

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> January 29, 2009    Time: 1:40 P.M.		<b>Agenda Item No.:</b> 3
<p><b>Project Description:</b> Combined Development Permit consisting of:</p> <ol style="list-style-type: none"> <li>1) A Use Permit to allow the construction and operation of a winery (agricultural processing plant) and tasting room. The winery operation will have an annual production of up to 50,000 cases of wine. The proposed project will involve the construction of two (2) buildings of 6,220 square feet and 13,896 square feet, courtyard area, parking lot, driveways, septic and waste water systems, retaining walls and allow for private and public winery related events; Signs; Grading of approximately 19,700 cubic yards (9,850 cubic yards of cut and 9,850 cubic yards of fill); and</li> <li>2) A Use Permit for development on slopes in excess of 30 percent for portion of the proposed winery.</li> </ol>		
<b>Project Location:</b> Intersection of River Road and Sanchez Road, Soledad		<b>APN:</b> 216-013-032-000
<b>Planning File Number:</b> PLN070470		<b>Name:</b> Steve McIntyre, Property Owner Nancy Isakson, Agent
<b>Plan Area:</b> Central Salinas Valley Area Plan		<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : “F/B-6” [Farmlands with a B-6 Building Site Zoning]		
<b>CEQA Action:</b> Mitigated Negative Declaration		
<b>Department:</b> RMA - Planning Department		

**RECOMMENDATION:**

Staff recommends that the Zoning Administrator:

- 1) Adopt the Mitigated Negative Declaration (**Exhibit G**) with Mitigation Monitoring Plan (**Exhibit D**); and
- 2) Approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

**PROJECT SUMMARY:**

The project involves a Combined Development Permit consisting of 1) a Use Permit for the construction and operation of a winery and tasting room facility for the production of up to 50,000 cases of wine annually; and 2) a Use Permit for the development of the wine facility in areas exceeding 30 percent slopes. The winery facility will consist of the construction of two (2) buildings of 6,220 square feet and 13,896 square feet, courtyard area, parking lot, driveways, septic and waste water systems, and retaining walls and would allow for private and public winery related events; Signs; Grading of approximately 19,700 cubic yards (9,850 cubic yards of cut and 9,850 cubic yards of fill). The project site is a 40.48 acre parcel, currently in viticulture production and located in the Central Salinas Valley Area Plan, on River Road, between Gonzales and Soledad. The project site is also located within the *Central/Arroyo Seco/River Road Segment* of the *Winery Corridor* proposed as part of the *Draft 2007 Monterey County General Plan* in the *Agricultural Element* section. Although the *Draft 2007 Monterey County General Plan* has not been adopted by the County, this project has incorporated what would be the required conditions for the use under the Plan, once adopted.

A second Use Permit is required for this project for development on areas of over 30 percent slopes. The area with these slopes is an existing depression (reservoir) created in the 1940's for production of row crops but never was utilized for its original intent.

An Initial Study was prepared for the project in order to analyze potential environmental factors which included: Aesthetics, Agricultural Resources, Air Quality, Geology/Soils, Hydrology/Water Quality, Noise, Public Services, Transportation/Traffic and Utilities/Service Systems. The Initial Study identified in the "Transportation/Traffic" section that certain mitigation measures shall be incorporated in order to reduce potentially significant impacts from hazards resulting from certain design features. The applicant has incorporated these measures into the site plans and has agreed to implement these mitigations (Mitigation Measures No.s 1-7).

During the circulation of the Initial Study, staff received a letter from the State of California, Native American Heritage Commission with recommendation to contact the appropriate regional archeological information center for a record search of the property to determine if the project would have an adverse impact to any cultural or historical resources within the area of project effect. County records identify the project site as located in a "Low Archaeological Sensitivity Zone". Pursuant to Section 21.66.050.C of the Monterey County Zoning Ordinance, Title 21, an Archaeological Survey Report is not necessary for Low Archaeological Sensitivity Zones, unless there exists specific information on known archaeological resources on the site. Staff did not find any record of archaeological resources on site or in the vicinity area. Furthermore, the site of the winery facility is located on highly disturbed ground where archaeological resources are not likely to be found. The standard condition of approval requires that in the event that an archaeological find is discovered, any grading or construction activities shall be halted until a qualified archaeologist is able to conduct a field reconnaissance and recommend appropriate action to the County. This information was related to the archaeological information center and they were satisfied with the condition of approval incorporated on the project.

Staff also received verbal communication from the Environmental Health Department as to the Initial Study Section VI., Item 7 *Hazards/Hazardous Materials*. A correction to this section has been made and an "Errata" (See Exhibit H) has been prepared explaining the change and how this change does not require re-circulation of the Initial Study.

In order to afford the applicant a feasible timeframe for the completion of this project, Staff is recommending a 5-year term for the compliance of conditions and mitigation measures.

No unresolved issues remain for the project. See additional **Discussion** in **Exhibit B**.

**OTHER AGENCY INVOLVEMENT:**

- ✓ Gonzales Rural Fire Protection District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Regional Water Quality Control Board
- ✓ Sheriff's Office
- ✓ Agricultural Commissioner

The above checked agencies and departments have reviewed this project. Conditions recommended by Gonzales Rural Fire Protection District, Public Works Department, Environmental Health Division and the Water Resources Agency. These conditions have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to a Land Use Advisory Committee (LUAC) for review because no LUAC exists for this area of the County.

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

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December 18, 2008

cc: Front Counter Copy; Zoning Administrator; Gonzales Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Regional Water Quality Control Board; Sheriff's Office; Agricultural Commissioner; Luis Osorio, Planning Services Manager; Nadia Amador, Planner; Carol Allen, Vinco Vineyards, c/o Steve McIntyre, Applicants; Nancy Isakson, Agent; Planning File PLN070470.

Attachments: Exhibit A Project Data Sheet  
Exhibit B Project Discussion  
Exhibit C Recommended Findings and Evidence  
Exhibit D Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program  
Exhibit E Vicinity Map  
Exhibit F Site Plan, Floor Plan and Elevations  
Exhibit G Mitigated Negative Declaration  
Exhibit H Errata to Draft Mitigated Negative Declaration/Initial Study  
Exhibit I Comments on Mitigated Negative Declaration  
Exhibit J Applicant's submittals:  
a) Project Description  
b) Justification for Development on 30% Slopes  
c) Winery Process Waste Water

This report was reviewed by Taven Kinison Brown, Planning Services Manager.

## **EXHIBIT B DISCUSSION**

### Setting

The project site is located within the Central Salinas Valley Area Plan, west of River Road, approximately 4 miles southwest of the City of Gonzales. The site is on a river terrace at an elevation of approximately 200 feet above mean sea level (USGS quad base). The parcel has approximately 30 acres of its 40.48 acres under vineyard production of chardonnay and pinot noir grapes. The topography of the property consists of slopes between 10 to 50 percent and gently elevates towards the mountain ranges. The property is presently void of any building improvements. The property has an empty retention/detention basin which contains no habitat for aquatic or semi-aquatic species (Source: Biological Report prepared by Jeffrey B. Froke, PhD, January 26, 2008, Library No. LIB080370). The property is zoned "F/B-6" or Farmlands with a Building Site Zoning District of B-6. All surrounding properties are zoned Farmlands and the majority of these are devoted to viticulture production.

