

Exhibit C

CONDITIONS OF APPROVAL

White Cottage Ranch Winery
Use Permit Modification and Road and Street Standards Exception № P12-00162
501 & 555 White Cottage Ranch Road North, Angwin, Calif., 94508
Assessor's Parcel Nos. 018-120-033 & 024-111-009

1. **SCOPE**

The permit shall be limited to:

- A. Use Permit Major Modification** to Use Permit 02130-UP, as previously modified by P04-0504-MOD, to further modify the approved 20,000 gallon per year winery as follows:
1. alterations to the existing winery building including the addition of +/- 2,450 sq. ft. of floor area, construction of a new +/- 1,885 sq. ft. covered crush pad, addition of outdoor work areas, and the removal of existing tasting facilities;
 2. construction of +/- 2,170 sq. ft. of new hospitality space in 3 new integral structures, including a commercial kitchen;
 3. addition of 17 new parking spaces (2 of which would be ADA accessible), for a total of 25;
 4. addition of a domestic wastewater treatment and disposal system serving the proposed hospitality structure;
 5. realignment and reconstruction of portions of the existing winery access road;
 6. increase in on-site employment from 2 FT and 3 PT employees to 10 or fewer employees inclusive;
 7. Evans Bill (AB2004) on-premise consumption adjacent to the proposed hospitality building;
 8. 2,947 cubic yards of cut and 1,170 cubic yards of fill with on-site disposal of the net 1,777 cubic yards of cut;
 9. addition of two 10,000 gallon domestic water tanks;
 10. a landscape plan including 45-55 Northern California Black Walnut saplings and 10 specimen-sized oaks; and
 11. like-kind 2/1 replacement of 14 removed trees as further described in a submitted additional environmental commitment.
- B. Road and Street Standards Exception** to allow the continuing use of an existing 14' wide winery access driveway between stations 0+00 and 0+50 and between stations 13+70 and 17+78. The remainder of the winery driveway will be improved to the required 18' width.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved in accordance

with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

2. PROJECT SPECIFIC CONDITIONS

Should any of the below Project Specific Conditions conflict with any of the other, standard, conditions included in this document, the Project Specific Condition shall supersede and control.

A. Marketing

Food may be prepared in the winery commercial kitchen or may be catered.

B. Signage

All winery signage shall comply with the requirements of the Napa County Code, and in particular with the area requirements of NCC §18.116.060 (C) (1)-(3).

C. Evans Consumption

Consistent with Assembly Bill 2004 (Evans) and the Planning Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premise consumption may occur solely in winery buildings and in the courtyard areas surrounding the hospitality complex. Any and all visitation associated with on-premise consumption shall be subject to the 32 person maximum daily tours and tastings visitation limitation.

D. Roadway Improvements

Roadway improvements to be completed as conditioned by the Engineering Services Division. Roadway shall be abandoned as shown in submitted plans and shall be removed and restored to a natural vegetated condition prior to project final.

E. Tree Replacement

Trees shown in approved landscape plan and any and all replacement trees resulting from the additional environmental commitment incorporated at 1(A)(15), above shall be installed prior to project final.

F. Conversion of Second Story Space

Second story space within the production building to be abandoned and converted to storage only, with all office finishes permanently removed prior to any certificate of occupancy, be it temporary or final.

G. Lot Merger

Prior to any certificate of occupancy, be it temporary or final, the permittee shall complete the legal merger of parcels 018-120-033 & 024-111-009.

H. Mitigation Measures

The permittee shall comply with all mitigation measures identified in the adopted Initial Study/Subsequent Mitigated Negative Declaration and Project Revision

Statement/Mitigation Monitoring and Reporting Program prepared for the project, inclusive of the following:

AIR QUALITY

1. The project shall comply with BAAQMD Basic Construction Mitigation Measures, inclusive of the following:
 - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off site shall be covered.
 - All visible mud or dirt track out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage requiring same shall be provided for construction workers at all access points.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Method of Mitigation Monitoring: This Mitigation Measure was drafted by the Air District and is intended to be self enforcing. Complaints or concerns will be addressed by the Planning Division or the Air District as required by law.

RESPONSIBLE AGENCY(IES)- Planning Division, BAAQMD

CULTURAL RESOURCES

2. Prior to the issuance of a grading permit for any work associated with this approval, the project archeologist shall flag the probable extent of the archeological site and a fence shall be installed at its boundary and signed "**Keep Out – Environmentally Sensitive Area**".

