

STANDARD RULES FOR TASTING ROOM OPERATION

Encroachments: Applicant must maintain a commercial driveway for the encroachment onto the property from the adjacent public road in a location determined by the Transportation and Public Works Department.

The permittee shall not allow vehicles to park or queuing onto public roads. If traffic begins to queue near the encroachment onto a public road, the permittee shall deploy event staff to handle traffic as necessary to prevent queuing onto a public road.

Parking spaces shall have an all-weather, non-combustible surface and shall be maintained to mitigate for fire risk and dust through industry-standard best-management fire-safe and dust reduction practices, which may include, but are not limited to: mowing, watering dirt, applying gravel, paving, removing and clearing away all flammable vegetation and other combustible growth pursuant to Public Resources Code Section 4291(a), and other forms of maintenance.

Access: The project applicant/permittee shall comply with Chapter 15.30 Fire and Life Safety Ordinance. This includes ensuring that no vehicles shall park on or along the driveway to the tasting room or otherwise impair access of traffic or emergency vehicles.

Occupancy: The number of indoor guests at any one time shall be limited by the occupancy limit of the Tasting Room. Event guests will not exceed maximum occupancy of the building or outside grounds and events shall abide by the proposed conditions in the Use Permit application.

Alcohol Licenses: The Property Owner shall maintain current licenses and certifications by the US Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB) and California Alcohol and Beverage Control (ABC) for operation of the tasting room. Use of the tasting room will not commence until all required licenses and certifications are obtained and active, with copies provided to the Planning Department.

Food Service: Food sales and service must comply with the requirements of the California Retail Food Code and the limitations of the terms of the Use Permit and zoning designation of the property.

Building Permits: The permittee shall acquire all necessary building permits for all facilities and any other related equipment. Construction and location shall consistent with any construction and location on submitted plans and as stated in the approved project description.

Grading Permit: Site development shall include grading plans submitted to the Building Department for any earthmoving greater than 50 cubic yards possibly including the implementation of erosion control plans, and best management practices (BMPs) that prevent the discharge of sediment into nearby drainage channels and properties. Any grading will comply with Chapter 15.30 of the California Fire and Safety Code regarding road widths, turnarounds, turnouts, gates, and other applicable state and county codes regarding commercial occupancy.

Air Quality Best Management Practices (BMPs): Permittee shall meet requirements that may be deemed necessary by the Air District based upon site conditions and operations. The project shall require that idling times for delivery vehicles be limited to a maximum of 5 minutes to reduce operational emissions of criteria pollutants per General Plan Mitigation Measure 4.3-2a.

Water Supply: For the life of the use permit, the applicant must remain in compliance with the Domestic Water Supply Permit issued by the Water Resources Control Board Division of Drinking Water.

Waste Disposal: The applicant must ensure that the solid waste disposal service is sufficient to serve the intended use, to remain in compliance with County Code Section 7.24 regarding Solid Waste.

Sewage Disposal: The operator shall retain the services of a qualified professional (a registered professional engineer, registered environmental health specialist, or licensed engineering geologist experienced in on-site sewage disposal system design) to review the existing on-site wastewater treatment system that is to serve the project. This qualified professional shall evaluate existing and proposed wastewater flows and assess the current condition of the system. He or she shall then either: 1) Certify that the existing onsite wastewater treatment system may be expected to provide acceptable service for the proposed use, or 2) specify any modification, expansion, replacement or treatment that would be needed for such certification to be possible. The certification may include recommendations for provision of chemical toilets to accommodate peak events.

Lighting: Any lighting installations must be compliant with County regulations, and be incorporate measures to reduce light and reflectance pursuant to Amador County General Plan Mitigation Measure 4.1-4. This includes measures to reduce light and reflectance including limitation of all installed lighting with this project to full-cutoff, fully-shielded fixtures directed downwards with color correlative temperature (CCT) less than or equal to 3000K. Motion sensors and automatic shutoffs shall be used to limit all lighting fixtures in use after facility is closed to the public or after 10:00 p.m., whichever is earlier.

Hazardous Materials Upset and Release: The operator shall provide documentation to the Amador County Environmental Health Department that the site is in full compliance with the requirements of the Unified Program regarding hazardous materials business plan requirements, hazardous waste generation, treatment or storage, aboveground petroleum storage, and underground tanks. If a hazardous materials business plan is required, the emergency response portion shall include a plan for the evacuation of visitors in the event of a hazardous materials incident. The applicant shall substantially comply with all requirements of the Unified Program throughout the life of the project.

