

Attachment A
DRAFT Board of Supervisors Conditions of Approval
And Mitigation Monitoring Program

Date: May 19, 2020 **File No.:** UPC17-0018
Site Address: 6095 Bodega Avenue, Petaluma **APN:** 022-200-002 and -042
Applicant/Operator: TRV Corp (C-Corp), Michael Wright
Applicant Address: 6095 Bodega Avenue, Petaluma
Business Owner(s): Michael Wright, Managing Member

Landowner: Fenix Farms, LLC., Rachel Lester and Kristine Wright, Managing Members
Landowner Address: 350 Rhode Island Street, Suite 240, San Francisco

Project Description: Request for a limited term (5 year) use permit for a commercial cannabis operation, including 10,000 square feet of mixed light cultivation, and 2,500 square feet of indoor propagation. On-site processing of site-grown cannabis (consisting of trimming, drying, curing, weighing, and packaging) is also requested. Mixed light cultivation, propagation and processing will occur 7 days per week, 24 hours per day, as needed. Deliveries and shipping operations will be limited to the hours of 8:00 am to 5:00 pm Monday through Friday. The operation will have a maximum of six full-time positions. The operation will not be open to the public.

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

FEES:

- 1. Permit Processing and Development Fees.** This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. No grading or building permits and no Use Permit certificate to operate shall be issued until all permit processing costs and development fees are paid in full.
- 2. CEQA Filing Fee.** Within five working days after project approval, the applicant/operator shall pay a mandatory Notice of Determination filing fee of \$2,456.75 (or the latest fee in effect at the time of payment) for County Clerk processing. The fee will be charged against the project At-Cost deposit account and billed to the applicant, unless the applicant requests an alternate payment method, such as a check made out to the Sonoma County Clerk and submitted to Permit Sonoma in advance of the fee due date. NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
- 3. Workforce Housing.** 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. No grading or building permits shall be issued until Workforce Housing Requirements have been met. Internal tenant improvements are not subject to Workforce Housing Requirements.



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4. **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 \$2,779.00 (or other amount consistent with the adopted fee schedule in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final occupancy being granted.
5. **Department of Agriculture Annual Site 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 a Department of Agriculture Annual Site Monitoring Fee of \$600.00 (or other amount consistent with the adopted fee schedule in effect at the time) to verify compliance with the ordinance. The applicant/operator shall be responsible for payment of additional annual site monitoring fees for each year over the effective term of the permit. The annual site monitoring fee shall be paid by January 31 of each year the permitted operation is active.
6. **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 \$224.00 (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.
7. **Traffic Mitigation 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 a Traffic Mitigation Fee per Chapter 26, Article 98 of the Sonoma County Code. The fee is computed by multiplying project Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance. Evidence of payment shall be submitted to the Permit Sonoma Project Review Planner.

PLANNING:

Contact Permit Sonoma Planning at 707-565-8357

8. **Type(s) and Limitations of Use:**
 - a. This use permit allows for cannabis cultivation, including associated processing and packaging of cannabis grown on-site only.
 - b. This use permit does not allow public access to the cannabis operation.
 - c. This use permit does not allow any retail sales on-site or the delivery of cannabis to patients or the public.
 - d. If phased construction will occur rather than full buildout of permitted uses, a Phasing Plan shall be submitted for review and approval by Permit Sonoma staff within 90 days of Use Permit approval. At a minimum, the Phasing Plan shall include a floor plan and corresponding table disclosing the following for each room:
 - i. Room identifier/label.
 - ii. Square footage per room.



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- iii. Canopy area per room.
 - iv. Use (e.g., flower, vegetative propagation, processing, distribution).
 - v. Proposed phase and timeline for each phase
- e. The use shall be operated in accordance with the proposal statement, operational plans, and floor plan located in File No. UPC17-0018 as modified by these conditions.
9. **Cultivation Area.** This use permit allows for 10,000 square feet of mixed light cultivation. The operator shall not increase cultivation area beyond 10,000 square feet at this location without prior approval from Permit Sonoma staff.
10. **Propagation Area.** This use permit allows for 2,500 square feet of indoor propagation. The operator shall not increase propagation area beyond 2,500 square feet at this location without prior approval from Permit Sonoma staff.
11. **Hours of Operation.** Mixed light cultivation and processing operations are allowed to occur 24 hours per day, 7 days a week. Deliveries and shipping operations shall be limited to the hours of 8:00 am to 5:00 pm Monday through Friday.
12. **Term of Permit.** This is a limited term permit and does not run with the land. No property interest, vested right, or entitlement to receive a future permit to operate a cannabis use shall ever ensure to the benefit of the permit holder as such permits are revocable and shall expire (Section 26-88-250 (e)). This permit for cannabis uses shall be issued to the operator for a period not to exceed five years from the date of issuance of the Use Permit Certificate and shall be subject to permit renewals. The Use Permit Certificate for UPC17-0018 shall expire five years after issuance, unless the applicant/operator applies for and is granted a permit renewal. The Operator must apply for permit renewal at least 90 days prior to expiration of the Use Permit Certificate to avoid interruption of service.
13. **Operator(s) and Employees.** The applicant/operator and all employees must be age 21 years or older. This use permit allows for a maximum of 6 employees.
14. **Ownership changes.** Written notification shall be provided to Permit Sonoma prior to any of the following changes: 1) a new person meeting the definition of cannabis business owner of the permit holder, 2) change in business entity type of the permit holder, 3) change in legal business name of the permit holder, 4) a new person serving as operator of the permit holder, or 5) a new property owner. Supporting documentation shall be submitted to Permit Sonoma within 30 days of any of the aforementioned changes.
15. **Security Plan.** The operation shall maintain all aspects of the approved site security plan (held confidentially at Permit Sonoma). This shall, at a minimum, include professionally monitored video surveillance, of which recordings will be kept for at least 30 days, perimeter fencing, controlled access gates, locking doors, lighting, and alarms. Weapons and firearms are prohibited. Cash shall be limited at the location to a minimum needed for the daily operations only and shall be placed in a secure location (e.g., locked drawer, safe, or similar storage cabinet with a locking mechanism).



