

Attachment 2
DRAFT Board of Supervisors Conditions of Approval
and Mitigation Monitoring Program

Date: May 25, 2021 **File No.:** UPC17-0041
Site Address: 2000 Los Alamos Road, Santa Rosa **APN:** 030-050-009
Applicant/Operator: All Cali Farm, L.L.C., Lisa Lai
Applicant Address: 604 Cherry Ave, Santa Rosa, CA 95476
Business Owner(s): Lisa Lai, All Cali Farms, LLC
Landowner: Joe Henderson
Landowner Address: 942 Ginkgo Place, Windsor, CA 95492

Project Description: Request for a limited-term, five-year Conditional Use Permit for 3,799 square feet of indoor and 2,850 square feet of mixed-light commercial cannabis cultivation for a total of 6,649 square feet of cultivation, onsite processing of site grown cannabis, including trimming, drying, curing, weighing and packaging and distributor and transport only. The indoor cultivation will take place in two separate structures: 1) a 2,600 square foot replacement agricultural barn (destroyed in the September 2020 Glass Fire) containing 1,563 square feet of canopy, processing activities and an ADA compliant restroom; and 2) a new 2,236 square foot cultivation only structure. Mixed-light cultivation will occur in a new 2,850 square foot greenhouse on a 15.00-acre parcel zoned Resources and Rural Development (RRD), 200-acre density. There would be a maximum of two full-time employees and four seasonal employees. Cultivation and processing operations are allowed to occur 24 hours per day, 7 days a week. Deliveries and shipping operations are limited to the hours of 8:00 am to 5:00 pm, Monday through Friday. The project site would be closed to the public.

Within 90 days of approval, a project timeline shall be submitted for site development. Prior to commencing the use evidence must be submitted to the file that all of the following conditions have been met.

CONDITIONS ON PLAN SETS:

1. Project conditions and mitigation measures (if applicable) must be printed on or included in all plan sets submitted for permitting. Building permit plans shall have plan sheets that include all conditions as part of the submittal package.

FEES:

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. CEQA Filing Fee. Within five working days after project approval, the applicant/operator shall pay a mandatory Notice of Determination filing fee of \$2,404.75 (or the latest fee in effect at the time of payment) for County Clerk processing, made **payable to Sonoma County Clerk** and submitted to the Permit Sonoma project planner, unless the applicant requests an alternate payment method 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.
4. Workforce Housing. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to Section 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.
5. 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 \$2,675.00 (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.
6. Department of Agriculture Annual Site Monitoring Fee. Prior to building permit final or granting of occupancy for the use, the applicant/operator shall submit a Department of Agriculture Annual Site Monitoring Fee of \$900.00 (or other amount consistent with the adopted fee schedule in effect at the time) to Permit Sonoma to verify compliance with the ordinance for cannabis cultivation. 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.
7. 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.
8. Traffic Mitigation Fee. Prior to building permit final or granting of occupancy for the use, the applicant/operator shall submit a Traffic Mitigation Fee to Permit Sonoma 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.

PERMIT SONOMA PLANNING DIVISION:

"Compliance with the conditions below have been verified " BY _____ DATE _____

9. Type(s) and Limitations of Use:

- a. This use permit allows for specialty indoor and specialty mixed-light cannabis cultivation, with on-site processing of site-grown cannabis.
- b. This use permit does not allow for cannabis wholesale nursery cultivation.
- c. This use permit allows for cannabis distribution and transportation only.
- d. This use permit does not allow for cannabis non-volatile manufacturing, including associated post-processing and packaging.
- e. This use permit does not allow for cannabis laboratory testing.
- f. This use permit does not allow public access to the cannabis operation.
- g. This use permit does not include or authorize special events.
- h. This use permit does not allow any retail sales on-site.
- i. 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.
 - iii. Canopy area per room.
 - iv. Use (e.g., flower, vegetative propagation, processing, distribution).
 - v. Proposed phase and timeline for each phase
- j. The use shall be operated in accordance with the proposal statement, operational plans, and floor plan located in File No. UPC17-0041 as modified by these conditions.

