

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 25, 2007 Time: 1:40 pm	Agenda Item No.: D2
Project Description: (Numira Vineyards dba as Mission Ranch Winery) Use Permit for an agricultural processing plant consisting of a winery (2,801 square feet) with tasting room (1,323 square feet), and deli with accompanying retail activities (1,538 square feet).	
Project Location: 38150 Arroyo Seco Road, Soledad	APN: 183-021-003-000
Planning File Number: PLN060071	Name: Numira Vineyards LLC, Owner Agent: Nancy Isakson
Plan Area: Central Salinas Valley Area.	Flagged and staked: No
Zoning Designation: "F/40" (Farmland with 40 acre minimum parcel size)	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator: 1) Adopt the Mitigated Negative Declaration in **Exhibit E**, 2) Adopt the Mitigation Monitoring Plan (**Exhibit D**) and 3) Approve the Use Permit for the Agricultural Processing Plant (Winery) based on Findings and Evidence (**Exhibit C**) and subject to the proposed conditions (**Exhibit D**).

PROJECT OVERVIEW:

Having been one of the earliest commercial vineyards planted in Monterey County, the present owners wish to showcase the grapes and wines produced here and convert the existing barn and residential structures to a visitor serving winery and tasting room. The site has existing farm and residential structures that will be demolished, remodeled or newly constructed in the California Mission Architectural style. The project site is in the proposed Monterey County Wine Corridor area. Staff has found that no significant environmental impacts would result from approval of the proposal. See Discussion in **Exhibit B**.

OTHER AGENCY INVOLVEMENT:

- | | |
|---|-----------------------------|
| ✓ CDF Central Valley Fire Protection District | ✓ Water Resources Agency |
| ✓ Public Works Department | ✓ Sheriff Department |
| ✓ Parks Department | ✓ Agricultural Commissioner |
| ✓ Environmental Health Division | |

The above checked agencies and departments have reviewed this project. Conditions recommended by the CDF Central Valley Fire Protection District, Public Works Department Environmental Health Division and Water Resources Agency have been incorporated into the condition compliance reporting plan (**Exhibit D**). There is currently no Land Use Advisory Committee serving this area.

Note: The decision on this project is appealable to the Planning Commission.

Taven M. Kinison Brown, Senior Planner
 (831) 755-5173 kinisonbrowntm@co.monterey.ca.us
 January 12, 2007

cc: Zoning Administrator; CDF Central Valley Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Agricultural Commissioner, Sheriff Department; Laura Lawrence, Acting Planning Services Manager; Taven M. Kinison Brown, Planner; Carol Allen, Numira Vineyards LLC, Applicants; Nancy Isakson, Agent; Planning File PLN060071.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Overview
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval and Mitigation Monitoring Reporting Program
Exhibit E Proposed Mitigated Negative Declaration and Initial Study
Exhibit F Letter from Applicant
Exhibit G Sheriff's Office Guidelines and Recommendation
Exhibit H Site Plan, Elevations, Floor Plans

This report was reviewed by Laura Lawrence, Acting Planning and Building Service Manager.