Prior to the issuance of a building permit, the applicant shall submit final fencing plans for the review and approval of the Planning Director. The only work allowed within the fenced exclusion area shall be the removal of the existing driveway, and that work shall be monitored by an archeologist and a member of the Native American community as required below. No equipment or material storage is allowed within the fenced exclusion area.

Method of Mitigation Monitoring: This Mitigation Measure requires construction of an exclusion fence prior to the issuance of a grading permit. **RESPONSIBLE AGENCY(IES)-** Planning Division, Engineering Services Division

3. A qualified archeologist and a Native American monitor as determined by the Mishewal Wappo community shall be on site to monitor all grading occurring on the smaller APN 024-111-009 parcel. Prior to the issuance of a grading or building permit, the permittee shall submit an executed contract with a qualified archeologist providing for the required monitoring for the review and approval of the Planning Director (or her designee).

Following completion of grading, the project archeologist shall submit a report of findings for the review and approval of the Planning Director (or her designee).

Method of Mitigation Monitoring: This Mitigation Measure requires monitoring by a qualified archeologist as well as a member of the Native American community. A report of findings must additionally be submitted to the Planning Division.
RESPONSIBLE AGENCY(IES)- Planning Division

4. The permittee shall ensure that all work is halted within 35 feet of any discovery of concentrated artifactual materials (including, but not necessarily limited to, obsidian, chert, and basaltic flakes and artifacts, grinding tools such as mortars and pestles, and human graves) during ground disturbing activities associated with this project. Said work shall remain stopped until the project archeologist has evaluated the find, developed any mitigation measures needed, prepared a mitigation proposal, and filed said proposal with the Napa County Department of Planning, Building, and Environmental Services for the review and approval of the Planning Director (or her designee).

The permittee is also notified that archeological finds may be subject to the requirements of Public Resources Code §5097.98, Health and Safety Code §7050.5, and CEQA §15064.5(e). All contractors doing work on this project shall be informed of, and bound contractually to honor, the requirement to stop work immediately if artifactual materials are encountered.

Method of Mitigation Monitoring: This Mitigation Measure requires that work be stopped and any finds reported to the Planning Division and other responsible agencies should archeological materials be discovered during construction. If

requirements are not complied with, building permits and permit finals will not be issued. **RESPONSIBLE AGENCY(IES)**- Planning Division, County Coroner, Native American Heritage Commission

HYDROLOGY AND WATER QUALITY

5. Prior to the issuance of any future grading or building permits for the property now know as APN 018-120-033 and prior to the installation of any new or additional vineyard or landscape areas thereon (whether previously entitled, newly proposed, or not otherwise subject to County erosion control plan permitting) the property owner shall submit a 60/40 vegetation retention analysis consistent with the requirements of the Conservation Regulations for the review and approval of the Planning Director (or her designee). 60% of the 1993 tree canopy and 40% of the brush and grass must be retained.

Method of Mitigation Monitoring: This Mitigation Measure requires submission of a 60/40 vegetation retention analysis prior to any grading work. If requirements are not complied with, building permits and permit finals will not be issued.

RESPONSIBLE AGENCY(IES)- Planning Division, Engineering Services Division

3. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following Division, Department, and Agency requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of aforesaid organizations at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as if enumerated herein:

- A. Division of Environmental Health as stated in their memo of June 7, 2012;
- B. Division of Engineering Services as stated in their memos of April 15, 2013;
- C. County Fire Department as stated in their memo of May 29, 2012; and
- D. Department of Public Works as stated in their memo of November 21, 2012.

The determination as to whether or not the permittee has substantially complied with the requirements of other Divisions, Departments, and Agencies shall be determined by those organizations. The inability to substantially comply with the requirements of other Divisions, Departments, or Agencies may result in the need to modify the approved use permit.

4. VISITATION

Consistent with Sections 18.16.030 and 18.20.030 of the Napa County Code, marketing and tours and tastings may occur at a winery only where such activities are accessory and “clearly incidental,

related, and subordinate to the primary operation of the winery as a production facility.” Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exist and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building and Environmental Services.

Permittee shall obtain and maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation. In the event permittee loses required ABC and/or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

A log book (or similar record) shall be maintained which documents the number of visitors to the winery (be they tours and tastings or marketing event visitors), and the dates of their visit. This record of visitors shall be made available to the Planning, Building and Environmental Services Department upon request.