Construction Noise: Per General Plan Mitigation Measure 4.11, all construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps); all impact tools will be shrouded or shielded; and all intake and exhaust ports on power equipment will be muffled or shielded. All equipment employed during the project shall maintain appropriate setback distances from residences to reduce vibration levels below the recommended FTA and Caltrans guidelines of 80 VdB and 0.2 in/sec PPV, respectively when located within 500 feet and 300 feet of impact pile drivers, and within 70 feet and 45 feet of large bulldozers (and other heavy-duty construction equipment). Noise levels generated by the project shall not exceed 65 decibels at the nearest property line.

Noise (amplified music): Consistent with County Code Section 19.24.045(D)(4b) and 19.24.040(A)(27e)(viii), any indoor or outdoor amplified music will end by 10:00 p.m. Consistent with Table N-4 under the Amador County General Plan, exterior noise levels shall not exceed 75 dB at the property line.

ADDITIONAL CONDITIONS FOR TASTING ROOM USE PERMITS:

FISH AND GAME FEES: No permits shall be issued, fees paid, or activity commence, as they relate to this project, until such time as the Permittee has provided the Planning Department with the Department of Fish and Game Filing Fee for a Notice of Determination or a Certificate of Fee Exemption from Fish and Game.

Fire Protection Services: To mitigate the impact on fire protection services, in accordance with Amador County Ordinance No. 1640 (County Code 17.14.020)4, the developer shall participate in the annexation to the County's Community Facilities District No. 2006-1 (Fire Protection Services), including execution of a "waiver and consent" to the expedited election procedure, the successful completion of a landowner-vote election authorizing an annual special tax for fire protection services, to be levied on the subject property by means of the County's secured property tax roll, and payment of the County's cost in conducting the procedure.

Historic and Cultural Resources: In the event the permittee encounters any historic, archaeological, paleontological, or tribal resource (such as chipped or ground stone, fossil-bearing rock, large quantities of shell, historic debris, building foundations, or human bone) during any construction undertaken to comply with these Use Permit conditions, permittee shall stop work immediately within a 100 ft. radius of the find and retain the services of a qualified professional for the purpose of recording, protecting, or curating the discovery as appropriate. The qualified professional shall be required to submit to the Planning Department a written report concerning the importance of the resource and the need to preserve the resource or otherwise reduce impacts of the project. The permittee shall notify the Amador County Planning Department of the find and provide proof to the Planning Department that any/all recommendations and requirements of the qualified professional have been complied with. Additionally in the case that human remains are discovered on site, the following steps must be taken in accordance with Amador County FEIR Mitigation Measure 4.5-15 Cultural Resources, per Section 7050.5 of the California Health and Safety Code,. The Amador County coroner shall, within two working days:

- i. Determine if an investigation of cause of death is required;
- ii. Determine if the remains are most likely that of Native American origin, and if so suspected:, the coroner shall notify the California Native American Heritage Commission (NAHC) within 24 hours of making his or her determination.
- iii. The descendants of the deceased Native Americans shall make a recommendation to the operator/ permittee for the means of handling the remains and any associated grave goods as provided in Public Resources Code (PRC) Section 5097.98.
- iv. The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American.

v. The descendants may, with the permission of the landowner or their representative, inspect the site of the discovered Native American remains and may recommend possible treatment or disposition within 24 hours of their notification.

vi. Whenever the NAHC is unable to identify a descendent, or the descendent identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendent and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

Special Status Species: In the event that any of the endangered, threatened, or special-status plant or animal species identified in the CEQA Initial Study for this project are discovered in the project area, all construction and ground-disturbing activity will be halted immediately. The property owner will then contact the US Department of Fish and Wildlife and Amador County Planning Department to establish additional mitigations according to industry-standard best management practices (BMPs) to mitigate for impacts to these species. These may include, but are not limited to, biological assessment studies, ground disturbance/pre-construction surveys for active nest-sites for migratory birds, conservation plans for affected species, and other various mitigation measures addressed on a case-by-case basis.

Special Events: Events are limited to _____ event days with up to _____ persons in attendance. Amplified music shall end at _____ p.m.

Monitoring and Reporting: Permittee shall monitor its conditionally permitting uses and report said monitoring results to the Planning Department. Specifically, by the 30th day of January following each calendar year during which conditionally permitted uses were undertaken, provide to the Planning Department a report containing the following information:

- a. The number of and type of events conducted during the calendar year, and the date each event was conducted;
- b. The number of guests attending each event;
- c. Vehicular parking conditions observed during each event (i.e. adequacy of parking conditions, and how any parking problems were addressed);
- d. Amplified sound conditions for each event (i.e. when amplified sound began, whether it was indoors or outdoors, when amplified sound was terminated and/or moved indoors, etc.);
- e. Days and hours of operation;
- f. A log of complaints received about permitted activities, if any;
- g. A letter certifying that to the best of the permittee's knowledge and belief, all activities permitted by the Conditional Use Permit were undertaken in conformance with the Conditions of Approval.

Applicant shall submit signed conditions to the Planning Department.