A log of security incidents shall be kept and an annual report shall be submitted to Permit Sonoma annually by January 31 of each year the permit is active. The reporting shall be provided in a format agreed to by Permit Sonoma staff.

16. **Mitigation Measure AIR-2 Operational Odor Control for Structures.** The cannabis cultivation greenhouse shall install and maintain an odor control air filtration and ventilation system that controls humidity and mold and ensures there would be no off-site odor from structures. Daily inspections shall be performed. Inspections shall include verifying that all filtration equipment is functioning properly, checking that filters have been replaced on schedule, and shall include a walking tour through the interior and around the exterior of each cannabis-containing facility to document any noticeable odor.
17. **Odor Reporting.** A log of odor incidents shall be kept and an annual report shall be submitted to Permit Sonoma annually by January 31 of each year the permit is active. The reporting shall be provided in a format agreed to by Permit Sonoma staff.
18. **Maintenance of On-Site Agricultural Use.** The applicant/operator shall maintain a primary agricultural use on the parcel. Currently, the primary agricultural use is grazing. Failure to maintain a primary agricultural use shall be considered a violation of this use permit, subject to revocation or modification.
19. **Signage.** The project approval does not include any signage. A separate administrative design review application will be required if any exterior signage is proposed.
20. **Water Efficient Landscaping.** Landscaping plans must comply with the County Water Efficient Landscape Ordinance as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). Prior to Building Permit Issuance, a Landscape Plan shall be submitted for review and approval by Permit Sonoma. The approved Plan shall be implemented by the applicant/ operator prior to issuance of the Use Permit Certificate or operation of the use. Verification of implementation shall be required, either by photographic documentation or site inspection by the Project Planner, at the discretion of Permit Sonoma staff.
21. **Water Conservation Plan.** Prior to occupancy or issuance of a Use Permit Certificate to operate, a Water Conservation Plan for the building shall be implemented by the applicant/operator and verified by staff. Measures agreed to by the applicant include but are not limited to: installation of ultra-low-flow fixtures in the employee rest room; best available conservation technologies for all water uses, including high efficiency drip irrigation incorporating water recovery and reuse in the grow rooms; and a rainwater collection and storage system.
22. **Greenhouse Gas Reduction Plan.** A Greenhouse Gas Reduction Plan to reduce greenhouse gas emissions in the design, construction, and long-term operations of the project shall be implemented during all phases of the operation. Measures agreed to by the applicant include but are not limited to: best available conservation technologies for all energy and water uses, including high efficiency drip irrigation and LED bulbs; bicycle facilities including secure bike parking and lockers for employees; hiring from a local workforce to decrease employee commute miles; and employing best management practices for carbon sequestration, such as reduced use of fertilizers.

23. **Design Review.** Prior to issuance of building permits, all new structures, lighting, fencing, landscaping, and signage shall require final design review (Permit Sonoma staff or Design Review Committee). All exterior finishes shall be of non-reflective materials and colors and shall be compatible with the surrounding area. Razor wire and similar fencing is not permitted. Prior to Verification of compliance with approved materials and colors, and implementation of landscaping shall be required prior to issuance of the Use Permit Certificate or operation of the use, either by photographic documentation or site inspection by the Project Planner, at the discretion of Permit Sonoma staff.

24. **Cultural Resource Protection.** The grading permit shall have the following notes printed on plan sheets prior to issuance:

"In the event that archaeological resources such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and Permit Sonoma Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Permit Sonoma. Permit Sonoma staff may consult with and/or notify the appropriate tribal representative from tribes known to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than fifty (50) years of age including trash pits older than fifty (50) years of age. When contacted, a Permit Sonoma Project Review staff person and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. Permit Sonoma may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant's sole expense."

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

25. **Mitigation Measure CUL-1 Archaeological Monitoring and Inadvertent Discovery Procedures.** A qualified Archaeological Monitor shall be present onsite during initial grading and ground disturbance activities, including any vegetation removal or grubbing. If archaeological materials are encountered during ground-disturbing activities, all work within 25 feet of a discovery shall be halted until an archaeologist assesses the find, consults with the appropriate individuals and agencies, and makes recommendations for the treatment of the discovery to protect the integrity of the resource and ensure that no additional resources are affected. Upon completion of the assessment, the archaeologist shall prepare a report to document the methods and



results of the assessment. The report shall be submitted to Permit Sonoma and the NWIC upon completion of the project.