### Project Description and Analysis

The permits consist of: A Combined Development Permit consisting of:

1. A Use Permit to allow the construction and operation of a winery (agricultural processing plant) and tasting room. The winery operation will have an annual production of up to 50,000 cases of wine. The proposed project will involve the construction of two (2) buildings of 6,220 square feet and 13,896 square feet, courtyard area, parking lot, driveways, septic and waste water systems, retaining walls and allow for private and public winery related events; Signs; Grading of approximately 19,700 cubic yards (9,850 cubic yards of cut and 9,850 cubic yards of fill); and
2. A Use Permit for development on slopes in excess of 30 percent for portion of the proposed winery.

The zoning of the property allows for winery, which qualifies as an Agricultural Processing Plant, subject to obtaining a Use Permit. The use of a winery may also include associated uses, such as a tasting room and related public and private events. The project will involve the construction of two buildings. One building, consisting of a partially embedded barrel room with a cellar above, will be constructed within the area of the existing depression area. Immediately fronting this depression area, the second building will be constructed consisting of two-story structure containing the winery facility, offices, kitchen and tasting room. The buildings will be oriented around a courtyard.

The winery will have the potential of producing up to 50,000 cases of wine annually. The facility will utilize wind and solar power. The roof of the proposed cellar will contain an array of photovoltaic panels. The applicant proposes to use wind energy for components of the winery which will consist of 6-8 foot tall vertical turbine units. Wastewater will be handled in a reclamation process utilizing a state of the art waste treatment system so that the treated water will be suitable for irrigation of the existing vineyards. The McIntyre family anticipates that the facility will be constructed with recycled and renewable materials in order to maximize the sustainability of the buildings and operation. In addition, the facility is proposed in a manner to utilize gravity from crush to bottling operations and reduce use. The facility is anticipated to generate approximately 2,000 gallons of process waste water per day through the peak harvest period of September thru October. The remainder of the year the facility will generate less than 700 gallons per day, 5 days per week. It is estimated that the facility will generate and reclaim a total of 226,000 gallons on an annual basis. During the harvest season, approximately 100 tons of pomace (grape skins and seeds) will be generated by the fermentation process and this material will be hauled off by contractors for composting. The winery proposes to process on-site grown grapes for the operation.

*Staffing and Operations.* During off-peak season, the winery is expected to operate 5 days a week between 8am to 5pm. During peak season of September 1<sup>st</sup> thru October 15<sup>th</sup>, the winery is expected to operate 6 days a week between 7am to 10pm. The tasting room is expected to operate 4 days a week: Thursday thru Sunday, 11am to 5pm. Between the winery and tasting room combined, seven (7) employees will be employed. The winery will have at least four (4) full-time employees and the tasting room will have 2-3 employees depending upon the workload.

*Draft 2007 Monterey County General Plan/ Agricultural and Winery Corridor Plan.*

The project site is located within the *Central/ Arroyo Seco/River Road Segment* of the *Winery Corridor* proposed as part of the *Draft 2007 Monterey County General Plan* in the *Agricultural Element*. The goal of Section AG-4 in the *Agricultural Element* is to “support the development of a fully integrated wine industry”. The proposed 2007 Monterey County General Plan lays the foundation for development standards and design guidelines for the proposed wineries in the Corridor. The subject project would classify as an *Artisan Winery*, which is defined as “a winery that produces between 2,000 and 50,000 cases per year, with a Winery Tasting Facility up to 2,500 square feet in size”. Per this proposed plan, *Winery-Related Events up to 150 people* is an allowed use and *Private Winery Events*. This includes:

1. Advertised fund raising events;
2. Winemaker Dinners open to the general public;
3. Weddings;
4. Company Holiday Party;
5. Employee-Related Private Parties (e.g. harvest celebration)

Winery-Related Events between 151 and 500 people, would be subject to a Ministerial Permit. This includes:

1. Advertised fund raising events;
2. Winemaker Dinners open to the general public
3. Festivals, tours or celebrations

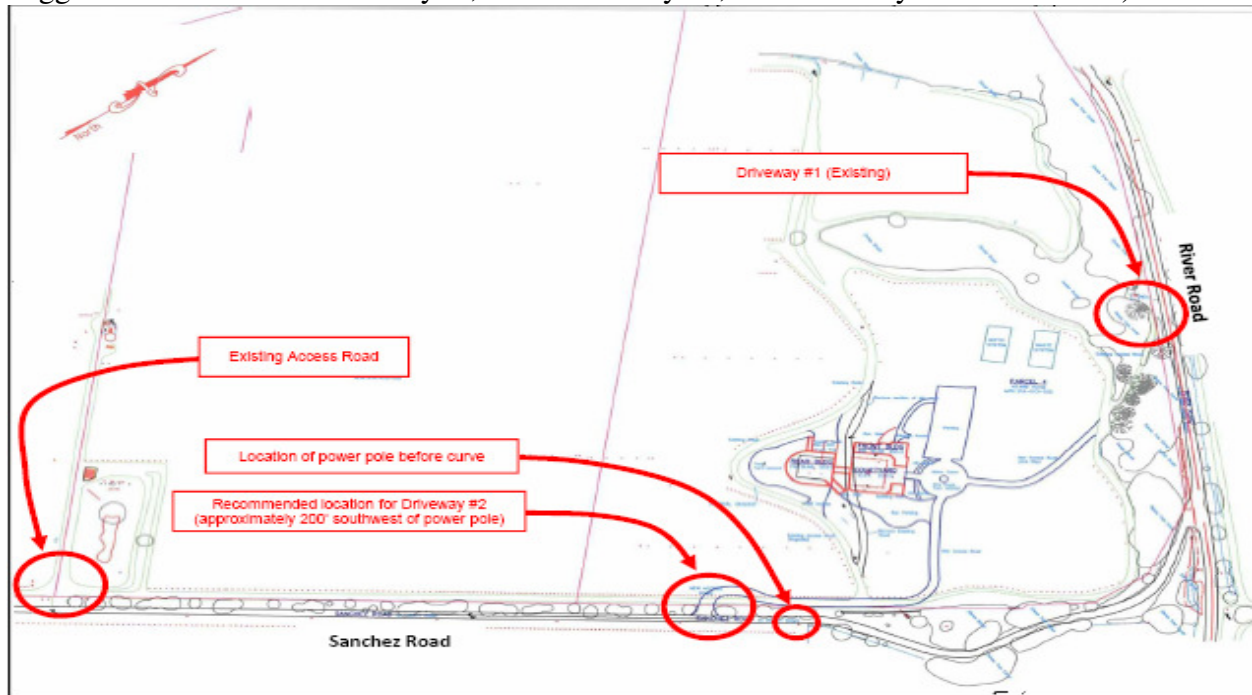
The project proposes to have the use for up to 500 people and allow private events by invitation only. Amplified music is anticipated at some of these events on weekends between the hours of noon to 10pm and it would take place inside the enclosed courtyard. See Condition No. 19 in **Exhibit D**, which addresses the use of the winery-related and private events and its limitations.

*Parking.* The project proposes 45 parking spaces, a separate bus parking area that can be used as over-flow parking and a circular motor court will provide fire truck turnaround accessibility and handicap accessible ramp from opposite sides of the parking areas. The proposal also includes a kitchen access approach from the vehicle parking lot.