EXHIBIT A

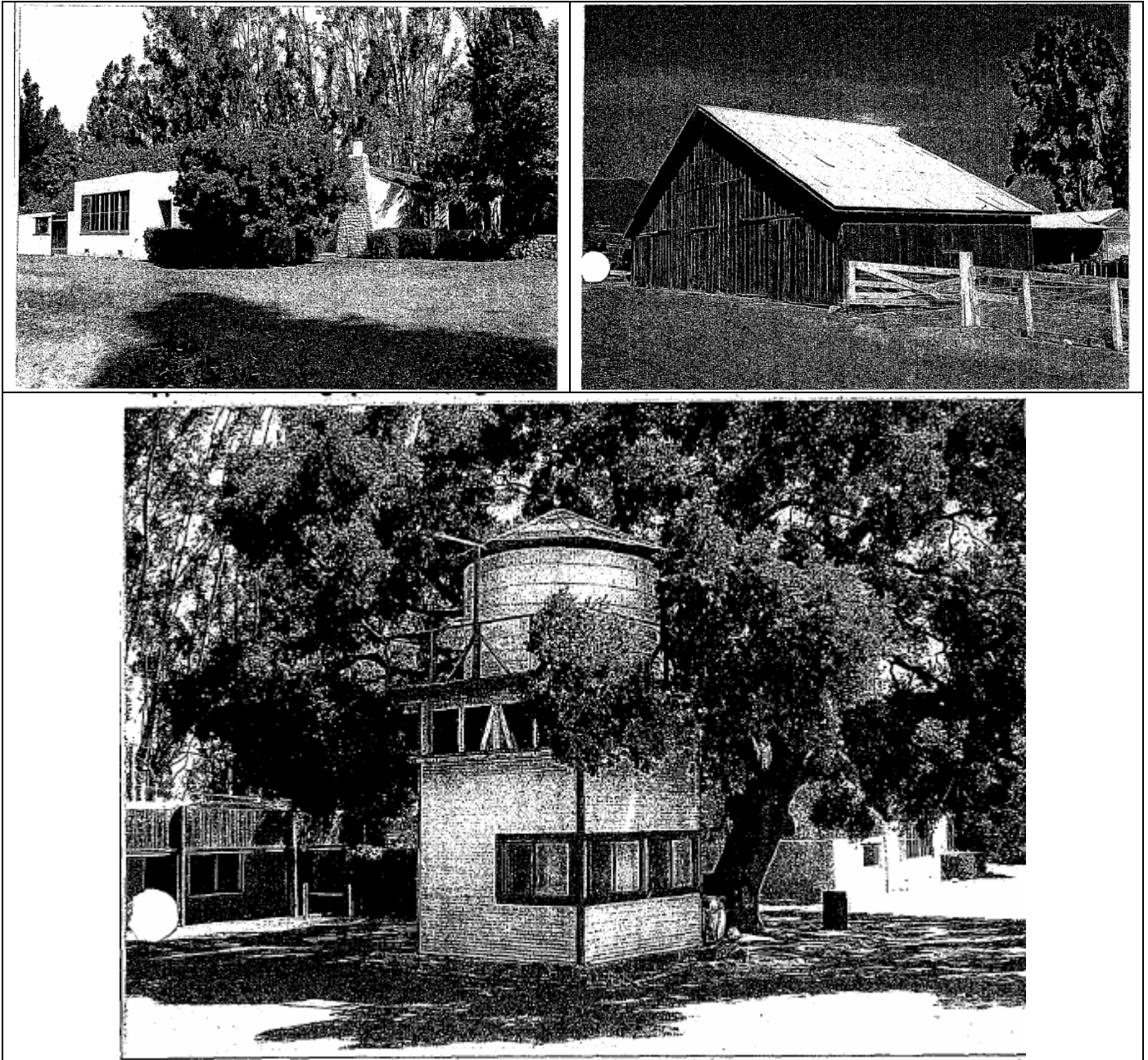
Project Data Sheet Place Holder

EXHIBIT B

DISCUSSION

BACKGROUND AND SETTING

The 267 acre property is currently configured with two farmhouses, one barn, a farm equipment building and a storage building with a single bedroom encompassing approximately 54,450 square feet under roof. The balance of the property is orchard and vineyard. The vineyard is one of the earliest commercial vineyards planted in Monterey County (formerly Mirassou Vineyards).