26. **Use Permit Certificate.** A Use Permit Certificate with these conditions, approved proposal statement, and approved floor plan shall be maintained on site and made available to county officials upon request.
27. **Conformance with Statutes.** This use shall be constructed, maintained, and operated in conformance with applicable county and state statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule, or regulation shall be considered a violation of this use permit, subject to revocation or modification.
28. **Mitigation Measure AIR-1 Construction Dust and Air Quality Control.** The following BAAQMD recommended basic construction measures and air quality control measures shall be included in the construction contract specifications for the project and implemented during construction:
 - a. A Construction Coordinator shall be designated by the project applicant, and a sign shall be posted on the site including the Coordinator's 24-hour phone number for public contact regarding dust, trackout, and air quality complaints. The Coordinator shall respond and take corrective action within 48 hours. The Coordinator shall report all complaints and their resolutions to Permit Sonoma staff.
 - b. 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.
 - c. Trucks hauling soil, sand, and other loose materials over public roads shall cover the loads, or shall keep the loads at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.
 - d. Vehicle speeds on unpaved areas shall be limited to 15 miles per hour.
 - e. Final surfacing (i.e., pavement or concrete, gravel, landscaping) shall be completed as soon as possible after earthwork is finished, unless seeding or soil binders are used.
 - f. Idling time of diesel-powered construction equipment shall be limited to five minutes. Signs shall be posted reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall have a CARB-certified visible emissions evaluator check equipment prior to use at the site.
 - h. Trackout shall not be allowed at any active exit from the project site onto an adjacent paved public roadway or shoulder of a paved public roadway that exceeds cumulative 25 linear feet and creates fugitive dust visible emissions without cleaning up such trackout within 4 hours of when the Construction Coordinator identifies such excessive trackout, and shall not allow more than 1 quart of trackout to remain on the adjacent paved public roadway or the paved shoulder of the paved public roadway at the end of any workday.



- i. Visible emissions of fugitive dust shall not be allowed during cleanup of any trackout that exceeds 20 percent opacity as determined by the Environmental Protection Agency in *Method 203B - Opacity Determination for Time-Exception Regulations* (August 2017).

Trackout is defined by BAAQMD in *Regulation 6, Rule 6: Prohibition of Trackout* (August 2018) as any sand, soil, dirt, bulk materials or other solid particles from a site that adhere to or agglomerate on the exterior surfaces of vehicles (including tires), and subsequently fall or are dislodged onto a paved public roadway or the paved shoulder of a paved public roadway on the path that vehicles follow at any exit and extending 50 feet out onto the paved public roadway beyond the boundary of the site. Material that has collected on the roadway from erosion is not trackout.

29. Mitigation Measure NOISE-1 Reduce Construction Noise Levels. The applicant and its contractor shall adhere to the following construction best management practices to reduce construction noise levels emanating from construction activities and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity.

- a. A Construction Coordinator shall be designated by the project applicant, and a sign shall be posted on the site stating the allowable hours of construction, and including the Coordinator's 24-hour phone number for public contact regarding noise issues. The Coordinator shall investigate all complaints to determine the cause (such as starting too early, faulty muffler, etc.), and shall take prompt action to correct any problem. The Coordinator shall report all complaints and their resolutions to Permit Sonoma staff.
- b. All internal combustion engines used during construction shall 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.
- c. Except for actions taken to prevent an emergency or to deal with an existing emergency, all construction activities (including equipment start-up, operation, servicing, and deliveries) shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on Saturdays. No construction shall occur on Sundays or holidays. If work outside the times specified above becomes necessary, the applicant shall notify the Permit Sonoma staff as soon as practical.
- 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.

30. Mitigation Measure BIO-1 Environmental Awareness Training: Environmental training shall be provided to all persons working on the project site prior to the initiation of project-related activities. Training materials and briefings shall include a description of all biological resources that may be found on or in the vicinity of the project site, the laws and regulations that protect



those resources, the consequences of non-compliance with laws and regulations, instructions for inspecting equipment each morning prior to activities, and a contact person in the event that protected biological resources are discovered on the site.

31. **Mitigation Measure BIO-2 Pre-Construction Surveys.** A pre-construction survey for CRLF and PPT (and other ground-dwelling species such as CTS, American badger and burrowing owl) shall be conducted within 48 hours prior to the start of ground disturbance activities. Examination of burrows, dense vegetation, and/or other refugia shall be the focus of the surveys. Surveys shall be conducted by a qualified biologist with experience surveying for these species. If CRLF (or any other special status species) are found, no work shall occur until the animal has left the project site. If the animal does not leave the area on its own, work shall remain halted and appropriate county, state and federal agencies contacted. If project activities are stopped for greater than 7 days, a follow-up pre-construction survey may be required within 48 hours prior to re-initiation of project activities, at the discretion of agency staff.
32. **Mitigation Measure BIO-3 Exclusion Fencing and Biological Monitoring.** Prior to the start of activities, exclusion fencing shall be installed around areas of construction or ground disturbance under the direction of the qualified biologist to prevent CRLF, PPT, and CTS from entering the construction area. The following design specifications shall be used for effective temporary exclusion fencing:
- a. Taut silt fencing extending at least 24 inches above ground;
 - b. Buried a minimum of six inches below ground surface and constructed with a lip so that animals cannot scale and go over the barrier;
 - c. No gaps or holes in the exclusion barrier except for access gates required for vehicular and pedestrian traffic or as designed for one-way exit points (e.g., ramps or doors) to allow animals to move out of the construction site but not back in;
 - d. Exit points no more than 200 feet apart and flush to the ground to prevent species from accessing the construction site; and
 - e. Redirection points at access gates at no greater than 100-foot intervals (for example, at least 5 feet of fencing perpendicular to the exclusion barrier) to redirect species on the outside of the barrier away from entrances into the barrier.