*Traffic Study.* The section of River Road analyzed in the Traffic Report, which serves the property from Sanchez Road, operates at a Level of Service (LOS) A. This is above the goal of LOS “C” established by the Monterey General Plan. The proposed winery would increase the AADT (Annual Average Daily Traffic) on River Road (between Gonzales and River Road and Fairview Road) by approximately 200 daily trips. This would result in approximately 2,065 AADT on the segment. A two-lane rural highway can generally accommodate up to 4,000 ADT before the level of service would degrade to LOS B. Sanchez Road, the other access to the property is a two-lane rural road in a northeasterly direction that intersects River Road. With the project, this road will carry approximately 400 vehicle trips per day. Sanchez Road varies from 18 to 19.5 feet in width. Given the traffic volume and road width the American Association of State Highway and Transportation Officials (AASHTO) considers Sanchez Road adequate to accommodate the existing and additional traffic that will be generated by the project. Therefore, the project will not result in a substantial increase in relation to the existing traffic load and

capacity of the road, or exceed a level of service standard established by the County and would be a *less than significant impact*.

The project site will be configured with three points of access as shown in the figure below: *Existing Access Road* at Sanchez Road will be used for vineyard and winery operations, but will not provide access to the public. *Driveway #1 (Existing)* directly off River Road will be a one-way, entrance only driveway. *Driveway #2 (proposed)* off Sanchez Road, will provide full access (entrance and exit) to the winery and wine-tasting facilities for the public. (Source: Higgins Associates Traffic Analysis, dated February 11, 2008: Library No. LIB080371).



The Initial Study identified in the “Transportation/Traffic” section that certain mitigation measures shall be incorporated in order to reduce hazards due to design features, to a less than significant impact. The applicant has incorporated these measures into the site plans and has agreed to implement these mitigations:

**Mitigation Measure #1: River Road/Driveway #1 Intersection-** Only southbound right-turn entering movements should be permitted at this location. Northbound left-turn movements into this driveway should be prohibited. Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that a sign has been posted on-site prohibiting anything other than southbound right-turn movements.

**Mitigation Measure #2: Sanchez Road/ Driveway #2 Intersection-** Driveway #2 should locate a minimum of 290 feet west of the centerline of the proposed driveway shown in Exhibit 2 of the McIntyre Winery Traffic Analysis (prepared by Higgins and Associates, February 11, 2008). Prior to the approval of the first grading phase of the project, the applicant shall submit grading plans to the Director of Planning and the Director of Public Works for review and approval.

**Mitigation Measure #3: River Road/ Sanchez Road Intersection-** Bushes south of the intersection should be removed and oak trees should be trimmed to provide acceptable sight distance at this location. Prior to commencement of use, the applicant shall provide

evidence to the Director of Planning and the Director of Public Works, demonstrating that this has occurred.

**Mitigation Measure #4: River Road/ Sanchez Road Intersection**- A Two-Directional Large Arrow sign (W1-7) should be installed on the far side of the T-intersection to warn approaching traffic of the change in direction. A W1-7 sign is shown in **Appendix I**, (McIntyre Winery Traffic Analysis, prepared by Higgins and Associates, February 11, 2008) from the 2006 California Manual on Uniform Traffic Control Devices (MUTCD). Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred.

**Mitigation Measure #5: Sanchez Road**- Yellow centerline pavement markings should be placed to delineate the separation of traffic lanes on Sanchez Road, from the project driveway to River Road (a distance of approximately one-quarter mile). This would improve safety, especially at night. Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred.

**Mitigation Measure #6: Sanchez Road**- White edge line pavement markings should be placed on both sides of Sanchez Road to delineate the right edge of the roadway, from the project driveway to River Road (a distance of approximately one-quarter mile). This would improve safety, especially at night. Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred.

**Mitigation Measure #7: Sanchez Road**- Winding Road signs (W1-5) with 20 mph Advisory Speed Plaques (W13-1) should be placed at the beginning of the curved section of Sanchez Road in both directions to warn approaching traffic of the alignment changes. This would improve safety, especially at night. W1-5 and W13-1 signs are shown in **Appendix I**, from the 2006 California Manual on Uniform Traffic Control Devices (MUTCD). Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred.

*Environmental Review/Comments Received.* An Initial Study/Mitigated Negative Declaration, filed on December 2, 2008 was circulated for public review until December 31, 2008. Comments were received from the Native American Heritage Commission (NAHC), the applicant's representatives, Nancy Isakson and Terry Latasa, and County Environmental Health:

NAHC Comments- The NAHC suggested research and mitigations for cultural resources. Staff contacted Judith Bomar Grindstaff, one of the listed Regional Archaeological Information Center and staff explained the project description. The Information Center contacted explained that because the project site was cited by County records in a "Low" archaeological sensitivity zone and because the site had been farmed for many decades, the probability having cultural or historical significance was low and therefore, the standard Monterey County condition of approval (Condition #3) has been included consistent with the recommendations in the comment letter and by the Information Center.

Comments from Applicant's Representative- The applicant's representatives suggested minor revisions and/or explanations on the Initial Study. One suggestion was to use the original north elevation plan since this page was distorted when copied. The second comment was

explaining that on the proposed Mitigation Measure No. 2 where the measure requires that the specified driveway be move another 290 feet to the west in order to reduce any safety hazards. The applicant asked that a clarification be made that they complied with this measure, as their plans dated February 13, 2008 shows the change in driveway location as specified by the traffic report. The third comment that the applicant's asked for clarification was that on Page 2 of the Initial Study, staff describes the "existing metering pond and dike area" as a depression area instead since the term "depression area" has been used throughout the report. Staff has not used the term "metering pond or dike area" within the staff report and will make the same clarification during staff's oral presentation at the public hearing.

Comment from County's Environmental Health- Staff also received verbal communication from the Environmental Health as to the Initial Study, Section VI., Item 7 *Hazards/Hazardous Materials*. A correction to this section has been made and an "Errata" (See **Exhibit H**) has been prepared explaining the change and how this change does not require re-circulation of the Initial Study.

Conclusion.

No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review. The proposed project, as described, conditioned and mitigated, is consistent with the General Plan, the Central Salinas Valley Area Plan and the Monterey County Zoning Ordinance (Title 21).



## 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 Monterey County General Plan, the Central Salinas Valley Area Plan, Central Salinas Valley Area Plan Inventory and Analysis, 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 the intersection of River Road and Sanchez Road, Gonzales (Assessor's Parcel Number 216-013-032-000), Central Salinas Valley Area Plan. The parcel is zoned "F/B-6" (Farmlands with a Building Site Zoning District of B-6). 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 for construction and operation of an agricultural processing plant (winery) is an allowed use in the Farmland zoning designation in accordance with Sections 21.30.050.N. The project is consistent with the respective development standards as provided at Section 21.30.060 of the Monterey County Zoning Ordinance Title 21.
  - (d) The project planner conducted a site inspection on October 5, 2007 and September 18, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
  - (e) The subject parcel is a legal lot of record, pursuant to recorded map, Volume 18, Parcel Map, Page 56. The subject parcel was part of Subdivision Planning File Number MS 87-21, which created four legal lots of record.
  - (f) The project was not referred to a Land Use Advisory Committee (LUAC) for review because no LUAC exists for this area of the County.
  - (g) The project is consistent with the *Draft 2007 Monterey County General Plan*. The project site is located within the *Central/ Arroyo Seco/River Road Segment of the Winery Corridor* proposed as part of the *Agricultural Element* of the Draft General Plan. The Draft General Plan, Section 3.5F of the *Agricultural Winery Corridor Plan* (AWCP) allows the use for winery related events and private events, subject to a condition of approval requiring that a condition be placed on winery projects for compliance of winery structures and outdoor uses (including amplified music) comply with the County's adopted Noise Codes. The AWCP requires that, if outdoor amplified music will be used for the private or winery-related event, the music be subject to the hours of 10am to 10pm. No outside amplified music sound shall occur before 10am or after 10pm. The project proposes to have winery related events and private events for up to 500 people occurring on-site during some weekends between the hours of noon to 10pm and have all amplified music cease at 10pm. The subject project meets this condition.

