 2012 CDFW staff report. This breeding season buffer zone shall remain until the young have fledged or an unsuccessful nesting attempt is documented.

Mitigation Monitoring BIO-6:

Prior to any ground disturbance(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

14. **Mitigation Measure BIO-7, Tricolored Blackbird:** A preconstruction survey should be conducted of suitable habitats within the development area and immediately adjacent areas to determine if nesting by tricolored blackbird occurs in close proximity to project construction. CDFW typically requires a buffer zone of no construction activity within 300 feet of an active tricolored blackbird nesting colony. If a tricolored blackbird nesting colony is found in the vicinity of project construction a setback distance from the nesting colony should be developed in consultation with CDFW staff and marked with orange construction fencing that would allow successful nesting (fledging of young birds). No construction or earthmoving activity shall occur within the established buffer zone until it is determined by a qualified biologist that the young have fledged or that the nesting cycle is otherwise determined to complete based on monitoring of the active nesting colony.

Mitigation Monitoring BIO-7:

Prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

15. **Mitigation Measure BIO-8, White-tailed Kite:** If construction is proposed during the nesting season, a qualified biologist will conduct a bird nesting survey of the project site and adjacent areas pursuant to Mitigation Measure #5 that will include a search for raptor nests within the Project Site and areas adjacent to the Project Site. The preconstruction survey will be conducted within 5 days prior to ground disturbance and will include a search for nests of white-tailed kite. If an active white-tailed kite nest is detected during the survey, the nest site shall be protected by implementing a minimum 500-foot buffer zone around the nest marked with orange construction fencing. If an active nest is located outside of the Project Site, the buffer shall be extended onto the project site and demarcated with orange construction fencing where it intersects the Project Site. The qualified biologist, in consultation with CDFW, may modify the size of buffer zone based on the type of construction activity, physical barriers between the construction site and the active nest, behavioral factors, and the extent the whitetailed kite may have acclimated to disturbance. No construction or earthmoving activity shall occur within the established buffer zone until it is determined by a qualified biologist that the young have fledged or that the nesting cycle is otherwise determined to complete based on monitoring of the active nest.

Mitigation Monitoring BIO-8:

If construction occurs during nesting bird season (February 1-August 31) then, prior to issuance of any building or grading permit(s), the Project Review Division shall review the results of pre-construction surveys and ensure that measures recommended by the project biologist, CDFW, or USFWS to avoid

sensitive habitat or species are followed. All protection measures shall be noted on the final project construction plans.

16. **Mitigation Measure BIO-9, Preconstruction Bat Measures.** To reduce to impacts to special status bat or other protected species of bat, the following mitigation measures will be followed:

Structure Removal:

- a. A qualified bat biologist shall conduct a habitat assessment and surveys for special status species of bats prior to any structure removal. The survey methodology shall include an initial habitat assessment and survey several months before project construction, to facilitate sufficient time to implement the exclusion plan described below, and the types of equipment used for detection.
- b. A bat exclusion plan shall be submitted to CDFW for approval if bats are detected within structures during the above survey. The plan shall be implemented prior to project construction and allow bats to leave the structures unharmed. The plan shall: (1) recognize that both the maternity and winter roosting seasons are vulnerable times for bats and require exclusion outside of these times, generally between March 1 and April 15 or September 1 and October 15 when temperatures are sufficiently warm, and (2) identify suitable areas for excluded bats to disperse or require installation of appropriate dispersal habitat, such as artificial bat houses, prior to project construction, and include an associated management and monitoring plan with implementation funding.

Tree Removal.

Prior to any tree removal, a qualified bat biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, or exfoliating bark for colonial species, and suitable canopy for foliage-roosting species). Trees without suitable habitat for bats can be removed. If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. Trees may be removed only if: a) presence of bats is presumed, or documented during the surveys described below, in trees with suitable bat habitat, and removal using the two-step removal process detailed below occurs only during seasonal periods of bat activity from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified bat biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or complete visual examination of roost features that establish absence of roosting bats. If a two-step removal is used, two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under direct supervision and instruction by a qualified bat biologist with experience conducting a two-step methodology, tree removal limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed. If construction occurs during the non-breeding period (typically from June through February).