A qualified biologist shall be on site during all initial ground disturbance activities, including removal of storage containers and stream restoration activities, to inspect fencing and halt work if any sensitive wildlife species is found on the site. Any burrows found within the work area or within 30 feet of exclusion fencing shall be excavated by hand under the direct supervision of the biologist. If CTS is found during burrow excavation, work shall be halted and CDFW shall be contacted. No work may resume until a Section 2081 Incidental Take Permit from CDFW is obtained.

33. **Mitigation Measure BIO-4 Standard Construction Measures for Protecting Biological Resources.** The following standard construction measures shall be implemented during construction of the project:



- a. No work shall take place during rain events when there is 40% chance or higher potential for precipitation to occur. In addition, no work shall occur for 48 hours following rain events in which 0.25 inch of rain accumulated within 24 hours to avoid animals that may be dispersing.
 - b. No work shall take place within 30 minutes before sunset to 30 minutes after sunrise to avoid animals that may disperse or forage during the night.
 - c. Tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic mono-filament netting (erosion control matting), rolled erosion control products, or similar material shall not be used. Geotextiles, fiber rolls, and other erosion controls measures shall be made of loose-weave mesh, such as jute, hemp, coconut fiber, or other products without welded weaves.
34. **Mitigation Measure BIO-5 Prevent Disturbance to Nesting Birds.** To the extent possible, all construction activities should be performed outside the nesting season (between September 1 and February 1). If work must be performed during the nesting season, a pre-construction nesting bird survey shall be performed in all areas within 500 feet of project-related activities no more than 14 days prior to ground disturbance. If nests are found, an appropriately sized no-disturbance buffer shall be placed around the nest at the direction of a qualified biologist conducting the survey. This buffer may be modified depending on the species, nest location, and existing visual buffers, but typically would entail a minimum of 500 feet for raptor species and 300 feet for other migratory species. The biologist shall monitor observable changes to bird behavior (such as defensive flights/vocalizations directed towards project personnel, standing up from a brooding position, interrupted feeding patterns, and flying away from the nest) for nests that are within or just outside the buffer to verify adequacy of the buffer distance. Buffers shall remain in place until all young have fledged, or the biologist has confirmed that the nest has been naturally predated. If initial ground disturbance is delayed or there is a break in project activities of more than 14 days within the bird-nesting season, then a follow-up nesting bird survey shall be performed to ensure no nests have been established in the interim.
35. **Mitigation Measure BIO-6 Protect Bat Species.** To the extent possible, tree removal will be performed outside the summer (maternity) months (between September 1 to April 15) to avoid the period when bats may be present. If not possible, a follow-up acoustic survey shall be performed to determine if any bats, including any solitary species, are present. Surveys shall be conducted immediately prior to construction (within 1 to 2 days) of all structures and trees within 100 feet of the construction site. If present, the roost shall be avoided until after September 1 to ensure no adverse effects to maternity bat roosts. Tree removal outside the maternity season shall be performed using a two-step tree removal process which includes allowing any felled trees or tree limbs to be left overnight prior to removal from the site or on-site chipping to allow any bats to exit the roost. For the single blue gum species, the tree shall be pruned from the bottom up to 30 feet on day 1, followed by complete removal on day 2 to allow any bats to leave the site prior to felling.



36. Mitigation Measure BIO-7 Standard Operational Measures for Protecting Biological Resources.

Following construction, the following standard operational measures shall be implemented as part of normal operations and maintenance of the project site:

- a. Nighttime (security) lighting shall be directed downward away from surrounding habitats to avoid disrupting animals that may be dispersing.
- b. Mowing shall not occur at night or when a greater than 40% chance of rain is forecast. Light mowing equipment shall be used that would not crush burrows or impact the ground. Mowing shall be completed in rows and not in a circular pattern.
- c. A spill prevention plan shall be implemented to ensure practices avoid spills or leakage of any other hazardous materials, such as petroleum.
- d. Speed limits of 10 mph or less shall be maintained on all roads within the property.