10. Operational Requirements. The operation shall conform to the standards established by County Code _____

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11. Special Events. Tastings, promotional activities, and events are prohibited by Sonoma County Code Section 26-88-250(c) and therefore are also prohibited by this Cannabis Use Permit.
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 inure 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 applicant/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 UPC17-0041 shall expire five years after issuance, unless the applicant/operator applies for and is granted a permit renewal. The applicant/operator must apply for permit renewal at least 90 days prior to expiration of the permit to avoid interruption of service.
13. Operator(s) and Employees:
 - a. The applicant/operator and all employees must be age 21 years or older. This use permit allows for a maximum of six employees on-site at any time: two year-round employees and four seasonal harvest employees.
 - b. Per the project proposal statement, seasonal harvest employees shall carpool to the project site in a single vehicle.
 - c. The applicant/operator shall be subject to background search and shall not be able to continue operations if there are any felony convictions, as specified in subdivision (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code.
 - d. An applicant/operator providing false or misleading information may result in nullification or revocation of this issued use permit.
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. Tracking. The applicant/operator shall comply with any labeling, testing, and track and trace program established by the County and state agencies. The Operator must

maintain records tracking all commercial medical cannabis production and products and shall make all records related to commercial medical cannabis activity available to the County upon request.

16. State Licensing. The applicant/operator shall be required to obtain a state license and shall comply with any applicable state licensing requirements, such as operational standards and locational criteria.
17. Occupational Safety. The Operator shall comply with all federal, state and local laws and regulations governing California Agricultural Employers, which may include but is not limited to, federal and state wage and hour laws, CAL/OSHA, OSHA and the California Agricultural Labor Relations Act.
18. 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, security 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 maintained and an annual report shall be submitted to Permit Sonoma by January 31 of each year the permit is active. The reporting shall be provided in a format agreed to by Permit Sonoma staff.
19. Cultivation Size Limitation. The applicant/operator shall not hold interest or ownership of more than one acre of cannabis cultivation within Sonoma County. The applicant/operator shall not increase the indoor cultivation area beyond 3,799 square feet or mixed-light cultivation area beyond 2,850 square feet at this location without prior approval from Permit Sonoma staff.
20. Canopy Plan. This use permit shall not be vested until a canopy plan is submitted to and reviewed by Permit Sonoma. This plan shall graphically depict all cannabis cultivation areas that contain mature plants. This plan shall calculate the canopy area in square feet, measured in clearly identifiable boundaries of all areas that contain mature plants. The canopy may be noncontiguous, but each unique area included in the total canopy calculation shall be separated by an identifiable boundary that may include, but is not limited to, greenhouse walls, shelves, garden benches, hedgerows, fencing, etc.

21. Odor. The applicant/operator shall install and maintain an odor control air filtration and ventilation system to control humidity and mold and to ensure there will be no off-site odor generated by the cannabis operation. This requirement shall apply to all permanent structures used in the operation, including mixed light greenhouses. The Project Planner will review plans and construction documents and post construction conditions to ensure compliance with this condition and inspect site prior to final occupancy to ensure there will be no off-site odor and that the odor control air filtration and ventilation system effectively control humidity and mold.

A log of odor incidents, odor control equipment inspection results, and actions taken to resolve any odor issue shall be kept and an annual report shall be submitted to Permit Sonoma by January 31 of each year the permit is active. The reporting shall be provided in a format agreed to by Permit Sonoma staff. Odor complaints received shall be documented, along with the complaint resolution and the timeframe required to address the odor issue and shall be included in the annual report.

If verified odor complaints are received, Permit Sonoma staff may bring this matter back to the Board of Zoning Adjustments for review of additional measures to reduce odor generation, including daily inspections and reporting. Such inspections could include a walking tour through the interior and around the exterior of each cannabis-containing facility to document any noticeable odor and determine the source, and completion of a checklist verifying that all filtration equipment is functioning properly, that filters have been replaced on schedule, and that routine maintenance is completed on schedule.

22. Energy Use. The applicant/operator shall submit and maintain documentation that the operation utilizes 100% renewable energy sources. Enrollment in the Sonoma Clean Power program has been submitted and shall be maintained, unless another 100 percent renewable alternative is proposed. Any request to modify the energy provider must be submitted to Permit Sonoma and approved prior to making any change in energy service.
23. Signage. The project approval does not include any signage and signage for the project is not permitted. Signage alluding to the cannabis business is not permitted on any business transport vehicles.
24. Taxes. Cannabis uses must be current on applicable Sonoma County Cannabis Business Taxes and any additional taxes enacted by the voters or this permit may be subject to revocation or non-renewal.
25. 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). No landscaping improvements are planned.