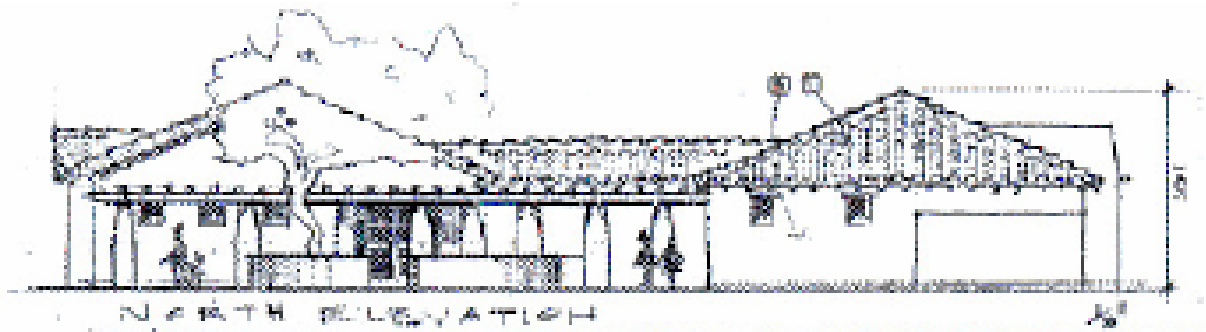
PROJECT DESCRIPTION

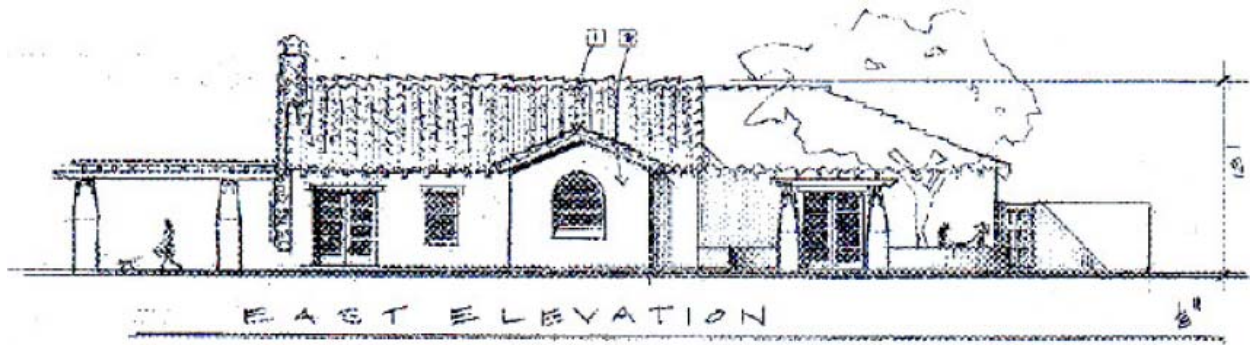
The proposed project is for an Agricultural Processing Plant consisting of a winery with tasting room and deli with accompanying retail activities. For purposes of County review, the Project Description is as follows:

A Use Permit for an Agricultural Processing Plant consisting of a winery (2,801 square feet.) with tasting room (1,323 square feet), and deli with accompanying retail activities (1,538 square feet). The project is located at 38150 Arroyo Seco Road, Soledad (Assessor's Parcel Number 183-021-003-000), Central Salinas Valley Area.

The 267 acre property is currently configured with two farmhouses, one barn, a farm equipment building and a storage building with a single bedroom encompassing approximately 54,450 square feet under roof. The balance of the property is orchard and vineyard. The vineyard is one of the earliest commercial vineyards planted in Monterey County (formerly Mirassou Vineyards).

Architectural Treatment. According to historian Kent Seavy in his report (References / Sources IX.8), the existing property includes a one-story wood-framed Spanish Eclectic style residence, irregular in plan, resting on a concrete foundation, clad in smooth cement stucco, circa 1949. Other additions to this structure were made in 1960 and 1972. This main structure has lost its physical integrity and does not meet the criteria for listing in the California Register and cannot be considered an historic resource as defined by CEQA and is proposed for demolition. Other structures such as the wood-sided barns and water tank feature are recommended to be rehabilitated and remain. Rock walls, color treatments, natural and planted landscapes, arcades and trellises will be used to unify the grounds in a cohesive manner, thematically drawing upon the California Mission style of architecture present at Mission Soledad and elsewhere throughout California.





The Proposed Winery. The existing wood-sided barn (1,245 square feet) is proposed to be converted into the winery. New concrete floors with drains, a new septic system and outside crush pad will be added to create the winemaking facility with a capacity to produce up to 5,000 cases annually. As the grapes are to be harvested on-site (no importation) truck trips for case goods and bottles are expected to range from 5-10 on a yearly basis.

The Tasting Room and Deli. The larger farmhouse (Circa 1949, 1960, 1972) adjacent to the proposed winery is to be demolished and replaced with a new structure to serve as the tasting room, deli and patio area. The facility will offer retail sales, wine tasting and deli items. The smaller farmhouse will be retained as caretaker housing.