BUILDING:

Contact Permit Sonoma Building Plan Check at 707-565-2095

37. The applicant/operator shall apply for and obtain building related permits from Permit Sonoma for new construction. The necessary applications appear to be, but may not be limited to accessibility report and building permit(s). Construction inspections shall occur and the building permit(s) finalized prior to occupancy of new or remodeled structure(s). A signed Declaration of Use that complies with the associated Use Permit application shall be submitted with the building permit application package.
38. Due to the scope of this commercial project, the California Business & Professions Code requires plans and calculations to be prepared by California licensed design professionals (architects, engineers). Cover sheet of plans shall identify the full scope of work, and shall include an architectural analysis of the proposed project including occupancies of all spaces, areas, area and height limitations, occupant load factors, occupant loads, exit system requirements, emergency egress, fire-rated construction details, fire separation requirements and fixture requirements. All buildings shall comply with prescriptive requirements of all applicable codes, including Energy and CALGreen.
39. In order to determine proper fire separations, the intended occupancies and uses of the facility, and spaces therein shall be clearly stated on the plans; similarly, the approved use and occupancy of the adjacent spaces in the building shall be shown. A detail of the wall assembly separating those spaces shall be shown on the plans. Plans shall include an analysis of proposed occupant load, area and height limitations, emergency egress and fire rated construction details.
40. Application materials shall be consistent with Permit Sonoma's Building/Grading Permit Application Submittal Checklist (Form # CSS-003).
41. All manufacturing uses shall be defined and scoped. All fertilizers, pesticides, corrosives, flammables, explosives and/or toxic materials that may be stored or used at the facility shall be defined, scoped and quantified. A control area analysis shall be provided for any of the above materials exceeding code-prescribed thresholds.
42. Mechanical, electrical and plumbing plans shall be fully detailed. Plumbing system materials used to convey concentrated byproducts of water reuse process equipment shall be identified



and detailed from point of inlet to point of discharge. Path of reclaimed condensate systems and associated storage and conveyance equipment shall be identified and detailed.

43. The applicant/operator shall comply with California Building Code section 11B-202.3, which requires that alterations to existing elements or spaces to comply with the accessibility requirements of CBC 11B Division 2. All buildings, structures, sidewalks, curbs, and related facilities, intended for use by the public or employees, shall be accessible to and usable by persons with disabilities. Accessible parking shall be provided for both assigned and unassigned and/or visitor spaces per CBC requirements. Plans shall include details of the path of travel from accessible parking to the area of alteration. All facilities serving the area of alteration shall be made accessible. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent CBC as determined by the Permit Sonoma Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure. For this purpose, a change of use or occupancy classification is considered to be an alteration.
44. All permanently installed equipment shall be identified in the appropriate section of the mechanical/electrical/plumbing sheets. Product information shall be included to verify installation and use of equipment is consistent with manufacturer's listing and/or recommendations.
45. Prior to any site review or field inspections, any materials or systems that could present a danger to inspectors shall be isolated and secured. All field inspection staff shall be accompanied by personnel familiar with systems and construction capable of describing and controlling equipment.
46. Any structures to be constructed as part of use permit conditions, such as security or sound walls, shall require separate building applications and permits.
47. Per CBC Ch. 10, any racking systems proposed shall be limited in size to allow continuous unobstructed egress from all portions of the room of facility and shall also comply with Chapter 15 of the ASCE 7-10 design standard, specifically Section 15.5.3 for anchorage of racks to meet seismic requirements.

Natural Resources Geologist:

Contact Permit Sonoma Natural Resources at 707-565-1352

PRIOR TO BUILDING PERMIT ISSUANCE:

48. Prior to occupancy or issuance of a Use Permit Certificate to operate, an Easement shall be recorded to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 a.m. to 5:00 p.m. All Easement language is subject to review and approval by Permit Sonoma Project Review staff and County Counsel prior to recordation.

PRIOR TO OCCUPANCY:

49. Prior to occupancy or issuance of a Use Permit Certificate to operate, the water well serving this project and the domestic well shall be fitted with a groundwater level measuring tubes and



ports, or electronic groundwater level measuring devices. Water meter(s) to measure all groundwater extracted for the permitted use shall be installed on the water system. A Site Plan showing the location of the well with the groundwater level measuring device and the location of the water meter(s) shall be submitted to the PRMD Natural Resources Geologist.

50. Prior to occupancy or issuance of a Use Permit Certificate to operate, any new or existing water well serving this project shall be fitted with a water meter to measure all groundwater extracted for this use.
51. Prior to occupancy or issuance of a Use Permit Certificate to operate, a rainwater capture system, which collects water from the entire greenhouse roof area and has a minimum of 20,000 gallons of storage, shall be installed.
52. Prior to occupancy or issuance of a Use Permit Certificate to operate, an approved grading plan for the project site shall be approved and constructed. Stormwater recharge feature(s) shall be designed to enhance groundwater recharge with a subsurface storage volume capacity equivalent to a 1 inch rainfall event falling on new compacted or impermeable surfaces. The grading plan shall also meet all applicable standards and provisions of Sonoma County Code and all other relevant laws and regulations. Overflow from the rainwater water storage tanks shall be routed to stormwater recharge feature(s).
53. Prior to occupancy or issuance of a Use Permit Certificate to operate, a Site Plan showing the location of the well(s) with the groundwater level measuring device(s), water storage ponds, tanks, and reservoirs, and the location of all water meter(s) shall be submitted to PRMD. The monitoring well(s) shall be marked with a measuring reference point. The well's Global Positioning System (GPS) coordinates (in NAD83 California State Plane II or WGS 84lat./long.) shall be noted. The height of the water level measuring reference point above the ground surface shall be specified. Well completion reports for the monitoring well(s) shall be attached to the Site Plan (with owner information redacted, as is publicly available through California DWR).