26. Water Conservation Plan. A Water Conservation Plan for the operation shall be submitted for review and approval by Permit Sonoma. The Plan shall include all reasonably feasible measures to reduce water demand and enhance water resource recovery to the maximum extent feasible. Measures that must be evaluated include installation of ultra-low-flow fixtures, best available conservation technologies for all water uses, rainwater and stormwater collection systems, and graywater reuse. The approved Water Conservation Plan shall be implemented by the applicant/operator and verified by staff prior to issuance of the Use Permit Certificate or operation of the use.
27. 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 submitted for review and approval by Permit Sonoma. The Greenhouse Gas Reduction Plan shall include all reasonably feasible measures to reduce greenhouse gas emissions to the maximum extent feasible. Measures that must be evaluated include but are not limited to: best available conservation technologies for all energy and water uses; installation of renewable energy facilities to meet demand on-site; employing best management practices for carbon sequestration, such as no till soils, reduced use of fertilizers, etc. The approved Greenhouse Gas Reduction Plan shall be implemented by the applicant/ operator and verified by staff prior to issuance of the Use Permit Certificate or operation of the use.
28. Stormwater. The applicant/operator shall comply with storm water management requirements to avoid any impacts on on-site drainage conditions.
29. Lighting. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review (by Permit Sonoma or Design Review Committee). Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated. The Project Planner will conduct a site inspection to verify exterior lighting prior to final occupancy. Additional measures for lighting impacts include:
 - a. 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.



- b. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures.
 - c. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts).
30. Exterior Modification. Prior to issuance of building permits, any exterior modifications to the building façades or site, including landscaping, parking lot improvements, fencing, lighting, and signage, shall be subject to administrative design review. Razor or barbed wire and similar fencing is not permitted.
31. 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 Permit Sonoma 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."

32. 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.
33. 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, making it subject to revocation or modification.

PERMIT SONOMA BUILDING DIVISION:

"Compliance with the conditions below have been verified " BY _____ DATE _____

Contact Building Plan Check at 707-565-2095

34. The applicant/operator shall apply for and obtain building-related permits from Permit Sonoma for new construction. The necessary applications appear to include, but may not be limited to, an accessibility report and building permit(s). Construction inspections shall have occurred 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.
35. The Building permit application package will not be "Plan Check Approved" prior to Use Permit conditions specific for this project being approved.
36. Due to the scope of this commercial project, the California Business and Professions Code requires plans and calculations to be prepared by California licensed design professionals (e.g., architects, engineers, etc.). The 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 the prescriptive requirements of all applicable codes, including Energy and CALGreen.



Sonoma County Permit and Resource Management Department
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900
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37. Application materials shall be consistent with Permit Sonoma's Building/Grading Permit Application Submittal Checklist (Form # CSS-003).
38. 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 which exceed code-prescribed thresholds.
39. 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. The path of reclaimed condensate systems and associated storage and conveyance equipment shall be identified and detailed.
40. All permanently installed equipment shall be identified in the appropriate section of the mechanical, electrical, and plumbing plan sheets. Product information shall be included to verify that installation and use of equipment is consistent with manufacturer's listing and/or recommendations.
41. The applicant/operator shall comply with California Building Code (CBC) Section 11B-202.3, which requires that alterations to existing elements or spaces comply with the accessibility requirements of CBC 11B Division 2. For this purpose, a change of use or occupancy classification is considered to be an alteration.
42. All buildings, structures, sidewalks, curbs, and related facilities, intended for use by the public, 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 California Building Code (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.
43. 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 the systems and construction at the project site and capable of describing and controlling equipment.

44. Any structures to be constructed as part of use permit conditions, such as security or sound walls, shall require separate building applications and permits.
45. Any construction existing prior to permit issuance requires submittal and approval of a Concealed Construction Verification Plan, consistent with requirements set forth in Policy # 1-4-2 Concealed Construction Verification Guidelines. The review process shall be included with the review of the building permit application materials. Plan check approval of the Concealed Construction Verification Plan is required for permit issuance. Any work performed without permits will be considered "new work" and will be required to be legalized. Plans shall clearly delineate existing legal construction, construction performed without permits, and new work that is proposed.

PERMIT SONOMA GRADING and STORMWATER SECTION

"Compliance with the conditions below have been verified " BY _____ DATE _____

Contact Permit Sonoma Grading & Storm Water at (707) 565-1691

46. Grading and/or building permits require review and approval by the Grading & Storm Water Section of 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.
47. A soils engineering report, prepared by a soils engineer, and engineering geology report, prepared by an engineering geologist, shall 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.
48. A drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, submitted with the grading and/or building permit application, and be subject to review and approval by the Grading & Storm Water Section of Permit Sonoma. The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, and 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.
49. 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 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 Sonoma'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.