Project Parking, Access and Circulation. The project site is currently configured with two points of access to Arroyo Seco Road. The north access is proposed as a one-way exit and the south is proposed as a one-way entrance. Both driveways presently have varying widths and are proposed to be finished with uniform widths of 16 feet. Forty-two parking spaces are proposed with spaces numbered 11-40 configured around a line of mature eucalyptus trees that separate the two barns and the water tower structure and farmhouses. Spaces #1-10 are to be compact in size, and spaces #41 and #42 are configured for handicapped and van accessibility. A space for tour busses to stop, load and park is configured adjacent to the water tower allowing one way entry traffic to pass.

Staffing and Operations. The winery is expected to employ one winemaker and one cellar worker. The tasting room and deli is expected to employ on full-time manager and two part time employees. Maximum occupancy of the wine tasting facility and patio areas is proposed for 100 persons. Hours of operation are proposed on weekdays from 11:00 am to 5:00 pm and on weekends from 10:00 am to 6:00 pm.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared to assess the potential adverse environmental impacts from the project and was circulated on November 8, 2006, with the public review period ending December 7, 2006. Issues identified in the Initial Study will require that mitigation measures be implemented to assure a less than significant impact to the environment. Two mitigation measures have been deemed necessary in the Traffic / Circulation section to protect site distance safety along Arroyo Seco Road. They are that 1) the two drives each be made one-way to serve ingress and egress, and 2) that a small tree be removed at the driveway and that shrubbery be maintained to allow site distance safety. No other significant issues have been identified for the project.

Prior to the close of the public review period for the Initial Study, December 7, 2006, staff became aware of several technical clarifications needed in the document that will not require

recirculation of the document under Section 15073.5 (c)(2) of the CEQA Guidelines. In the Initial Study Section VI discussion of Environmental Factors Potentially Affected, staff found that there would be No Impact to Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, nor Utilities/Service Systems. Yet, in the following Section VI and corresponding Checklist for the above subject headings, staff incorrectly checked several boxes indicating “Less than Significant Impact.” In accordance with the discussions and explanations of Section IV, these check-boxes should indicate “No Impact”. The following revisions are clarified for internal consistency in the document:

Section VI 3 Air Quality:	Items a) – f) shall be marked as “No Impact”
Section VI 6 Geology and Soils	Items a) – e) shall be marked as “No Impact”
Section VI 7 Hazards /Materials	Items a) – b) shall be marked as “No Impact”
Section VI 8 Hydrology/ Water Quality	Items a) – b) shall be marked as “No Impact”
Section VI 11 Noise	Item a) and d) shall be marked as “No Impact”
Section VI 12 Population and Housing	Item a) shall be marked as “No Impact”
Section VI 13 Public Services	Items a) and b) shall be marked as “No Impact”
Section VI 16 Utilities and Service Systems	Items a) – d), f), g) shall be marked as “No Impact”

Staff has enhanced the Evidence under the CEQA Findings in **Exhibit C** to document the minor nature of the clarifications above and that recirculation of the document is not necessary.

ANALYSIS

Use Permit for an Agricultural Processing Plant in the F/40 Zoning District

The proposed project is consistent with applicable development standards for the F/40 zoning district:

- a) **Building Site Coverage**. The maximum building site coverage in the Farmland 40 zoning district is 5%. As the project site is 267 acres and build-out of the proposal would entail approximately 54,450 square feet of covered structures, the proposed building site coverage is negligible (0.005%).
- b) **Setbacks**. Applicable setbacks for the project require a minimum 30 feet (front), 20 feet (side), and 20 feet (rear), and 10 feet between main structures. All proposed construction and remodeling is well within these setbacks.
- c) **Landscaping**. The winery and tasting room parking area and entry road includes modest landscaping and trees to compliment the visitor serving portions of the property. Otherwise the property is surrounded in viticulture. No additional landscaping is seen as necessary.
- d) **Lighting**. While the project is set back from Arroyo Seco Road, it will be visible to this public travel way, as will its nighttime illumination. Standard County conditions that the proposed lighting be unobtrusive and not glare producing shall be applied to the project. A detailed exterior lighting plan with catalog cuts of proposed fixtures will be required prior to issuance of building permits and construction commencing.
- e) **Signs**. No new signs are proposed or recommended for approval with this proposal.