(h) 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 PLN070470.

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, Gonzales Fire Protection District, Parks, Public Works, Environmental Health Division, Water Resources Agency, Sheriff's Office and Agricultural Commissioner's Office. 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 biological and geological and traffic consultants. With specific traffic mitigation measures incorporated to the proposed development, there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

i. "Biological Report for McIntyre Vineyard" (LIB080370) prepared by Jeffrey B. Froke PhD, Pebble Beach, CA, January 26, 2008.

ii. "Geotechnical and Geological Hazards Report for the proposed McIntyre Winery" (LIB080372) prepared by Grice Engineering and Geology Inc, Salinas, CA, November 2007 with Addendum No. 1 Letter dated February 10, 2008.

iii. "McIntyre Vineyards Winery Traffic Analysis" (LIB080371) prepared by Higgins and Associates Civil and Traffic Engineers, Gilroy, CA, February 11, 2008.

(c) The site is located within an area identified as having "low" archaeological sensitivity. An archaeological reconnaissance report was not required in accordance with Sections 21.66.050.C.1.c. and d. of the Monterey County Zoning Ordinance, Title 21. This section states that a report would be required only in areas where there are specific information known to exist which states that archaeological resources are present or that the development is within 750 feet of a known archaeological resource. In this particular case, both situations are not present. Therefore, the site is suitable for the use proposed.

(d) The project is located within the *Central/ Arroyo Seco/River Road Segment* of the *Winery Corridor* proposed as part of the *Draft 2007 Monterey County General Plan* in the *Agricultural Element*. The goal of Section AG-4 in the *Agricultural Element* is to "support the development of a fully integrated wine industry". The proposed 2007 Monterey County General Plan lays the foundation for development standards and design guidelines for the proposed wineries in the Corridor. The subject project would classify as an *Artisan Winery*, which is defined as "a winery that produces between 2,000 and 50,000 cases per year, with a Winery Tasting Facility up to 2,500 square feet in size". Per this proposed plan, *Winery-Related Events up to 150 people* is an allowed use and *Private Winery Events*. This includes:

1. Advertised fund raising events;
2. Winemaker Dinners open to the general public;
3. Weddings;
4. Company Holiday Party;
5. Employee-Related Private Parties (e.g. harvest celebration)

Winery-Related Events between 151 and 500 people, would be subject to a Ministerial Permit. This includes:

1. Advertised fund raising events;
2. Winemaker Dinners open to the general public
3. Festivals, tours or celebrations

The project proposes to have the use for up to 500 people and allow private events by invitation only. Amplified music is anticipated at some of these events on weekends between the hours of noon to 10pm and it would take place inside the enclosed courtyard. No outside amplified music sound shall occur before 10am or after 10pm. Furthermore, the winery is located centrally on the property with a setback distances exceeding 300 feet at all directions, to adjacent property lines. Therefore, the project site is suitable for the proposed use.

- (e) The project will have sufficient parking. The project proposes 45 parking spaces, a separate bus parking area that can be used as over-flow parking and a circular motor court will provide fire truck turnaround accessibility and handicap accessible ramp from opposite sides of the parking areas. The proposal also includes a kitchen access approach from the vehicle parking lot.
- (f) The project site has adequate public access for the winery and tasting room operation. The project site will be configured with three points of access as described in the *McIntyre Vineyard Winery Traffic Analysis* prepared by Higgins & Associates (Library No. 080371): *Existing Access Road* at Sanchez Road will be used for vineyard and winery operations, but will not provide access to the public. *Driveway #1 (Existing)* directly off River Road will be a one-way, entrance only driveway. *Driveway #2 (proposed)* off Sanchez Road, will provide full access (entrance and exit) to the winery and wine-tasting facilities for the public. The traffic study concluded that design features needed to be incorporated in order to eliminate certain hazards. These recommended mitigation measures have been accepted by the applicant and have been designed into their site plans for compliance. The recommendations of the traffic study have also been incorporated as Mitigation Measures No. 1-7.
- (g) The section of River Road analyzed in the Traffic Report, which serves the property from Sanchez Road, operates at a Level of Service (LOS) A. This is above the goal of LOS C established by the Monterey General Plan. The proposed winery would increase the AADT (Annual Average Daily Traffic) on River Road (between Gonzales and River Road and Fairview Road) by approximately 200 daily trips. This would result in approximately 2,065 AADT on the segment. A two-lane rural highway can generally accommodate up to 4,000 ADT before the level of service would degrade to LOS B. Sanchez Road, the other access to the property is a two-lane rural road in a northeasterly direction that intersects River Road. With the project, this road will carry approximately 400 vehicle trips per day. Sanchez Road varies from 18 to 19.5 feet in width. Given the traffic volume and road width the American Association of State Highway and Transportation Officials (AASHTO) considers Sanchez Road adequate to accommodate the existing and additional traffic that will be generated by the project. Therefore, the project will not result in a substantial increase in relation to the existing traffic load and capacity of the road or exceed a level of service standard established by the County.

- (h) The project will have an adequate sewage disposal method and an adequate water source. The construction of a Septic System and a Waste System (separate systems) are proposed. The project is served by an existing well.
- (i) The proposed winery facility has been located and designed with materials and colors that blend into the bucolic and rural surroundings very well. The proposed project is located in a “Sensitive Area” of River Road according to the Central Salinas Valley Area Plan Inventory and Analysis. A “Sensitive Area” contains scenic resources which have local or area significance. The project consists of constructing the majority of the winery facility within an existing depression area that was constructed for detention/retention purposes. Construction of the winery within this area, allows for the buildings to nest into the terrain and minimize visual sensitivity impacts. Traveling on River Road, the visual impacts are less than significant. Existing vegetation along River Road screens the proposed buildings. Therefore, the location of the proposed winery facility will have a less than significant impact on visual resources.
- (j) The project site is designated as “Prime Farmlands” by the U.S Department of Agriculture Soil Conservation Service. This system distinguishes four categories of farmlands, each with specific criteria: Prime Farmlands, Farmlands of Statewide Importance, Unique Farmlands, and Farmlands of Local Importance. Prime Farmlands is land best suited for producing food, feed, forage, fiber and oilseed crops. The parcel has approximately 30 acres of its land under vineyard production of chardonnay and pinot noir grapes. Although 9.5 acres of existing vineyard will be removed in order to accommodate a driveway, parking lot and portions of the buildings, 6 acres of vineyards will be replanted. The proposed winery is considered a *less than significant impact* to Prime Farmland soils because the project is a compatible use to the agricultural production of the parcel.
- (k) Staff conducted a site inspection on October 5, 2007 and September 18, 2008 to verify that the site is suitable for this use.
- (l) Materials in Project File PLN070470.

