

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> July 28, 2011 Time: 1:30 P.M	<b>Agenda Item No.:</b> 2
<b>Project Description:</b> Approve Amendment to a previously approved Use Permit (PLN080089) for the Kendall Jackson winery to change and adjust the location of the newly approved addition to allow the phased development of the 87,000 square foot addition. Phase I will include a 26,000 square foot fermentation tank area underneath a canopy between two existing buildings and Phase II will consists of a 61,000 square foot barrel storage building, some fermentation with an administrative office.	
<b>Project Location:</b> 37300 Doud Road, Soledad	<b>APN:</b> 183-021-015-000
<b>Planning File Number:</b> PLN110252	<b>Owner:</b> Jackson Family Investments II LLC <b>Agent:</b> Jackson Family Wines, Inc.
<b>Planning Area:</b> Central Salinas Area Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> F/40 "Farmlands, 40 acre minimum"	
<b>CEQA Action:</b> Consider the Adopted Mitigated Negative Declaration and Addendum	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Consider the Adopted Mitigated Negative Declaration and Addendum
- 2) Approve PLN1100252, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

### PROJECT OVERVIEW:

The site is approximately 421 acres, 300 acres of which are predominately planted vineyards, located at 37300 Doud Road in Soledad. Surrounding land uses are agricultural and vineyards with some single family residences. The site runs parallels to Highway 101 and is approximately 2 miles south of the City of Soledad.

The project includes an amendment to a Combined Development Permit to allow the phased construction of the previously approved 87,000 square foot barrel and fermentations storage with an administrative office. This amendment includes a phased approach to development which will include Phase 1, the construction of a 26,000 square foot partially opened canopy area for fermentation between the existing buildings and Phase 2, the construction of a 61,000 square foot barrel storage, some fermentation and administrative office building. This permit, PLN100252, will supercede the previous approval, PLN080089, to allow phasing of the winery expansion. The conditions of approval have not changed and will be carried over to this permit.

The original Combined Development Permit (PLN080089) did not include phased construction and did not anticipate a smaller building (Phase 2) and an attached fermentation canopy area (Phase 1); however the change in the building sizes will not change the previous environmental review. Therefore, it was determined that an Amendment to Planning File No. PLN080089, shall be approved and adopted by the Zoning Administrator.

A Mitigated Negative Declaration (MND) was adopted for the Combined Development Permit. However, the proposed Amendment includes phased development approach which will allow the winery meet the immediate functions of production, fermentation, given the economic climate. This amendment will allow the construction of the previously approved 82,000 square foot barrel storage and Jackson Family Investments II LLC (PLN110252)  
Planner: Negrete, V.

fermentation building in two separate buildings which was known when the previous MND was adopted. Therefore, an Addendum to the MND was prepared for the project pursuant to Section 15164 of the CEQA Guidelines.

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

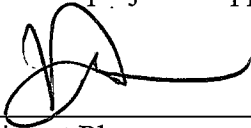
- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Mission Soledad Fire Protection District

Agencies that submitted comments are noted with a check mark ("√"). Conditions of approval have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The property was not referred to a LUAC because no LUAC exists for the Central Salinas Area Plan.

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

/s/ Valerie Negrete



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Valerie Negrete, Assistant Planner  
(831) 755-5227, negretev@co.monterey.ca.us  
(July 19, 2011)

cc: Front Counter Copy; Zoning Administrator; Monterey Regional Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; Taven Kinison Brown, Planning Services Manager; Valerie Negrete, Project Planner; Carol Allen, Senior Secretary; Jackson Family Investments II LLC, Owner; Jackson Family Wines, Inc., Agent; Planning File PLN1100252

Attachments: Exhibit A Project Data Sheet  
Exhibit B Draft Resolution, including:  
1. Conditions of Approval  
2. Site Plan, Floor Plan and Elevations  
Exhibit C Addendum to the previously approved MND adopted December 9, 2010  
Exhibit D Vicinity Map

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



## Exhibit A

### Project Information for Jackson Family Investments II LLC (PLN100252)

**Project Title:** Jackson Family  
Investments II LLC

**Primary APN:** 183-021-015-000

**Location:** 37300 Doud Road, Soledad

**Coastal Zone:** Inland

**Applicable Plan:** Central Salinas AP

**Zoning:** F/40

**Permit Type:** Use Permit

**Plan Designation:** Farmlands

**Environmental Status:** Addendum to the Mitigated  
Negative Declaration  
**Advisory Committee:** None

**Final Action Deadline:** 8/7/2011

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#### Project Site Data:

**Lot Size:** 421 acres

**Coverage Allowed:** 5%  
**Coverage Proposed:** .014%

**Existing Structures (sf):** 180,700 sq ft

**Proposed Structures (sf):** 87,000 sq ft

**Height Allowed:** 30'

**Height Proposed:** 15'

**Total Square Feet:** 267,700 sq ft

**FAR Allowed:** NA

**FAR Proposed:** NA

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#### Resource Zones and Reports