Staff has no outstanding concerns or unresolved issues with the proposal. Staff had been concerned that some of the lore and history of the Mirrasou family presence on the property would be lost with the new proposal, but have received assurance from the applicant’s agent that the Numira Vineyards LLC property owner will have a modest display present at the winery (**Exhibit F**). As the Wine Corridor concept matures in Monterey County and we have properties

exchanged and sold, it will be important over time to display and convey Monterey County's history and the families and persons who were pioneers and significant contributors. Possibly awkward for new owners and purchasers of such properties, is that a family name or label (such as Mirrasou) may still be prevalent in the market place.

This project was deemed complete October 24, 2006 and is subject to the policies of the 1982 Monterey County General Plan.

PUBLIC COMMENT

Staff has received no public comment to date.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the 1982 Monterey County General Plan, Central Salinas Valley Area Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.
EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
(b) The property is located at 38150 Arroyo Seco Road, Soledad (Assessor's Parcel Number 183-021-003), Central Salinas Valley Area Plan. The parcel is zoned F/40 ("Farmland / 40 acre minimum parcel size"). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
(c) The project planner conducted a site inspection on April 12, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
(d) No Land Use Advisory Committee is currently assembled for the Central Salinas Valley Area. No response was received from the County Department of Agriculture.
(e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060071.
2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.
EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, CDF Central Valley Fire Protection District, County Parks, Public Works, Environmental Health Division, Water Resources Agency, Sheriff, and Agricultural Commissioner. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
(b) Technical reports by outside Traffic, Historical and Biological consultants indicated that there are not physical or environmental constraints that would indicate that the site is not suitable for the use propose. County staff concurs. The following reports have been prepared:
 1. Mission Ranch Winery Traffic Analysis County of Monterey, Ca. (LIB060358) prepared by Higgins Associates, June 12, 2006.
 2. Historic Resources Report Residential Property located 3815 Arroyo Seco Rd., (LIB060416) prepared by Kent L. Seavey, June 14, 2006.
 3. San Joaquin Kit Fox Assessment (LIB060357) prepared by California Wildlife Ecology; Jeffrey B. Froke, Ph/D., May 20, 2006.
(c) Staff conducted a site inspection on April 12, 2006 to verify that the site is suitable for this use.
(d) Materials in Project File PLN060071.

3. FINDING: CEQA (Not Exempt): - The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment. A Mitigated Negative Declaration has been prepared and is on file (File# PLN060071 in the RMA - Planning Department). All mitigation measures identified in the Initial Study and Mitigated Negative Declaration and all project changes required to avoid significant effects on the environment have been incorporated into the approved project or are made conditions of approval. A Program for Mitigation Monitoring and/or Reporting on Conditions of Approval (hereafter “the MMRP”) has been prepared pursuant to Public Resources Code 21081.6 and is made a condition of approval. The MMRP is included as Exhibit D of the January 25, 2007 staff report and is incorporated herein by reference. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Resource Management Agency – Planning Department, located at 168 W. Alisal Street, Second Floor, Salinas, CA 93901 is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

EVIDENCE:

- (a) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development, found in the project file.
- (b) County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on November 8, 2006, and noticed for public review. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County’s independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:
 - 1. Project Application/Plans
 - 2. Monterey County General Plan (1982)
 - 3. Central Salinas Valley Area Plan
 - 4. Monterey County Zoning Ordinance (Title 21)
 - 5. Monterey County Geographic and Information Systems Database (County GIS).
 - 6. Monterey County Land Use Agency Referral Comments (In File #PLN060071)
 - a. Division of Environmental Health
 - b. Department of Public Works
 - c. Parks Department

- d. Water Resources Agency
 - e. Sheriff's Department
 - f. California Department of Forestry - Central Valley
7. Higgins Associates, Mission Ranch Winery Traffic Analysis County of Monterey, Ca. June 12, 2006. (LIB060358)
 8. Kent L. Seavey, Historic Resources Report Residential Property located 3815 Arroyo Seco Rd. June 14, 2006.(LIB060416)
 9. California Wildlife Ecology; Jeffrey B. Froke, Ph/D. San Joaquin Kit Fox Assessment, May 20, 2006. (LIB060357)
 10. Staff Site Visit April 12, 2006.
- (c) See preceding and following findings and supporting evidence.