Mitigation Monitoring BIO-9:

Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the results of the bat habitat assessment have been submitted to CDFW for written acceptance prior to starting Project activities.

17. **Mitigation Measure BIO-10, Preconstruction American Badger Survey:** The following measures shall be implemented to avoid or minimize direct and indirect impacts on American badger within or immediately adjacent to the proposed project:

- a. No sooner than seven (7) days, prior to ground disturbance activities associated with initial project construction, a qualified biologist, familiar with badger life history and who possesses experience with identification of active badger burrows and badger activity patterns shall conduct a preconstruction survey to determine the locations of any active winter or natal American badger dens within 100 feet of proposed ground disturbance areas. Potential badger dens located during the surveys shall be evaluated (typically with remote cameras) to determine activity status.
- b. Any natal dens determined to be used by American badger, as identified from the surveys, shall be avoided and a 100-foot buffer marked with orange construction fencing shall be established around the dens during ground disturbance activities until it is determined by the qualified biologist that the den is no longer active, and the young are no longer dependent upon the den for survival.
- c. If construction occurs during the non-breeding period (typically from June through February) and an individual badger is determined to be using a non-natal den within 50- feet of the construction footprint construction shall be halted until the badger has left the den on its own accord, as determined by the biologist through monitoring of the den and/or the use of motion-detection cameras. Once it is determined that the den is vacant the den can be excavated and upon confirmation that the den is not occupied, the den can be collapsed and construction can continue.

Mitigation Monitoring BIO-10:

Permit Sonoma shall include this mitigation measure in the conditions of approval for any planning, grading and building permits. Permit Sonoma staff shall ensure the results of the badger habitat assessment have been submitted to CDFW for written acceptance prior to starting Project activities.

18. **Mitigation Measure BIO-11, Temporary Construction Impacts:** Recommended mitigation measures to minimize temporary construction impacts include:

1. Ground disturbing work to be conducted during dry or low-flow periods; if water happens to be present during the period of construction, temporary coffer dams will be used to redirect any surface water flows around the construction work area with any water from the interior of the coffer dam area discharged through a filter bag or straw bale siltation basin located in uplands.
2. Equipment working in streams will work from wood or steel mats to minimize soil disturbance.
3. Post-construction temporarily filled areas will be restored to original ground surface elevation with fill material off hauled and disposed of at a suitable upland location.
4. To prevent erosion and sediment transport Cori (coconut), jute, or sterile straw erosion control blankets and logs, and/ or loose sterile straw, will be used as appropriate following seed bed preparation of bare soil areas.
5. Project will not use erosion control materials containing plastic monofilament netting (erosion control matting) or similar material containing netting within the Project area due to documented evidence of birds, amphibians, and reptiles becoming entangled or trapped in such material. Acceptable substitutes include erosion materials contained with burlap netting, burlap tubes filled with natural fiber material, rolls of coconut coir matting or similar.
6. Hydroseeding will follow the installation of natural fiber matting, rolls, and/or loose straw BMPs.
7. Hydroseed mix will include native grass seed that produce dense fibrous rootsystem, organic mulch, slow-release fertilizer, mycorrhiza, and organic tackifier.
8. The project proponent shall apply for, and if necessary, obtain an LSA Agreement from CDFW.

Mitigation Monitoring BIO-11:

Prior to any ground disturbance(s), the Project Review Division shall ensure that protection measures 1 – 8 are listed on building, and grading permits. Building/grading permits shall not be approved for issuance by Permit Sonoma staff until the above notes are printed on, and complied with, on all construction plans including plans for building and grading.

19. **Mitigation Measure BIO-12, Environmental Training:** A Qualified Biologist shall conduct an education program for all persons employed on the Project prior to performing ground disturbing activities. Instruction shall consist of a presentation by the Qualified Biologist that includes a discussion of the biology and general behavior of any sensitive species that may be in the area, how they may be encountered within the work area, and procedures to follow when they are encountered. Training will include such information about California red-legged frog, western pond turtle, burrowing owl, tricolored blackbird, white-tailed kite, pallid and Townsend's big-eared bats, and American badger. Interpretation shall be provided for non- English speaking workers, and the same instruction shall be provided for any new workers prior to on-site Project activity. Qualified Biologist shall prepare and distribute wallet-sized cards or a factsheet handout containing this information for workers to carry on-site. Upon completion of the program, employees shall sign an affidavit stating they attended the program and office and be available to County upon request.