**Environmentally Sensitive Habitat:** No

**Erosion Hazard Zone:** Moderate

**Botanical Report #:** NA

**Soils/Geo. Report #:** LIB080207

**Forest Mgt. Report #:** NA, No tree  
removal

**Geologic Hazard**

**Zone:**

**Geologic Report #:** NA

**Archaeological Sensitivity Zone:** Low

**Archaeological Report #:** NA

**Traffic Report #:** LIB080289

**Fire Hazard Zone:** High

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#### Other Information:

**Water Source:** Well

**Sewage Disposal (method):** Septic

**Water District/Company:** Private Well

**Sewer District Name:** NA

**Fire District:** Mission/  
Soledad

**Grading (cubic yds):** 10,800 c/y

**Tree Removal (Count/Type):** No Tree  
Removal

**EXHIBIT B  
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:  
Jackson Family Investments II LLC  
(PLN1100255)

**RESOLUTION NO. ----**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Consider the Adopted Mitigated Negative Declaration and Addendum;
- 2) Approve Amendment to a previously approved Use Permit (PLN080089) for the Kendall Jackson winery to change and adjust the location of the newly approved addition to allow the phased development of the 87,000 square foot addition. Phase I will include a 26,000 square foot fermentation tank area underneath a canopy between two existing buildings and Phase II will consists of a 61,000 square foot barrel storage building, some fermentation with an administrative office.

[PLN1100252, Jackson Family Investments II LLC,  
37300 Doud Road, Soledad, Central Salinas Area Plan  
(APN: 183-021-015-000)]

**The Jackson Family Investments II LLC application (PLN1100252) came on for public hearing before the Monterey County Zoning Administrator on July 28, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

1. **FINDING:**       **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the Monterey County 2010 General Plan and 1984 General Plan;
  - Central Salinas Area Plan;
  - Monterey County Zoning Ordinance Title 21No 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 37300 Doud Road, Soledad (Assessor's Parcel Number 183-021-015-000, Central Salinas Area Plan. The parcel

is zoned F/40 "Farmlands, 40 acre minimum", which allows an agricultural processing plant (winery). Therefore, the project is an allowed land use for this site.

- c) The project is an amendment to a previously approved expansion to an existing winery. The expansion includes the construction of an approximate 87,000 square foot pinot noir processing plant with office and barrel storage room, with a 5,100 square foot administrative office and the addition of 47 new parking spaces. This amendment will allow the construction to be separated in two separate phases. Phase 1 will include the construction of a 26,000 square foot partially opened canopy between two existing buildings. Phase 1 will be located within an existing demonstration area, already disturbed and will be tucked behind the two existing buildings. Phase 2 will include 61,000 square foot barrel storage, some fermentation and administrative office to be built in the same location. This amendment will allow the fermentation areas to be consolidated reducing trips for personnel between the winery functions, provide better oversight of the fermentation area, reduce the overall bulk of the winery buildings as you enter the winery and will be more cost effective to build given the economic climate the winery is in. This permit, PLN100252, will supercede the previous approval, PLN080089, to allow phasing of the winery expansion. The conditions of approval have not changed and will be carried over to this permit.
- d) The project planner conducted a site inspection on June 23, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
- e) The project was not referred to the Central Salinas Land Use Advisory Committee (LUAC) for review because no LUAC existed for this area.
- f) 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 PLN1100252.

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, Mission Soledad Fire Department, Public Works, Parks Department, and Environmental Health. 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) The project was reviewed by each respective agency with the previous approval, PLN080089, which was adopted on December 9, 2010 (Resolution No. 10-054). There has been no change to the project other than the phasing of the expansion. The applicants applied for an amendment on May 9, 2011 to allow phasing of the expansion. The previous conditions of approval from PLN080089 will remain and were placed on this project. This permit will supercede the previous permit, PLN080089, for condition compliance.
  - c) Staff identified potential impacts to Traffic, Geology, and Agricultural Resources. Technical reports by outside consultants indicated that there

are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:

- a. *"Traffic Impact Analysis. Monterey Winery Doud Road Site"*, Higgins Associates Civil and Traffic Engineers, Inc. dated May 21, 1997.
  - b. *"Supplementary Traffic Analysis Report"* (LIB080289) Higgins Associates Civil Traffic Engineers, dated March 28, 2008.
  - c. *Letter. "Supplement to Traffic Analysis Report dated March 28, 2008"* Hatch Mott and McDonald (formerly Higgins Associates Civil Traffic Engineers), dated June 24, 2009
  - d. *"Soils Engineer Report Kendall Jackson Winery"* Earth Systems Consultants, dated July 2, 1997.
  - e. *"Geotechnical Soils-Foundation & Geoseismic Report"* (LIB080287) Grice Engineering and Geology Inc, dated February 2008.
  - f. *"Interim Report of Soils Engineering Investigation"* Earth Systems Consultants, dated May 21, 1997.
  - g. *"Notice of Intent to Comply with General"* (LIB080290) Kennedy/Jenks Consultants, dated April 4, 2008.
  - h. *"Wastewater Management System Description"* Summit Engineering Inc, dated May 21, 1997.
- d) Staff conducted a site inspection on June 23, 2011 to verify that the site is suitable for this use.
  - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN1100252.