50. The applicant/operator 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.
51. As part of the grading plans, the applicant/operator 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, and 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.
52. Residue or polluted runoff from the cultivation and/or production areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Cultivation areas and production areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.
53. 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.

54. If the cumulative land disturbance of the project is equal to or greater than one (1) acre, then the project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of Permit Sonoma prior to issuance of any grading permit for the proposed project.

PERMIT SONOMA NATURAL RESOURCES SECTION:

"Compliance with the conditions below have been verified " BY _____ DATE _____

Contact Permit Sonoma Natural Resources Geologist at (707) 565-1352

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

Water:

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

PRIOR TO OCCUPANCY:

Water:

56. Water well(s) serving this project shall be equipped to enable regular groundwater level monitoring, subject to approval by the Permit Sonoma Professional Geologist or Environmental Health Specialist.
57. Totalizing water meter(s) to measure all groundwater extracted for the use shall be installed, subject to approval by the Permit Sonoma Professional Geologist or Environmental Health Specialist.
58. A Site Plan showing the location of the well(s) with groundwater level measuring device(s) and the location of the water meter(s) shall be submitted to Permit Sonoma. 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. All available well completion reports for supply and monitoring wells shall be attached to the Site Plan.

PRIOR TO VESTING THE USE PERMIT:

59. A rainwater capture system with a minimum storage capacity of 10,000 gallons shall be installed and maintained in good working order, subject to approval by Permit Sonoma.
60. A condensate capture system which collects water from all air conditioners and dehumidifiers associated with the project, and routes collected water into irrigation supply storage tanks, shall be installed and maintained in good working order, subject to approval by Permit Sonoma.

OPERATIONAL REQUIREMENTS:

61. Groundwater Monitoring and Meter Calibration:
 - a. Groundwater levels and quantities of groundwater extracted for the use shall be measured quarterly on the last day of each month. 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 shall be provided on the 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.
62. Groundwater use for the project, inclusive of landscaping and water features, shall not exceed 0.7 acre-feet per year. In the event that average water use over three (3) years under the Use Permit exceeds 0.7 acre-feet per year, the applicant/operator shall provide a Water Supply Plan to reduce groundwater use, subject to the review and approval by Permit Sonoma. In the event that average groundwater use over three (3) years exceeds 0.7 acre-feet per year by more than 10%, Permit Sonoma shall bring this matter back to the Board of Zoning Adjustments for review of additional measures to reduce net groundwater use.

PERMIT SONOMA FIRE PREVENTION DIVISION:

"Compliance with the conditions below have been verified " BY _____ DATE _____
Contact Fire Prevention at (707)-565-2361



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



63. Due to the scope of this project, a Fire Services Pre-Construction meeting may be required at the request of the Fire Code Official.
64. The subject property (or properties) must be in full compliance with Building Code regulations, California Department of Forestry and Fire Protection Fire Safety Regulations, §1270-§1276 and the California Fire Code with local amendments as adopted by the Sonoma County Code Chapter 13 and vegetation management and defensible space requirements set forth in Sonoma County Code Chapter 13A (collectively referred to as "Fire Code Regulations") and Hazardous Materials regulations prior to occupancy of the buildings and use of the property.
- a. A fire inspection shall be conducted by the Sonoma County Permit and Resource Management Department, 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. Fire Prevention may charge and collect a fee for the inspection in an amount, as determined by the county, sufficient to pay the costs of the inspection.
 - c. The Building (s) shall 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.
65. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises the applicant shall provide a technical opinion and report prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the Fire Code Official. The report and opinion shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon. CFC Sec. 104.7.2, CBC Sec. 414.1.3.

Operational Permits

66. Obtain a Fire Code Operational Permit for Cannabis Type Operations prior to the initiation of the project as required by the California Fire Code as adopted and amended by the Sonoma County Code Chapter 13.
67. An annual fire safety inspection is required 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 the costs of the inspection.