3. **FINDING: CEQA (Mitigated Negative Declaration):** - On the basis of the whole record before the Planning Commission there is no substantial evidence that the proposed project as designed, conditioned, and mitigated will have a significant effect on the environment. The mitigated negative declaration reflects the independent judgment and analysis of the County.

**EVIDENCE:** (a) Initial Study. The Resource Management Agency – Planning Department prepared an initial study pursuant to CEQA. The Initial Study was prepared for the project in order to analyze potential environmental factors which included: Aesthetics, Agricultural Resources, Air Quality, Geology/Soils, Hydrology/Water Quality, Noise, Public Services, Transportation/Traffic and Utilities/Service Systems. The Initial Study identified in the “Transportation/Traffic” section that certain mitigation measures shall be incorporated in order to reduce hazards due to design features, to a less than significant impact. The applicant has incorporated these measures into the site plans and has agreed to implement these mitigations (Mitigation Measures No.s 1-7). Subsequently a Mitigated Negative Declaration was prepared. The Initial Study reflects the independent judgment and analysis of the County and is hereby incorporated by reference.

- (b) Mitigated Negative Declaration. A Mitigated Negative Declaration was filed with the County Clerk on December 2, 2008 and circulated to the State Clearinghouse from December 2, 2008 to December 31, 2008. Among the studies, data, and reports analyzed as part of the environmental determination are the following:
1. Biological Report for McIntyre Vineyard” (LIB080370) prepared by Jeffrey B. Froke PhD, Pebble Beach, CA, January 26, 2008.
  2. Geotechnical and Geological Hazards Report for the proposed McIntyre Winery” (LIB080372) prepared by Grice Engineering and Geology Inc, Salinas, CA, November 2007 with Addendum No. 1 Letter dated February 10, 2008.
  3. McIntyre Vineyards Winery Traffic Analysis” (LIB080371) prepared by Higgins and Associates Civil and Traffic Engineers, Gilroy, CA, February 11, 2008.
- (c) Comments. Comments were received by the Native American Heritage Commission (NAHC), the applicant’s representatives, Nancy Isakson and Terry Latasa, and County Environmental Health:

NAHC Comments- The NAHC suggested research and mitigations for cultural resources. Staff contacted Judith Bomar Grindstaff, one of the listed Regional Archaeological Information Center. Staff explained that the project site was cited by County records as a “Low” archaeological sensitivity zone and because the site had been farmed for many decades, the probability having cultural or historical significance was nil and therefore the standard Monterey County condition of approval (Condition #3) has been included. The Information Center accepted the condition of approval.

Applicant’s Comments-The applicant’s representatives suggested minor revisions and/or explanations on the Initial Study. One suggestion was to use the original north elevation plan since this page was distorted when copied. The second comment was explaining that on the proposed Mitigation Measure No. 2 where the measure requires that the specified driveway be move another 290 feet to the west in order to reduce any safety hazards. The applicant asked that a clarification be made that they complied with this measure, as their plans dated February 13, 2008 shows the change in driveway location as specified by the traffic report. The third comment that the applicant’s asked for clarification was that on Page 2 of the Initial Study, staff describes the “existing metering pond and dike area” as a depression area instead since the term “depression area” has been used throughout the report.

Environmental Health Comment- Staff also received verbal communication from the Environmental Health as to the Initial Study, *Section IV., Evidence 7 Hazards/Hazardous Materials* and *Section VI., Item 7 Hazards/Hazardous Materials*. The Initial Study indicates that no hazardous materials will be associated with the winery use. This is incorrect. The winery, by virtue of the wine-making process, may use chemicals that can potentially be hazardous materials, if not properly regulated and conditioned. The winery may also store fuel on-site for their operations. Environmental Health has reviewed the Hazardous Materials Questionnaire submitted for the project and recommended standard conditions, resulting in the project having a less than significant

impact to hazards and hazardous materials. A correction to this section has been with an “Errata” (See **Exhibit H of the January 29, 2009 Staff Report**).

- (d) Mitigated Negative Declaration (Revised with Errata). Following the comment period and the comment received by Environmental Health regarding the Hazards/Hazardous Materials Sections of the Draft Initial Study (See Finding 3, Evidence (c) “Environmental Health Comment”), the initial study did not require circulation pursuant to Section 15073.5 of CEQA. The changes to the Draft Mitigated Negative Declaration/Initial Study were prepared with an Errata (See **Exhibit H of the January 29, 2009 Staff Report**). The Errata identifies changes to *Section IV., Evidence 7 Hazards/Hazardous Materials* and *Section VI., Item 7 Hazards/Hazardous Materials*. The Initial Study indicates that no hazardous materials will be associated with the winery use. This is incorrect. The winery, by virtue of the wine-making process, uses chemicals that can potentially be hazardous materials, if not properly regulated and conditioned. Environmental Health has reviewed the Hazardous Materials Questionnaire submitted for the project and recommended standard conditions, resulting in the project having a less than significant impact to hazards and hazardous materials. This change is not a “substantial revision” of the negative declaration as explained in CEQA Section 15073.5, sub-items (a) thru (b) and the change qualifies for “Recirculation not required” pursuant to CEQA Section 15073.5, sub-item (c)(2), (c)(3) and (c)(4).
- (e) Conclusion. No new significant impacts have been identified.

**4. FINDING: DEVELOPMENT ON SLOPES IN EXCESS OF 30%** - There is no feasible alternative that would allow development to occur on slopes less than 30% and the proposed development better achieves the goals, policies and objectives of the Central Salinas Valley Area Plan and the Monterey County Zoning Ordinance (Title 21) than other development alternatives.

**EVIDENCE:** (a) Staff has reviewed the project plans and visited the site to analyze possible development alternatives. The topography of the 40.48 acre property consists of slopes between 10 to 50 percent that gently elevate towards the mountain ranges. Because the majority of the proposed winery construction will occur in the existing depression area, the applicant is requesting a Use Permit for development in excess of 30 percent slopes, pursuant to Monterey County Zoning Ordinance (Title 21), Section 21.64.230. This existing depression area (reservoir), created in the 1940’s for production of row crops, was never utilized for its original intent. The depression area is void of vegetation and no vineyards are currently planted within this area. Staff has concluded, that although the parcel has areas in slopes under 30%, the project site is better suited for the proposed facility because it has been located and designed with materials and colors that blend into the bucolic and rural surroundings. The Central Salinas Valley Area Plan designates this area as located in a “Sensitive Area” of River Road. A “Sensitive Area” contains scenic resources which have local or area significance. Construction of the winery within this depression area, allows for the buildings to nest into the terrain and minimize visual sensitivity impacts. Traveling on River Road, the visual impacts are less than significant. Existing vegetation along River Road screens the proposed buildings. If the construction of the winery facility

would occur elsewhere on the property, the visual effects would not be consistent with the Monterey County General Plan or the Central Salinas Valley Area Plan. Greater amounts of excavation would have to take place in order to “nest” the buildings to have the same design potential as it is currently proposed. Therefore, the location of the proposed winery facility will have a less than significant impact on visual resources and would better achieve the goals and policies of the Monterey County General Plan and the Central Salinas Valley Area Plan.