4. FINDING: CEQA (Recirculation of the Initial Study and Proposed Negative Declaration is not required).

EVIDENCE: (a) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

(b) Technical clarifications have been made to demonstrate internal consistency in the document.

(c) In the Initial Study Section VI discussion of Environmental Factors Potentially Affected, staff found that there would be No Impact to Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population /Housing, Public Services, Recreation, nor Utilities/Service Systems. Yet, in the following Section VI and corresponding Checklist for the above subject headings, staff incorrectly checked several boxes indicating "Less than Significant Impact." In accordance with the discussions and explanations of Section IV, these check-boxes should indicate "No Impact". The following revisions are clarified for internal consistency in the document:

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(d) These clarifications do not affect the design of the project, its potential impacts, nor do they represent modifications to mitigation measures, changes in project conditions and they are not necessary to mitigate an avoidable significant effect.

5. FINDING: NO VIOLATIONS - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

6. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: (a) Preceding findings and supporting evidence.

7. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission

EVIDENCE: Section 21.80.040 B. Monterey County Zoning Ordinance, Title 21.

EXHIBIT D <i>Resource Management Agency - Planning Department</i> <i>Condition Compliance & Mitigation Monitoring and Reporting Plan</i>	Project Name: Numira Vineyards LLC dba Mission Ranch Winery_ File No: PLN0600071_____ APNs: 183-021-003-000_____ Approved by: Zoning Administrator_____ Date: _January 25, 2007
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p>PD001 - SPECIFIC USES ONLY</p> <p>This Use Permit (PLN060071) allows for an agricultural processing plant consisting of a winery (2,801 square feet) with tasting room (1,323 square feet), and deli with accompanying retail activities (1, 538 square feet). The property is located at 38150 Arroyo Seco Road, Soledad, (Assessor's Parcel Number 183-021-003-000), Central Salinas Valley Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 183-021-003-000 on January 25, 2007. The permit was granted subject to <u>26</u> conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4.		<p>PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)</p>	<p>The applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p> <p>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Within 5 working days of project approval.</p> <p>Prior to the recordation of the final map, the start of use or the issuance of building or grading permits</p>	
5.		<p>PD012(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING) The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)</p>	<p>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.</p> <p>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p> <p>Owner/ Applicant</p>	<p>At least three (3) weeks prior to final inspection or occupancy</p> <p>Ongoing</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
6.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>	Owner/ Applicant	Prior to the issuance of building permits.	
			<p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Ongoing	
7.		<p>PDSP001 NOTICE OF REPORTS (NON-STANDARD)</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "Traffic, Historical Resources and Biological Resources reports have been prepared for this parcel by Higgins Associates, Ken Seavy, and Jeffrey B. Froke Ph.D, dated June 12, 2006, June 14, 2006, and May 20, 2006 and are on record in the Monterey County RMA - Planning Department, Library Numbers LIB060357, LIB060358, and LIB060416. All development shall be in accordance with these reports." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits.	
8.		<p>PDSP002 BANNERS, FLAGS, PENNANTS (NON-STANDARD)</p> <p>There shall be no flags, banners, pennants, or other attention getting devices, other than approved signs, on the property. (RMA – Planning Department)</p>	<p>Prior to installation, review proposed signs for code compliance with RMA-Planning staff. Some signs may require permits.</p>	Owner/ Applicant	Prior to use/ Ongoing	

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9.		<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

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ENVIRONMENTAL HEALTH DEPARTMENT						
10.		EH1 - WATER SYSTEM PERMIT Obtain a new or amended water system permit from the Division of Environmental Health. (Environmental Health)	Submit necessary application, reports and testing results to EH for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/building permits or prior to filing final map	
11.		EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map or issuance of building	
12.		EH19 - WINERY WASTEWATER Winery wastewater discharge shall comply with the Prohibitions, Recommendations and Specifications of the General Waste Discharge Requirements (WDRs) for Discharges of Winery Wastes set forth by the Regional Water Quality Control (CRWQCB). Apply for Waste Discharge Requirements from the Regional Water Quality Control Board. (Environmental Health)	Submit application to CRWQCB for review and issuance of Waste Discharge Requirements or a waiver of Waste Discharge Requirements. Submit verification of complete application from RWQCB to EH.	Owner/ Applicant	Prior to the issuance of building permits	
13.		EH35 - CURFFL All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. If necessary, submit plans and necessary review fees for review and approval	Submit plans and necessary review fees to the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	