OPERATIONAL REQUIREMENTS:

54. Water level measurements shall be provided for the domestic well (Well #143891 of the hydrogeologic report) and the project well (well #WCR2018-004761 of the hydrogeologic report), and any new well developed on the project parcel. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance. If the County determines that groundwater levels are declining in the basin, then the applicant shall submit and implement a Water Conservation Plan, subject to review and approval by PRMD. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Project Review staff at least once every five years.
55. Groundwater use shall be monitored quarterly and reported to Permit Sonoma annually by January 31 of each year the permit is active pursuant to Section WR-2d of the Sonoma County General Plan and County policies. Data shall be provided on template monitoring forms provided by Permit Sonoma. Water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to Professional Geologist or Environmental Health Specialist staff at least once every five years.



56. In the event that net groundwater use exceeds 1.6 acre feet per year, Permit Sonoma may bring this matter back to the BZA for review of additional measures to reduce groundwater use. If groundwater use exceeds 1.6 acre feet per year by more than 10 percent, Permit Sonoma shall bring this matter back to the BZA for review of additional measures to reduce water use.
57. Stormwater recharge feature(s) shall be maintained in a functioning condition allowing for storage and infiltration of stormwater.

Grading and Storm Water:

Contact Permit Sonoma Grading and Storm Water at 707-565-2268

58. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
59. 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.
60. 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.
61. A drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the grading and/or building permit application, and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD). The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all relevant existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the Drainage Report Required Contents (DRN-006) handout.
62. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to



the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in compliance with PRMD's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.

63. A soils engineering report, prepared by a soils engineer, and engineering geology report, prepared by an engineering geologist, shall to be submitted with the grading permit application(s) for the proposed project. The soils engineer and the engineering geologist must be currently registered in the State of California.
64. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Areas used for waste receptacles and outside washing areas shall be covered or separated from the rest of the project site by grade breaks that prevent storm water run-on. Any surface water flow from a waste receptacle or outside washing area shall not be permitted to enter the storm drain system without receiving appropriate treatment.
65. 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.

FIRE:

Contact Fire and Emergency Services at 707-565-2191

Permitting or development approval is subject to the Sonoma County Fire Safety Ordinance (Sonoma County Code). All applications for development approvals must be approved by the Sonoma County Fire Marshal, and shall be accompanied by: plans, engineering calculations, and other data necessary to determine compliance with the provisions of the codes, and shall be in compliance with the following conditions:

(Ref. California Code of Regulations Title-14, Division 1.5, Chapter 7, Subchapter 2, Articles 1 – 5, & Sonoma County Code Chapter 13, Article IV, Section 13-17 & Sonoma County Code Chapter 13, Article V, Division A, Section 13-24)

66. Due to the scope of this project a Fire Services Pre-Construction meeting is required.
67. Prior to initiation of the use, the project shall submit a Fire Prevention Plan demonstrating compliance with the Sonoma County Fire Safety Ordinance (Sonoma County Code), subject to review and approval by the Sonoma County Fire Marshal. The Plan be accompanied by: plans, engineering calculations, and other data necessary to determine compliance with the provisions



of the codes, and shall be in compliance with the following conditions:(Ref. California Code of Regulations Title-14, Division 1.5,Chapter 7, Subchapter 2, Articles 1 - 5, & Sonoma County Code Chapter 13, Article IV, Section 13-17 & Sonoma County Code Chapter 13, Article V, Division A, Section 13-24)

68. The subject property (or properties) must be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations prior to occupancy of the building and use of the property.
- a. A fire inspection shall be conducted by the Sonoma County Fire and Emergency Services Department 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 Sonoma County Fire and Emergency Services Department may charge and collect a fee for the inspection in an amount, as determined by the county, sufficient to pay its costs of that inspection.
 - c. The building (s) may have to be fire sprinklered and contain a fire alarm system consistent with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.

Fire - Operational Permits

69. Applicable Fire Code operational permits shall be obtained prior to the initiation of any activity where an operational permit is required by the California Fire Code as adopted and amended by Sonoma County Code: Cannabis type operations; Emergency responder radio coverage; Private fire hydrants; LP gas.
70. An annual fire safety inspection maybe 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.

Construction Permits

71. Applicable Fire Code construction permits shall be obtained prior to any construction that would require such permit required by California Fire Code as adopted and amended by Sonoma County Code. A building permit shall be obtained for any construction, or any change in the use or character of a building.