- (b) As an additional alternative, staff considered relocation of the same design elsewhere on the property. The project site is designated as “Prime Farmlands” by the U.S Department of Agriculture Soil Conservation Service. Prime Farmlands is land best suited for producing food, feed, forage, fiber and oilseed crops. The parcel has approximately 30 acres of its land under vineyard production. The project, as proposed within the depression area, would require 9.5 acres of existing vineyards to be removed in order to accommodate a driveway, parking lot and portions of the buildings, but 6 acres of vineyards will be replanted. In total, the proposed design would displace 3.5 acres of vineyards. The proposed design has the advantage of utilizing the existing depression area, void of vineyards. If the same design would be relocated elsewhere on the property, this would displace more than 3.5 acres. Although, the proposed winery is considered a *less than significant impact* to Prime Farmland soils because the project is a compatible use to the agricultural production of the parcel, allowing the greater potential of vineyard and winery processing production, with the location of the winery within the depression area (30% slope area), better achieves the goals and policies of the Monterey County General Plan and the Central Salinas Area Plan.
- (c) The application, plans, justification letter from the applicant and related support materials submitted by the project applicant to the Monterey County RMA-Planning Department for the proposed development found in Project File No. PLN070470.

**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:** 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:** See Findings 1,2,3,4 and 5 with supporting Evidence.

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

**EVIDENCE:** Section 21.80.040.B of the Monterey County Zoning Ordinance (Title 21).

<b>EXHIBIT D</b> <b>Monterey County Resource Management Agency</b> <b>Planning Department</b> <b>Condition Compliance and/or Mitigation Monitoring</b> <b>Reporting Plan</b>	<b>Project Name: Vinco Vineyards</b> <b>File No: PLN070470</b> <b>Approved by: Zoning Administrator</b>	<b>APN: 216-013-032-000</b> <b>Date: January 29, 2009</b>
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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.		<b>PD001 - SPECIFIC USES ONLY</b> This Combined Development Permit (PLN070470) consisting of: 1) A Use Permit to allow the construction and operation of a winery (agricultural processing plant) and tasting room. The winery operation will have an annual production of up to 50,000 cases of wine. The proposed project will involve the construction of two (2) buildings of 6,220 square feet and 13,896 square feet, courtyard area, parking lot, driveways, septic and waste water systems, retaining walls and allow for private and public winery related events; Signs; Grading of approximately 19,700 cubic yards (9,850 cubic yards of cut and 9,850 cubic yards of fill); and 2) A Use Permit for development on slopes in excess of 30 percent for portion of the proposed winery. The property is located at the intersection of River Road and Sanchez Road, Soledad (Assessor's Parcel Number 216-013-032-000), 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	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	



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		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. <u>This permit expires five (5) years after the date of granting, unless construction or use is started within this period.</u> 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 bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. <b>(RMA - Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 216-013-032-000 on January 29, 2009. The permit was granted subject to 51 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. <b>(RMA - Planning Department)</b>	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.		<b>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT</b> 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	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	Owner/ Applicant/ Archaeologist	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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. <b>(RMA - Planning Department)</b></p>	<p>shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>			
4.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b>  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</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	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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. <b>(RMA - Planning Department)</b>				
5.		<p><b>PD005 - FISH AND GAME FEE-NEG DEC/EIR</b>  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. <b>(RMA - Planning Department)</b></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>	Owner/ Applicant	Within 5 working days of project approval.	
6.		<p><b>PD006 - MITIGATION MONITORING PROGRAM</b>  The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be</p>	<p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</p> <p>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</p>	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and	

<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>
		required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(RMA - Planning Department)</b>			building permits, whichever occurs first.	
7.		<b>PD007 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. <b>(RMA - Planning Department and Building Services Department)</b>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
8.		<b>PD008 - GEOLOGIC CERTIFICATION</b> Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. <b>(RMA - Planning Department)</b>	Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
9.		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. <b>(RMA - Planning Department and Building Services Department)</b>	Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
10.		<b>PD010 - EROSION CONTROL PLAN AND SCHEDULE</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of	Owner/ Applicant	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>
		prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. <b>(RMA - Planning Department and RMA - Building Services Department)</b>	RMA - Building Services.			
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
11.		<b>PD012(G) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)</b> The site shall be landscaped. Prior to the issuance of building permits, 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. <b>(RMA - Planning Department)</b>	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			The landscaping shall be installed and inspected.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			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.	Owner/ Applicant	Ongoing	

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12.		<p><b>PDSP001 – LIGHTING – EXTERIOR LIGHTING PLAN FOR SENSITIVE AREA-CENTRAL SALINAS VALLEY AREA PLAN (NON-STANDARD)</b></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. Exterior lights shall have recessed lighting elements. 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. <b>(RMA – Planning Department)</b></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> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits.</p> <p>Prior to Occupancy / Ongoing</p>	
13.		<p><b>PD016 – NOTICE OF REPORT</b></p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: The following reports have been prepared:</p> <p>1) “Biological Report for McIntyre Vineyard” (LIB080370) prepared by Jeffrey B. Froke PhD, Pebble Beach, CA, January 26, 2008; and</p> <p>2) “Geotechnical and Geological Hazards Report for the proposed McIntyre Winery” (LIB080372) prepared by Grice Engineering and Geology Inc, Salinas, CA, November 2007 with Addendum No. 1 Letter dated February 10, 2008; and</p> <p>3) “McIntyre Vineyards Winery Traffic Analysis” (LIB080371) prepared by Higgins and Associates Civil and Traffic Engineers, Gilroy, CA, February 11, 2008.</p> <p>All development shall be in accordance with these reports.” <b>(RMA – Planning Department)</b></p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits.</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>
14.		<b>PDSP001 – TASTING ROOM HOURS OF OPERATION/NUMBER OF EMPLOYEES (NON-STANDARD)</b> Hours of operation for the tasting room shall be 11am to 5pm on Thursday, Fridays, Saturdays and Sundays. The tasting room shall employ a maximum of 3 employees. (RMA – Planning Department)	Demonstrate compliance with the hours of operation to the Director of RMA – Planning Department. Adhere to conditions and uses specified in the permit	Owner/ Applicant	Prior to use/ Ongoing	
15.		<b>PD035 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
16.		<b>PD041 – HEIGHT VERIFICATION</b> The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection	Owner/ Applicant	Prior to the issuance of grading or building permits	
			2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant/ Engineer	Prior to the final inspection	
17.		<b>PD043 – GRADING PERMITS REQUIRED</b> A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA – Planning	If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.	Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits	



Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<b>Department and Building Services Department)</b>				
18.		<p><b>PDSP002- SIGNS (NON-STANDARD)</b>            Any signs shall conform to Monterey County Code Section 21.60 <i>Regulations for Signs</i>. The signs shall be unobtrusive and attractive. <b>(RMA - Planning Department)</b></p>	<p>Incorporate sign information onto the building permit plans for the review and approval of the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance building permits.</p>	
			<p>The signs shall be installed and maintained.</p>	<p>Owner/ Applicant</p>	<p>Prior to Occupancy / Ongoing</p>	
19.		<p><b>PDSP004 –WINERY-RELATED EVENTS AND PRIVATE WINERY EVENTS AND AMPLIFIED MUSIC (NON-STANDARD)</b>            The approval of this project includes for Winery-Related and Private Party Events for up to a maximum of 500 people. This includes:            1) Advertised fund raising events;            2) Winemaker Dinners open to the general public;            3) Weddings;            4) Company Holiday Party;            5) Employee-Related Private Parties (e.g. harvest celebrations);            6) Festivals, tours or celebrations.</p> <p>All outdoor amplified music at these events shall be limited on weekends between the hours of 10 am to 10 pm. No outside amplified sound shall occur before 10 am or after 10 pm.  <b>(RMA - Planning Department)</b></p>	<p>Adhere to conditions and uses specified in the permit</p>	<p>Owner/ Applicant</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>
20.		<b>PW0007 – PARKING STD</b> 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. <b>(Public Works)</b>	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	
21.		<b>PWSP001 – ENCROACHMENT PERMIT (NON-STANDARD)</b> Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Sanchez Road. The location of the driveway shall be in accordance with the recommendation of the traffic study prepared by Higgins and Associates or as approved by the Department of Public Works. <b>(Public Works)</b>	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	
22.		<b>PWSP002 – TAMC FEES (NON-STANDARD)</b> Prior to issuance of building permits, applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. <b>(Public Works)</b>	Applicant shall pay to DPW required TAMC fees.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	
23.		<b>PWSP003 – ENCROACHMENT PERMIT AND TRIMMING OF OAK TREES FOR ACCEPTABLE SIGHT DISTANCE (NON-STANDARD)</b> Obtain an encroachment permit from the Department of Public Works and trim oak trees on River Road south of Sanchez Road to obtain acceptable sight distance at the River Road / Sanchez Road intersection. <b>(Public Works)</b>	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Prior to encroachment inspection, applicant must trim appropriate oak trees to obtain acceptable sight distance to the satisfaction DPW. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	

<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>
24.		<b>PWSP004 – INSTALLATION OF A W1-7 SIGN ON RIVER ROAD (NON-STANDARD)</b> Request that the County install a W1-7 sign on River Road opposite Sanchez Road and, if the sign is installed, reimburse the County for the cost of installing the sign. <b>(Public Works)</b>	Applicant shall contact DPW and formally request the installation of the W1-7 sign on River Road. Once the sign is installed, the applicant shall reimburse the County for the cost of installing the sign.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	
25.		<b>PWSP005 – DELINEATION OF SANCHEZ ROAD (NON-STANDARD)</b> Request that the County delineate Sanchez Road with yellow centerline striping and white edge line striping. <b>(Public Works)</b>	Applicant shall contact DPW and formally request the delineation of Sanchez Road as specified in the adjacent condition. Once the delineation is installed, the applicant shall reimburse the County for the cost.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	
26.		<b>PWSP006 – INSTALLATION OF A W1-5 SIGN AND W13-1 (20 MPH) SIGN ON SANCHEZ ROAD (NON-STANDARD)</b> Request that the County install W1-5 and W13-1 (20 MPH) sign on Sanchez Road in both directions and, if the signs are installed, reimburse the County for the cost of installing the signs. <b>(Public Works)</b>	Applicant shall contact DPW and formally request the installation of the W1-5 and W13-1 signs on Sanchez Road. Once the signs are installed, the applicant shall reimburse the County for the cost of installing the signs.	Owner/ Applicant/ Engineer	Prior to Building/Grading Permits Issuance	
27.		<b>WR1 - DRAINAGE PLAN</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b>	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
28.		<b>WR40 - WATER CONSERVATION MEASURES</b> 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	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/	

<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>
		<p>construction require, but are not limited to:</p> <p>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.</p> <p>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.</p> <p><b>(Water Resources Agency)</b></p>			occupancy	
29.		<p><b>EH11 - SEPTIC SYSTEM DESIGN</b></p> <p>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.</p> <p><b>(Environmental Health)</b></p>	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	
30.		<p><b>EH19 - WINERY WASTEWATER</b></p> <p>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. <b>(Environmental Health)</b></p>	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	
31.		<p><b>EH28 - HAZ MAT BUSINESS RESPONSE PLAN</b></p> <p>Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. <b>(Environmental Health)</b></p>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	

<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>
32.		<b>EH30 - HAZARDOUS WASTE CONTROL</b> Comply with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control) as approved by the Director of Environmental Health. <b>(Environmental Health)</b>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	
33.		<b>EH31 - HAZ MAT RMP</b> Submit a Risk Management Plan to the Director of Environmental Health for review and approval. The RMP shall comply with Title 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code. <b>(Environmental Health)</b>	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to commencement of operation.	
34.		<b>EH34 - HAZ MAT SPCC</b> Submit a site Spill Prevention Control Countermeasure (SPCC) Plan to the California Regional Water Quality Control Board for storage of petroleum products (i.e. diesel, oil, and gasoline) in above ground storage tanks greater than 650-gallon capacity or for cumulative storage of more than 1320 gallons. The Plan shall meet the standards as per Title 26, Division 22, Article 3, Sections 66264.30-66264.56 (Preparedness and Prevention). <b>(Environmental Health)</b>	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to commencement of operation.	
35.		<b>FIRE001 - ROAD ACCESS</b> Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an	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 for each phase of development.	Applicant or owner	Prior to final building inspection	

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		approved name. <b>(Gonzales Rural Fire District)</b>				
36.		<b>FIRE002 - ROADWAY ENGINEERING</b> The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. <b>(Gonzales Rural Fire District)</b>	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 for each phase of development.	Applicant or owner	Prior to final building inspection	
37.		<b>FIRE007 - DRIVEWAYS</b> Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17	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.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.</p> <p><b>(Gonzales Rural Fire District)</b></p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	
38.		<p><b>FIRE010 -ROAD SIGNS</b>  All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on improvement plans.</p>	<p>Applicant or owner</p>	<p>Prior to filing of final map.</p>	

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		<p>shall be a minimum 4-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. <b>(Gonzales Rural Fire District)</b></p>	<p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision.</p>	
39.		<p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b>  All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	



Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Gonzales Rural Fire District)</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
40.		<p><b>FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)</b></p> <p>For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to</p>	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	



Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. <b>(Gonzales Rural Fire District)</b>				
41.		<p><b>FIRE015 - FIRE HYDRANTS/FIRE VALVES</b></p> <p>A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. <b>(Gonzales Rural Fire District)</b></p>	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	

<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>
42.		<b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b> Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. <b>(Gonzales Rural Fire District)</b>	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	
43.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Gonzales Rural Fire District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
44.		<b>FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL)</b> The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

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		Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. <b>(Gonzales Rural Fire District)</b>	Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	