Construction Permits:

68. A building permit shall be obtained for any construction, or any change in the use or character of a building.
69. 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.
70. **Emergency Planning and Response:** A Fire Protection plan shall be provided and shall include 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 on-site training records for review and a manual to address emergencies associated with the special process. (Example is extraction equipment)

Access:

The County Fire Marshal reviewed the project description and plans on March 20, 2018 and again on November 19, 2020. Project must meet Sonoma County Code Chapter 13 (Fire Code) and the Board of Forestry's fire safe standards regulations set forth in 14 California Code of Regulations §1270-1276 (Fire Safe Standards). Project conditions of approval imposed by the County Fire Division requires that the project comply with the Fire Code and the Fire Safe Standards, including fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, emergency water supply, hazardous materials management and management of



flammable or combustible liquids and gases. To facilitate locating an emergency and to avoid delays in response, all newly constructed roadways shall be at least 20 feet in width and provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during an emergency, and shall be constructed and maintained as required by Fire Safe Standards. As authorized by the Fire Safe Standards, the applicant has requested 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 is included with this application.

71. The Applicant is required to install a 24 foot wide entrance to the private road, a turnout at the midpoint of the private road, and a hammerhead turnaround at the end of the private road at the building location to ensure safe access for emergency fire apparatus and civilian evacuation concurrently. These conditions have been determined to provide for the Same Practical Effect (14 CCR §1270.06) in regards to the Fire Safe Standards. This Exception for Standards was accepted by Sonoma County Fire Marshal in November of 2020. The Exception for Standards was submitted to CalFire in compliance with Fire Safe Standards. In addition, the Fire Marshal has requested the applicant to continue to coordinate with neighboring property owners to use best efforts to secure emergency fire access rights to the private Pacific Gas & Electric maintenance road that already exists and can allow for a secondary means of egress.

72. A fire department key switch (Knox Key System or pad lock) should be installed at the secondary private gate.

Water Supply:

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

Vegetation Management:

74. To reduce the intensity of any conflagration caused by the proposed project, vegetation management shall be in accordance with the Sonoma County Code Chapter 13A, Fire Safe Standards as well as the California Fire Code, as adopted and amended by Sonoma County Code



Occupancy:

75. 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.

SONOMA COUNTY ENVIRONMENTAL HEALTH & SAFETY DEPARTMENT

"Compliance with the conditions below have been verified " BY _____ DATE _____
Contact Sonoma County Environmental Health at (707) 565-6562

76. 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 PROJECT REVIEW SECTION-HEALTH:

"Compliance with the conditions below have been verified " BY _____ DATE _____

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

NOTE: Prior to building permit issuance, please submit the following condition compliance requirements as one completed submittal package to the Project Planner.

Water

77. Prior to building permit issuance and project operation, provide the Project Planner with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of project site water tested by a State-certified lab. The applicant/operator shall submit a copy of the State Certified Lab report to the Project Planner for review. If the analysis shows contamination, the applicant/operator will be required to treat the well per County requirements and then to 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/operator 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 Permit Sonoma 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 Maximum Contaminant Levels (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 Permit Sonoma Project Planner.

Septic:

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

PRIOR TO PROJECT OPERATION:

Water:

80. Prior to project operation, the applicant/operator shall have the proposed water supply system evaluated for potential contamination or pollution via backflow by an American Water Works Association-certified Cross-Connection Control Specialist. The recommendations for cross-connection control shall, at a minimum, meet the requirements of the 2016 California Plumbing Code and subsequent editions adopted by Sonoma County. The applicant/operator shall submit a copy of the Cross-Connection Control Specialist's initial report to the Project Planner for review.
81. Prior to project operation, backflow prevention devices shall be installed on the water supply system, as recommended, following concurrence with the hazard evaluation and



recommendations for cross-connection control report by Permit Sonoma. The applicant/operator shall submit a letter from the Cross-Connection Control Specialist to the Project Planner stating that backflow prevention has been installed as recommended.

Hazardous Materials

82. Prior to project operation, the applicant/operator shall provide for double containment of cultivation chemicals (e.g., pesticides, fertilizers, amendments, additives, etc.) and any other site hazardous materials. Storage of hazardous materials shall be in compliance with the manufacturer's Material Safety Data Sheets. The applicant/operator shall submit a detail of the cultivation chemicals (e.g., pesticides, fertilizers, amendments, additives, etc.) and any other site hazardous materials storage methods and areas to the Project Planner.

OPERATIONAL REQUIREMENTS:

Water:

83. 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.
84. A safe, potable water supply shall be provided and maintained.

Septic:

85. The property owner or lease holder shall 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.
86. 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 Permit Sonoma.