Fire - Emergency Planning and Response

72. A Fire Protection plan shall be provided prior to operation and shall provide information about the property including but not limited to the following. See Chapter 4 of the California Fire Code and <http://sonomacounty.ca.gov/FES/Fire-Prevention/Cannabis/>
- 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. Floor plans showing intended use of each room/area
- j. Employee training for use of regulated materials in the fire code
 - i. When required by the local fire jurisdiction special processing of cannabis may require the facility to have identified trained staff including a main point of contact to oversee and train employees in the special process.
 - ii. This process shall have onsite training records for review and a manual in address emergencies associated with the special process.(Example is extraction equipment)

Fire - Access

73. To facilitate locating an emergency and to avoid delays in response, all existing and newly constructed or approved roadways and buildings whether public or private shall provide for safe access for emergency fire apparatus and civilian evacuation concurrently, shall provide unobstructed traffic circulation during an emergency, and shall be constructed and maintained as required by Sonoma County Fire Safe Standards and the California Fire Code, as adopted and amended by Sonoma County Code.

Fire - Water Supply

74. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code as adopted and amended by Sonoma County Code.

Vegetation Management

75. The project is located in a SFM Moderate Fire Hazard Severity Zone. To reduce the intensity of a conflagration by the installation of building fire protection features, the proposed project shall be in accordance with the California Fire Code as adopted and amended by Sonoma County Code and Sonoma County Fire Safe Standards.

Fire - Occupancy

76. Prior to occupancy, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to Permit Sonoma from the County Fire Marshal/Local Fire Protection District.

ENVIRONMENTAL HEALTH (Permit Sonoma):

Contact Permit Sonoma Health at (707) 565-1924

PRIOR TO BUILDING PERMIT ISSUANCE:

Water



Sonoma County Permit and Resource Management Department
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900
www.PermitSonoma.org



77. Provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of your water tested by a State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County requirements and re-test the well.

If the contamination cannot be cleared from the well, destruction under permit of this Department may be required. As an alternative to the well destruction, the applicant may initiate a permanent water treatment program subject to the following requirements prior to issuance of a building permit and/or commencement of project operation:

- a. A deed restriction running with the land and acceptable to PRMD and County Counsel notifying subsequent property owners that treatment of the water supply is required as a condition of this Use Permit in order to meet State and Federal MCL's and provide potable water to all plumbing fixtures.
- b. Proof of a contract with a qualified service provider shall be submitted for routine/diagnostic water testing, monitoring, maintenance, and record keeping of the water supply system. Initial water test results before and after the water treatment device shall be submitted to PRMD Project Review Health Specialist.

Copies of all laboratory results must be submitted to the Project Review Health Specialist.

78. The project is located within the Petaluma Nitrate Study Area and consequently the water supply well is required to have a 100-foot annular seal, or water intended for human or animal consumption must be treated in compliance with the Sonoma County Well Ordinance (Sec. 25B-8(b)). Prior to issuance of building permits, a treatment plan shall be submitted to the Project Review Health Specialist for review and approval. The Plan shall comply with all requirements of the well ordinance and shall provide a site plan identifying where treatment equipment and treated and non-treated water lines will be located. The Project Review Health Specialist shall receive a final clearance from the Well and Septic Section that all required water well installation elements have been met.
79. The applicant shall abandon existing well(s) under permit from the PRMD Well and Septic Section that lack a minimum of a 100 foot deep annular seal within the Petaluma Nitrate & Waiver Prohibition Zone. The department may review a request to upgrade the well to current standards relating to setbacks and annular well seals.

Septic

80. The applicant shall obtain permits for the process waste water and domestic sewage disposal systems. These systems may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis, percolation and wet weather testing may be required. Wet weather groundwater testing may also be required. The process waste water and domestic sewage systems shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit and any additional sources from the parcel plumbed to these disposal systems, and shall include the required reserve areas.

If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal



capabilities of the project site and attendant easements. The Project Review Health Specialist shall receive a final clearance from the Well and Septic Section that all required septic systems testing and design elements have been met.

81. Application for wastewater discharge requirements shall be filed by the applicant with the North Coast Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water Quality Control Board shall be submitted to the Project Review Health Specialist prior to building, grading for ponds or septic permit issuance (if the Regional Water Board Water Resource Engineer or Environmental Specialist have objections or concerns then the applicant shall obtain Waste Discharge Requirements prior to building permit issuance). A copy of the Waste Discharge Permit shall be submitted to the Project Review Health Specialist prior to issuance of a Certificate of Occupancy or project operation.
82. Toilet facilities shall be provided for employees prior to vesting the Use Permit. A copy of the Floor Plan showing the location of the restrooms shall be submitted to the Project Review Health Specialist prior to issuance of building permits.

Noise

83. The back-up generator with level II or III acoustic housing and green house fans shall be located on the building plans in accordance with the "Outdoor Sound Study" dated August 8, 2018 by Alan Rosen, Harold Goldberg, P.E., and Tsz "Anthony" Wong of RGD Acoustics. The Project Review Health Specialist shall receive a letter from the sound consultant regarding the actual type of acoustic housing to be installed with the back-up generator.

Solid Waste

84. The applicant shall submit a design for trash enclosures and recycling areas for review and approval by the PRMD Building Plan Check Section. (Fees may apply.) Note that trash trucks must have at least a 32-foot turning radius at the trash enclosure and the dumpster must have 16 feet of overhead clearance.
85. The applicant shall submit a cannabis solid waste management plan with the compost and trash enclosure design to Sonoma County Environmental Health, Solid Waste/Cannabis programs for review and approval. The Project Review Health Specialist shall receive a clearance letter or e-mail from Sonoma County Environmental Health regarding the project solid waste management plan and compost/trash enclosure design.