A. TOURS AND TASTING

Tours and tastings are limited to the following:

1. Frequency: 7 days per week, Monday through Sunday
2. Maximum number of persons per day: 32
3. Maximum number of persons per week: 224
4. Hours of visitation: 10am-6pm

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.

Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant. (Ord. 1340, 2010; Ord. 947 § 9 (part), 1990; prior code § 12070).

Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code § 18.20.030(H)(5)(c).

B. MARKETING

Marketing events are limited to the following:

1. Type of Event: Food and Wine Pairings
 - a. Frequency: 4 monthly
 - b. Number of persons: 24 maximum

- c. Time of Day: 11:00 am to 10:00 pm
- 2. Type of Event: 50 Person Events
 - a. Frequency: 4 annually
 - b. Number of persons: 50 maximum
 - c. Time of Day: 11:00 am to 10:00 pm
- 3. Type of Event: 75 Person Auction-Related Events
 - a. Frequency: 3 annually
 - b. Number of persons: 75 maximum
 - c. Time of Day: 11:00 am to 10:00 pm
- 4. Participation in Auction Napa Valley

In no case shall combined tours and tastings and marketing event visitation exceed 82 persons on any given day).

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to Chapters 18.16 and 18.20 of the Napa County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's use permit. Marketing plans in their totality must remain "clearly incidental, related and subordinate to the primary operation of the winery as a production facility" (subsection (G)(5) of Sections 18.16.030 and subsection (I)(5) of 18.20.030 of the Napa County Code). To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of recovery of variable costs, and any business content unrelated to wine must be limited. Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan. (Ord. 1340, 2010; Ord. 1104 § 11, 1996; Ord. 947 § 9 (part), 1990; prior code § 12071).

All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. If any event is held which will exceed the available on-site parking, the applicant shall have prepared an event specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

5. **GRAPE SOURCE**

At least 75% of the grapes used to make the winery's wine shall be grown within the County of Napa. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the Department of Planning, Building, and Environmental Services upon request, but shall be considered proprietary information not available to the public.

6. **RENTAL/LEASING**

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the on-site winery, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (N.C.C. Chapter 5.36).

7. **SIGNS**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Department of Planning, Building, and Environmental Services for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the County Code. At least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

8. **LIGHTING**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

9. **LANDSCAPING/PARKING**

Two (2) copies of a detailed final landscaping plan, including parking details, shall be submitted for Planning Division review and approval prior to the issuance of any building permit associated with this approval. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO) and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed not shown on the submitted site plan shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residence that can view these areas.

10. OUTDOOR STORAGE/SCREENING/UTILITIES

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 18.106 of the Napa County Zoning Ordinance) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

11. COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the Department of Planning, Building, and Environmental Services prior to painting the building. Highly reflective surfaces are prohibited.

12. SITE IMPROVEMENTS AND ENGINEERING SERVICES-SPECIFIC CONDITIONS

Please contact (707) 253-4417 with any questions regarding the following.

A. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to final occupancy.

B. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

C. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur during windy periods.

D. STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the California Regional Water Quality Control Board (SRWQCB).

E. PARKING

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include but, shall not necessarily be limited to, valet service or off-site parking and shuttle service to the winery.

F. GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the Planning, Building & Environmental Services Department, and the Napa County Fire Department to assure that it is

designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the Napa County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

13. ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact (707) 253-4471 with any questions regarding the following.

A. WELLS

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Planning, Building and Environmental Services determines that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. If the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the Director of Planning, Building and Environmental Services shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the Director has provided notice and the opportunity for hearing in compliance with the Napa County Code §13.15.070 (G-K).

B. NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with Napa County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

14. ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Department of Planning, Building, and Environmental Services for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

None of the requirements at this number are intended to supersede requirements of adopted mitigation measures. Where they may conflict, adopted mitigation measure(s) shall supersede and control.

15. ADDRESSING

All project site addresses shall be determined by the Director of Planning, Building, and Environmental Services, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

16. INDEMNIFICATION

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty days of the granting of this approval using the Department of Planning, Building, and Environmental Services's standard form.

17. AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107 or as may be amended by the Board of Supervisors.

18. PREVIOUS CONDITIONS

As applicable, the permittee shall comply with any previous conditions of approval for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.

19. MONITORING COSTS

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with §18.124.120 of the Napa County Code.

20. TEMPORARY AND FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exist and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building, and Environmental Services. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements. Consistent with Board of Supervisors Resolution № 2010-48, "Temporary Certificates of Occupancy are generally not to be used to allow production of wine for more than one year."