Solid Waste:

87. All non-cannabis waste and recycling shall be stored in a secure area and collected by Recology, the County's waste hauler.
88. Plant waste from processing and plant trimming shall be used as mulch in the cultivation area, where applicable.
89. Waste containing cannabis must be made unusable and unrecognizable prior to leaving the licensed premises by grinding and incorporating the cannabis waste with non-consumable, solid wastes listed below, such that the resulting mixture is at least 50 percent non-marijuana waste: a. Paper waste; b. Cardboard waste; c. Food waste; or other compostable oil waste; and other wastes approved by the County that will render the cannabis waste unusable and unrecognizable.
90. 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 for 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.
91. Prior to project operation, the applicant/operator shall submit a cannabis solid waste management plan with the compost and trash enclosure design to the Permit Sonoma Project Planner for review and approval. No visually recognizable cannabis, or materials that smell like cannabis shall be disposed of as ordinary refuse. All cannabis waste shall be ground, chipped or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as cannabis by sight or smell.

DURING CONSTRUCTION:

92. Portable toilets and portable hand-washing facilities shall be placed and maintained for employees as needed on the construction sites, but in no case shall the facilities be serviced less than once per three days when 24 hour operations are conducted, and once per seven days when only daytime operations are conducted. The permittee shall provide an accessible portable restroom on the job site where required by Federal, State or local law, including but not limited to, requirements imposed under OSHA, the Americans with Disabilities Act or Fair Employment and Housing Act.



Noise:

93. 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 72 seconds in any hour.		

94. 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 to identify any additional noise Mitigation Measures that may be necessary. A copy of the Noise Study shall be submitted to the Project Review Project Planner within 60 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.

Smoking:

95. “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.

96. A “Designated Smoking Area” may be established in unenclosed areas consistent with Sonoma County Code Section 32-3. Designated Smoking Areas must be at least 25 feet



away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans.

97. Smoking or consumption of cannabis or materials containing cannabis is prohibited on the site.

SONOMA COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS:
“Compliance with the conditions below have been verified” BY _____ DATE _____
Contact Transportation & Public Works at 707-565-2231

Intersections of Roads and Driveways:

98. The applicant/operator shall construct a driveway entrance that conforms to American Association of State Highway and Transportation Officials (AASHTO) standards and meets the following criteria to allow for the smooth and safe movement of passenger vehicles entering and exiting the public road that provides access to the property (i.e., Los Alamos Road). This condition shall be void if the existing entrance already 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 Los Alamos Road) meets these requirements:

- a. A minimum paved 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 paved throat width with the written approval of Sonoma County Fire Prevention. The Applicant shall document the limitations by providing an exhibit showing the maximum possible paved 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. In conjunction with a reduced entry width, the Applicant shall improve the turnout preceding the entry with the structural section shown on the August 2018 version of Standard 815 available from DTPW.
- b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is 12 feet distant from, and parallel with, the physical centerline of Los Alamos Road. A 1:10 pavement taper shall be constructed on both sides of the entrance. Entrance curve radii may be reduced with the approval of the Fire Prevention Division of the Sonoma County Permit and Resources Management Department..
- 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 Los Alamos Road. It is preferred that the driveway access intersect the public



road as close to perpendicular as possible (no more than 20 degrees off of perpendicular); however, if acceptable sight distance is proven by a signed and stamped report from a Registered Civil Engineer, licensed in the State of California, the angle of the driveway entering the public road may remain unchanged.

- d. 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.
- e. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
- f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 814, latest revision, for private road and driveway intersection details.

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

Emergency Vehicle Access:

100. The applicant/operator shall locate driveway gates a minimum distance of 30 feet from the edge of the public road traveled way.

Processing:

101. The applicant/operator shall obtain an Encroachment Permit issued by Permit Sonoma prior to constructing any improvements within County road right-of-way.

Use Permit and Design Review:

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

MITIGATION MEASURES FROM MND, DATED 3/10/2021:

103. Mitigation Measure AIR-1 Construction Dust and Air Quality Control:

The following dust and air quality control measures shall be included in the project:

- 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 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.



Mitigation Monitoring AIR-1 Construction Dust and Air Quality Control: Permit Sonoma staff shall verify that the AIR-1 measures are included on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits. The applicant shall submit documentation to Permit Sonoma staff that a Construction Coordinator has been designated and that appropriate signage has been posted including the Coordinator's phone number. Documentation may include photographic evidence or a site inspection, at the discretion of Permit Sonoma staff.