PRIOR TO OCCUPANCY AND PROJECT OPERATION:

Water

86. The applicant shall have the water supply system evaluated for potential contamination or pollution via backflow by an American Water Works Association certified Cross Connection Control Specialist. The recommendations for cross connection control shall, at a minimum, meet the requirements of the 2016 California Plumbing Code and subsequent editions adopted by Sonoma County. A copy of the report must be submitted to the Project Review Health Specialist for review.



87. Backflow prevention devices shall be installed on the water supply system as recommended, after concurrence with the hazard evaluation and recommendations for cross connection control report by PRMD. The Project Review Health Specialist shall receive a letter from the Cross Connection Control Specialist stating that backflow prevention has been installed as recommended.

Septic

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

Noise

89. The locations and installations of the back-up generator with level II or III acoustic housing and greenhouse fans shall be approved in writing by the acoustic consultant. The Project Review Health Specialist shall receive a letter from the sound consultant confirming compliance with Noise Study recommendations.

OPERATIONAL REQUIREMENTS:

Water

90. The property owner or lease holder shall have the backflow prevention assembly tested by an American Water Works Association certified Backflow Prevention Assembly Tester at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
91. A safe, potable water supply shall be provided and maintained.

Septic

92. 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.
93. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
94. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by PRMD.

Noise



95. 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. | | |

96. If noise complaints are received from nearby residents, and they appear to be valid complaints, then the applicant/operator 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 Permit Sonoma that a noise complaint has been received. The applicant/operator shall implement any additional Mitigation Measures needed to meet noise standards.

Solid Waste

97. All garbage and refuse on this site shall 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 not be accumulated or stored from more than seven calendar days, and shall be properly disposed of at a County transfer Station or County Landfill before the end of the seventh day.

Smoking

98. Smoking is prohibited in any public area, in any dining area, service area (including entry lines or ticket purchase lines) and in any enclosed area that is a place of employment (Sonoma County Code 32-6). "No Smoking" signs shall be conspicuously posted at the point of entry into every building where smoking is prohibited by Chapter 32 of the Sonoma County Code. The California Health and Safety Code (section 113978) also requires the posting of "No Smoking" signs in all food preparation areas, all retail food storage areas, and all food utensil washing areas. Note that Health and Safety Code section 113781 definition of food includes any beverage intended for human consumption.

99. A "Designated Smoking Area" may be established in unenclosed areas consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a



smoking area, and shall be equipped with ash trays or ash can.

100. Smoking or consumption of Cannabis or materials containing Cannabis is prohibited in any work area.

SONOMA COUNTY ENVIRONMENTAL HEALTH:

Contact Sonoma County Environmental Health at 707-565-6534.

101. Prior to issuance of a Use Permit Certificate to operate, a review of the on-site composting proposal is required by the Sonoma County Local Enforcement Agency for Solid Waste to determine if a Solid Waste Permit is required.

SONOMA COUNTY TRANSPORTATION AND PUBLIC WORKS:

Contact Transportation & Public Works at 707-565-2231

102. The Applicant shall improve the private roadway entrance so that it conforms to AASHTO standards and meets the following criteria to allow for the smooth and safe movement of passenger vehicles entering and exiting the public road (Bodega Avenue) 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 Bodega Avenue) meets these requirements.

- a. A minimum throat width of twenty four (24) feet. If physical or legal limitations prevent the Applicant from constructing the required entry width, consideration may be given for a narrower throat width with the written approval of Sonoma County Fire Prevention. The Applicant shall document the limitations by providing a signed and stamped exhibit prepared by a Registered Civil Engineer or Land Surveyor, licensed in the State of California showing the maximum possible throat width as well as other design parameters to Sonoma County Fire Prevention and the Department of Transportation and Public Works (DTPW) for review. Deviation will require approval by the DTPW.
- b. Entrance curves having a minimum pavement radius of 25 feet.
- c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current AASHTO requirements for the speed traveled on Purvine Road. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum AASHTO required sight distance at each driveway.
- d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
- e. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 814, latest revision, for private road and driveway intersection details.



- f. 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
103. The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma (PRMD) prior to constructing any improvements within County road right-of-way.
104. Prior to issuance of a building permit for any new building or prior to use of an existing building associated with this land entitlement, payment of a development fee (Traffic Mitigation Fee) shall be made to Permit Sonoma (PRMD) per Chapter 26, Article 98 of the Sonoma County Code. The fee is computed multiplying project Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance. Evidence of payment shall be submitted to the Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions.

GENERAL:

105. Any proposed modification, alteration, and/or expansion of the use authorized by this use permit shall require the prior review and approval of Permit Sonoma or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified use permit and additional environmental review, if warranted.
106. 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 Permit Sonoma demonstrating that the condition(s) is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. 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 Permit Sonoma, and shall not affect the original permit approval date or the term for expiration of the permit.
107. This permit may 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.
108. In any case where a use permit has not been used (as evidenced by issuance of a Use Permit Certificate to operate) within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.