## MITIGATION MEASURES

45.	MM-1	<b>TRANSPORTATION/TRAFFIC- Mitigation Measure NO. 1: <u>River Road/Driveway #1 Intersection</u></b> - Only southbound right-turn entering movements should be permitted at this location. Northbound left-turn movements into this driveway should be prohibited. Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that a sign has been posted on-site prohibiting anything other than southbound right-turn movements. <b>(RMA - Planning Department and Public Works)</b>	Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that a sign has been posted on-site prohibiting anything other than southbound right-turn movements.	Owner/ Applicant/ Engineer	Prior to commencement of use	
46.	MM-2	<b>TRANSPORTATION/TRAFFIC- Mitigation Measure NO. 2: <u>Sanchez Road/ Driveway #2 Intersection</u></b> - Driveway #2 should be locate a minimum of 290 feet west of the centerline of the proposed driveway shown in Exhibit 2 of the McIntyre Winery Traffic Analysis (prepared by Higgins and Associates, February 11, 2008). Prior	Prior to the approval of the first grading phase of the project, the applicant shall submit grading plans to the Director of Planning and the Director of Public Works for review and approval.	Owner/ Applicant/ Engineer	Prior to the approval of the first grading phase of the project	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		to the approval of the first grading phase of the project, the applicant shall submit grading plans to the Director of Planning and the Director of Public Works for review and approval. <b>(RMA - Planning Department and Public Works)</b>				
47.	MM-3	<b>TRANSPORTATION/TRAFFIC- Mitigation Measure NO. 3: <u>River Road/ Sanchez Road Intersection</u></b> - Bushes south of the intersection should be removed and oak trees should be trimmed to provide acceptable sight distance at this location. Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this has occurred. <b>(RMA - Planning Department and Public Works)</b>	Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this has occurred.	Owner/ Applicant/ Engineer	Prior to commencement of use	
48.	MM-4	<b>TRANSPORTATION/TRAFFIC- Mitigation Measure NO. 4: <u>River Road/ Sanchez Road Intersection</u></b> - A Two-Directional Large Arrow sign (W1-7) should be installed on the far side of the T-intersection to warn approaching traffic of the change in direction. A W1-7 sign is shown in <b>Appendix I</b> , (McIntyre Winery Traffic Analysis, prepared by Higgins and Associates, February 11, 2008) from the 2006 California Manual on Uniform Traffic Control Devices (MUTCD). Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred. <b>(RMA - Planning Department and Public Works)</b>	Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred.	Owner/ Applicant/ Engineer	Prior to commencement of use	

<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>
49.	MM-5	<b>TRANSPORTATION/TRAFFIC- Mitigation Measure NO. 5: <u>Sanchez Road</u></b> - Yellow centerline pavement markings should be placed to delineate the separation of traffic lanes on Sanchez Road, from the project driveway to River Road (a distance of approximately one-quarter mile). This would improve safety, especially at night. Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred. <b>(RMA - Planning Department and Public Works)</b>	Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred.	Owner/ Applicant/ Engineer	Prior to commencement of use	
50.	MM-6	<b>TRANSPORTATION/TRAFFIC- Mitigation Measure NO. 6: <u>Sanchez Road</u></b> - White edge line pavement markings should be placed on both sides of Sanchez Road to delineate the right edge of the roadway, from the project driveway to River Road (a distance of approximately one-quarter mile). This would improve safety, especially at night. Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred. <b>(RMA - Planning Department and Public Works)</b>	Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred.	Owner/ Applicant/ Engineer	Prior to commencement of use	
51.	MM-7	<b>TRANSPORTATION/TRAFFIC- Mitigation Measure NO. 7: <u>Sanchez Road</u></b> - Winding Road signs (W1-5) with 20 mph Advisory Speed Plaques (W13-1) should be placed at the beginning of the curved section of Sanchez Road in both directions to warn approaching traffic of the alignment changes. This would improve safety, especially at	Applicant shall contact DPW and formally request the installation of the W1-5 and W13-1 signs on Sanchez Road. Once the signs are installed, the applicant shall reimburse the County for the cost of installing the signs.	Owner/ Applicant/ Engineer	Prior to commencement of use	

<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>
		<p>night. W1-5 and W13-1 signs are shown in <b>Appendix I</b>, from the 2006 California Manual on Uniform Traffic Control Devices (MUTCD). Prior to commencement of use, the applicant shall provide evidence to the Director of Planning and the Director of Public Works, demonstrating that this mitigation measure has occurred. <b>(RMA - Planning Department and Public Works)</b></p>				



# MEMORANDUM

RMA-PLANNING DEPARTMENT

County of Monterey

**Date:** January 20, 2009

**To:** Zoning Administrator

**From:** Nadia Amador, Associate Planner

**Subject:** **ERRATA TO DRAFT MITIGATED NEGATIVE DECLARATION**

During the circulation period of the Draft Mitigated Negative Declaration/Initial Study, staff received verbal communication from Environmental Health regarding *Section IV., Evidence 7 Hazards/Hazardous Materials* (page 13 of Initial Study) and *Section VI., Item 7 Hazards/Hazardous Materials* (page 24 of Initial Study). The Initial Study indicates that no hazardous materials will be associated with the winery use. This is incorrect. The winery, by virtue of the wine-making process, may use chemicals that can potentially be hazardous materials, if not properly regulated and conditioned. The winery may also store fuel on-site for their operations. Environmental Health has reviewed the Hazardous Materials Questionnaire submitted for the project and recommended standard conditions, resulting in the project having a less than significant impact to hazardous and hazardous materials. This change is not a “substantial revision” of the negative declaration as explained in CEQA Section 15073.5, sub-items (a) thru (b) and the change qualifies for “Recirculation not required” pursuant to CEQA Section 15073.5, sub-item (c)(2), (c)(3) and (c)(4).

Therefore, the following changes shall be made to the Draft Mitigated Negative Declaration/Initial Study:

Section IV., Evidence 7, Hazards/Hazardous Materials shall be deleted (page 13 of Initial Study), which reads:

~~7. Hazards/Hazardous Materials: No hazardous materials will be associated with the winery use. (Source IX. 14)~~

(Go to next page for additional changes)

Section VI., Item 7, Hazards/Hazardous Materials shall read as follows (page 24 of Initial Study):

<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 1, 8, 9, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX. 1, 8, 9, 14 )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: IX. 1, 6, 8, 9, 14, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: IX. 1, 6, 8, 9, 14, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 6, 8, 9, 14, 16 )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: IX. 1, 6, 8, 9, 14, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



**Discussion/Conclusion/Mitigation:**

**Hazards and Hazardous Materials 7 (c-g)- No Impact.**

The project site is not located within one-quarter mile of an existing or proposed school. The nearest school is located in the City of Gonzales, which is approximately 4 to 5 miles away. The project site is not located on a site which is included on a list of hazardous materials sites or located within an airport land use plan or, within two miles of a public airport or public use airport. The project site is not located within the vicinity of a private airstrip. The project has been referred to the Monterey County Sheriff's Department and the Gonzales Rural Fire Protection District, where no information was received that the project site would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, *no impact* would result.

**Hazards and Hazardous Materials 7 (a,b)- Less than Significant.**

The winery, by virtue of the wine-making process, may use chemicals that can potentially be hazardous materials, if not properly regulated and conditioned. The winery may also store fuel on-site for their operations. Environmental Health has reviewed the Hazardous Materials Questionnaire submitted for the project and recommended standard conditions, resulting in the project having a less than significant impact to hazardous and hazardous materials. These standard conditions include the following: Compliance with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Materials Registration and Business Response Plan); Compliance with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control); Submitting a Risk Managing Plan to the Director of Environmental Health for review and approval, complying with Chapter 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code; and submitting a Site Spill Prevention Control Countermeasure (SPCC) Plan to the California Regional Water Quality Control Board for storage of petroleum products, meeting the standards of the Title 26, Division 22, Article 3, Sections 66264.30-66264.56 (Preparedness and Prevention). The incorporation of these standard conditions would result in the project having a *less than significant impact*.

**Hazards and Hazardous Materials 7(c)- Less than Significant.**

The project site is a rural area dedicated to viticulture and the surrounding parcels are also in the farming industry. The site is located approximately 4 miles from the nearest city (City of Gonzales) and therefore not adjacent to an urbanized community. No residences exist immediately in the vicinity area. County resource maps identify this area as being in a Moderately High Fire Hazard Area. The Gonzales Rural Fire District has reviewed the project, visited the site and has recommended Conditions of Approval for the project to reduce any significant fire impact. With standard conditions of approval, impacts will be *less than significant*.