104. Mitigation Measure AIR-2 Operational Odor Control for Structures: The cannabis cultivation building shall install and maintain an odor control air filtration and ventilation system that controls humidity and mold and ensures there will be no off-site odor from structures. Bi-weekly and/or monthly inspections shall be performed by the applicant/operator. 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 (both indoor cultivation buildings and the greenhouse).

Mitigation Monitoring AIR-2 Operational Odor Control for Structures: Permit Sonoma staff shall ensure that the odor control filtration and ventilation system(s) are included on all building and/or improvement plans, prior to issuance of building permits. In the event that multiple verified odor complaints are received, Permit Sonoma staff may bring this matter 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).

105. 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.

Mitigation Monitoring BIO-1, BIO-2, BIO-3 and BIO-4: Prior to issuance of any grading permit(s) and through completion of initial site disturbance, the County shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive species and their habitat. All measures shall be noted on the final project plans.



106. Mitigation Measure BIO-2 Pallid Bat Pre-Construction Survey: A qualified biologist shall conduct a pre-activity survey for pallid bat and other bat species protected under CFGC no more than seven (7) days prior to site activity commencing and within a 100-foot buffer of the project site. Following the pre-activity survey, the project proponent shall implement the following mitigation measures to avoid significant impacts to bat roosting and maternity sites:
- If the qualified biologist does not detect bat activity during the pre-activity survey, work may proceed as planned. However, if bat activity is detected, the following measures apply.
 - If bat activity is recorded during the pre-activity survey from May 1 through August 31, it shall be considered a maternity roost. Site disturbance shall be prohibited in and/or near the roosting site for the duration of the maternity season and at a distance determined by the qualified biologist, typically 100 feet or more.
 - If bat activity is detected outside the maternity season (September 1 through April 30), the following measures shall be implemented:
 - All tree snags (dead and/or dying trees with potential cavities for roosting) shall be surveyed by a qualified bat biologist no more than 7 days before the onset of vegetation removal and/or site disturbance. During tree removal (following the qualified bat biologist survey), tree limbs without cavities shall be removed first and left to remain overnight. Main trunks of the trees shall be removed on the following day, giving bats sufficient time to vacate potential cavities and/or exfoliating bark roosts following initial disturbance.
107. Mitigation Measure BIO-3: Special-Status Amphibian Pre-Construction Survey: Pre-construction surveys for California giant Salamander and red-bellied newt shall be performed within 48 hours of initiation of project activities (including initial ground disturbing activities). The search area will encompass a 50-foot radius around all work sites. If California giant salamander or red-bellied newt are encountered during the surveys, all work in the area shall be placed on hold while findings are reported to CDFW, and it is determined what, if any, further actions must be followed to prevent possible take of these species.
108. Mitigation Measure BIO-4 Nesting Bird Pre-Construction Survey(s): If initial ground disturbance or vegetation removal occurs during the breeding season (February 1 through August 31), a qualified biologist shall conduct a breeding bird survey no more than 14 days prior to ground disturbance to determine if any birds are nesting in trees

adjacent to the project site. If active nests are found close enough to the project site to affect breeding success, the biologist shall establish an appropriate exclusion zone around the nest. This exclusion zone 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. Once all young have become independent of the nest, vegetation removal and grading may take place in the former exclusion zone. 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.

109. Mitigation Measure NOISE-1 Construction Operation: 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.

Mitigation Monitoring NOISE-1 Construction Operation: Permit Sonoma staff shall verify that the NOISE-1 measures are included on all site alteration, grading, building or



improvement plans prior to issuance of grading or building permits. The applicant shall submit documentation to Permit Sonoma staff that a Construction Coordinator has been designated and that appropriate signage has been posted including the Coordinator's phone number. Documentation may include photographic evidence or a site inspection, at the discretion of Permit Sonoma staff.

Any noise complaints not immediately resolved by the Coordinator shall be investigated by Permit Sonoma staff. If violations are found, a noise consultant may be required at the applicant's expense to evaluate the problem and recommend corrective actions. Continuing or unresolved noise violations may result in an enforcement action and/or revocation or modification proceedings, as appropriate.

GENERAL USE PERMIT OPERATIONAL CONDITIONS:

The Use Permit and operation of the use are subject to the following general provisions:

110. 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.
111. 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/operator 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.
112. 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.

113. 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.