Mitigation Monitoring BIO-12:

Building/grading permits shall not be approved for issuance by Permit Sonoma staff until employee affidavits are submitted confirming construction employees have completed the education program.

20. **Mitigation Measure BIO-13, Tree Mitigation:** Mitigation shall involve replacement plantings of Valley oak within the Project Site and payment of an in-lieu fee to the County. All trees to be replaced shall be the same native species as that removed unless specific approval has been granted by the Planning Director. Planted trees shall be monitored for five years and replaced, if needed. The Project Developer shall implement measures to ensure that plant stock is avoid that may be infected with the plant pathogen *Phytophthora sp.* Measures to avoid contamination with *Phytophthora sp.*, may include, but are not limited to, avoiding collection of propagules from 1) known or likely infected areas; 2) during wet conditions; 3) when soil is muddy; or 4) from within 1.6 feet of the soil surface. Measures may also include implementing heat or chemical treatments to collected seeds prior to installation.

Mitigation Monitoring BIO-13:

The applicant shall provide the final landscape plan prior to issuance of a grading permit, with tree plantings confirmed by PRMD site inspection prior to issuance of an occupancy permit.

21. **Mitigation Measure BIO-14, Post Construction:**

Light. Artificial light causes disruption of the behavior of insects, amphibians, mammals, and invertebrates. Unnecessary outdoor lighting should be turned off from dusk to dawn. If outdoor lighting is necessary, amber lighting along all outdoor areas including roadways should be used (Amber/Orange nm range 587 - 592 Peak Wavelength 590). Where practicable fixtures should be used that shield lamps or glowing lenses from being directly visible.

Traffic. No off-road event vehicle parking and driving along the western access roads is allowed. All parking will be on constructed areas with compacted soils with graveled or paved surfaces. No oil or mineral salts will be applied to roadway or parking areas for dust control. Maximum vehicle speed limits are restricted to 10 mph. A mowed 30-foot margin, where feasible, will be maintained along both sides of the western access road for visibility and fire control. Vehicles will stop if animals are observed within the

mowed roadway until the animal clears the area. Speed limit and informational species protection signs will be posted along the western roadway and all farm access roadways.

Noise. Where feasible electric power-driven equipment and vehicles should be used. If feasible, a linear berm should be constructed along the margin of the western roadway adjacent to the pond area to reduce road noise. Maximum vehicle speed should be restricted to 10 mph on all roads.

Sedimentation. To avoid the potential for sediment being transported into aquatic resource areas along event access points all areas found that are barren of vegetation resulting from pedestrian or vehicle access, associated event activities, or animal use shall be restored by seeding with a blend of native erosion control grass seed. Seeded areas shall be mulched. Landscape fabric shall not be used. Revegetation shall be completed as soon as possible bare soil area(s) are discovered. Seeding placed after October 15 must be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket.

Event Activity. Signs shall be located along the pond-marsh-wetland and tributary perimeters indicating that these areas are set aside for conservation purposes and visitors should not access. If unauthorized access becomes a persistent issue fencing should be erected.

Mitigation Monitoring BIO-14:

Building/grading permits shall not be approved for issuance by Permit Sonoma staff until measures above have been included in plan sets.

NOISE:

22.

Mitigation Measure NOISE-1:

Outdoor amplified speech and amplified music is prohibited. Amplified noises shall be allowed to occur only within the agricultural barn structure.

Mitigation Monitoring NOISE-1:

Any noise complaints will be investigated by Permit Sonoma staff. If violations are found, Permit Sonoma 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. (Ongoing)

TRIBAL CULTURAL RESOURCES:

23.

Mitigation Measure TCR-1:

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

NOTE ON PLANS: “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 .”

Mitigation Monitoring TCR-1:

Building/grading permits shall not be approved for issuance by Permit Sonoma - Project Review Staff until the above notes are printed on the building, grading and improvement plans.