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		prior to obtaining a building permit/final inspection. (Environmental Health)				
WATER RESOURCES AGENCY						
14.		WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
15.		WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection / occupancy	

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16.		WR45 - WELL INFORMATION The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
17.		WRSP001 DRAINAGE PLAN (NON-STANDARD) Prior to issuance of grading or building permits, a drainage plan shall be prepared by a registered civil engineer or architect to address on-site and off-site impacts, to include oil-grease water separators for the paved parking area. Necessary improvements shall be constructed in accordance with approved plans. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits	
PUBLIC WORKS DEPARTMENT						
18.		PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Applicant’s engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	

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CDF - CENTRAL VALLEY FIRE DISTRICT						
19.		FIRESP001 ACCESS (NONSTANDARD) Provide a 16' unobstructed access to both buildings from Arroyo Seco Road. (CDF Central Valley Fire District)	Applicant shall incorporate specification into design. Note: Carmel Fire Protection Associates who review plans on behalf of the California Department of Forestry (CDF) have confirmed (November 3, 2006) that the 16 foot one-way access roads will be sufficient for their needs. During the initial project review, 20 feet in width had been desired by CDF.	Applicant or owner	Prior to issuance of building permit.	
20.		FIRESP002 ADDRESSES (NON-STANDARD) Each structure shall have its own unique address. (CDF Central Valley Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
21.		FIRESP003 FIRE PROTECTION WATER (NON-STANDARD) Provide details on proposed water system. Fire Protection water supply is required to meet the provisions of Appendix III-A of the Uniform Fire Code which calls for a minimum water storage for fire protection of 183,000	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

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			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
22.		FIRES004 FIRE PROTECTION SYSTEMS (NON-STANDARD) Fire Protection Systems are highly recommended in both buildings. If fire sprinkler systems are installed, fire flow water requirements may be reduced from 183,000 gallons. (CDF Central Valley Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
23.		FIRES005 ROOFS (NON-STANDARD) Roofs shall be a minimum rating of ICBO Class "A". (CDF Central Valley Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
MONTEREY COUNTY SHERIFF'S OFFICE						
24.		SOSP001 SAFETY AND SECURITY (NON-STANDARD) Please refer to the attached Project Referral Sheet from the Monterey County Sheriff's Department., dated July 13, 2006. (Monterey County Sheriff's Department)	In addition to the main retail structure, all existing buildings that are upgraded must comply with the Public Safety and Security Guidelines	Applicant or owner	Prior to Final Approval / Occupancy	

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MITIGATION MEASURES						
25.	1.	MITIGATION MEASURE #1 TRAFFIC / CIRCULATION. NON-STANDARD Due to insufficient site distances when exiting vehicles look north on Arroyo Seco Road from the southern driveway, such a vehicle movement will be restricted by not allowing vehicles to exit from the southern drive. The north driveway shall be used for exiting vehicles only and the south driveway shall be used for entering vehicles only. (Public Works)	The applicant shall submit a plan for the approval of the Department of Public Works demonstrating how this will be enforced. After approval of the plan by the Department of Works, the applicant shall implement all required measures.	Applicant	Prior to Issuance of Demolition or Building Permits	
26.	2.	MITIGATION MEASURE #2 TRAFFIC / CIRCULATION. NON-STANDARD In order to allow sufficient sight distance for prevailing speeds on Arroyo Seco Road when looking south on Arroyo Seco Road from the north (exit) driveway, the small pine tree (or 2) at the north driveway shall be removed prior to initiation of the use. (Public Works)	The applicant shall remove small pine trees at the north driveway to satisfy site distance safety requirements.	Applicant	Prior to Initiation of Use	
			Landscaping shall be maintained in a manner to assure continued site distance safety for vehicles entering and exiting the property.	Owner	Ongoing	
		End				