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

**EVIDENCE:** a) The project was reviewed by RMA - Planning Department, Mission Soledad Fire Department, Public Works, Parks Department, and Environmental Health. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) Necessary public facilities exist. Water is provided by an existing well on site and sewage disposal is provided by an on-site treatment system

with individual septic tanks for employee facilities. The proposed construction will not cause a substantial increase nor exceed the capacity of these utilities and services.

c) Preceding findings and supporting evidence for PLN1100252.

4. **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.

**EVIDENCE:** a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.  
b) Staff conducted a site inspection on June 23, 2011 and researched County records to assess if any violation exists on the subject property.  
c) There are no known violations on the subject parcel.  
d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN110252.

5. **FINDING:** **CEQA (Addendum):** - An Addendum to a previously certified MND (Mitigated Negative Declaration) was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted MND.

**EVIDENCE:** a) An MND for Jackson Family Investments II LLC was prepared and certified by the Zoning Administrator on December 9, 2011 (Resolution 10-054)  
b) An Addendum to the Jackson Family Investments II LLC project MND was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines).  
c) The Addendum attached as Exhibit D to the July 28, 2010, Staff Report to the Zoning Administrator reflects the County's independent judgment and analysis.  
d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major revisions to the prior MND. The change to the location will not be located in an undisturbed area not previously analyzed. Aesthetically the new locations will break up the mass and provide a better architectural façade.  
e) Pursuant to Section 15162 of the CEQA Guidelines, there is no new information of substantial importance that was not known at the time the MND was adopted.

5. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

**EVIDENCE:** a) Section 21.040.080.B Monterey County Zoning Ordinance (Planning Commission).

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Consider the Adopted Mitigated Negative Declaration and Addendum;
- B. Approve the Amendment to a previously approved Use Permit (PLN080089) for the Kendall Jackson winery to change and adjust the location of the newly approved addition to allow the phased development of the 87,000 square foot addition. Phase I will include a 26,000 square foot fermentation tank area underneath a canopy between two existing buildings and Phase II will consists of a 61,000 square foot barrel storage building with an administrative office, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 28th day of July, 2011.

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Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

- 1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

- 2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 03-28-2011





## *EXHIBIT C*

### **Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164**

#### ***Jackson Family Investments II LLC Planning File No. PLN110252 Amendment to a Previously Approved Combined Development Permit***

#### 1. Introduction

On December 9, 2010, the Monterey County Zoning Administrator approved a Combined Development Permit (PLN080089) and adopted a Mitigated Negative Declaration and Mitigation Monitoring Program. Mitigations were identified for potential impacts to air quality and traffic/transportation.

The amendment includes a phased approach to the approved 82,000 square foot barrel, fermentation storage building and administrative office building. Phase 1 will include a 26,000 partially open canopy area for fermentation in between two existing buildings. Phase 2 will include the construction of a 61,000 square foot barrel storage and administrative office building. Although the project does not require changes to the mitigations or further mitigations for the project proposed, the phased development was not analyzed in the adopted MND.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in MND, certified December 9, 2010, by the Monterey County Zoning Administrator *Resolution No. 10-054*. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

#### 2. Scope and Purpose of this Addendum

The location of the Phase 1 fermentation canopy location and reduction of the barrel and office building was not included in the original environmental analysis. The location of these new buildings will provide a better aesthetic as visitors enter the winery, allow personnel to reduce their trips back and forth to each building by having fermentation more centralized and provide the winery to be more cost effective with their overall construction costs associated with the expansion. The

proposed construction is not substantial and will not create a significant impact to air quality, transportation and traffic impacts.

### 3. Conclusion

The proposed amendment is not considered to be a substantial change to the approved project, no new significant environmental effects were identified, nor was new information of substantial importance found. Therefore, the project does not require a subsequent MND.

Attachment: Mitigated Negative Declaration for PLN080089

**RESOLUTION ### - EXHIBIT 1**  
**Monterey County Resource Management Agency**  
**Planning Department**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

**Project Name:** Jackson Family Investments II LLC  
**File No:** PLN110252 **APNs:** 183-021-015-000  
**Approved by:** Zoning Administrator **Date:** July 28, 2011

*\*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>
<b>RMA – Planning Department</b>						
1.		<p><b>PD001 - SPECIFIC USES ONLY</b></p> <p>This Combined Development Permit Amendment to a previously approved Use Permit (PLN080089) for the Kendall Jackson winery to change and adjust the location of the newly approved addition to allow the phased development of the 87,000 square foot addition. Phase I will include a 26,000 square foot fermentation tank area underneath a canopy between two existing buildings and Phase II will consist of a 61,000 square foot barrel storage building, some fermentation with an administrative office. The property is located at 37300 Doud Road, Soledad (Assessors Parcel Number 183 021 015 000), 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</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>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.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>RMA - Planning</p>	<p>Ongoing unless otherwise stated</p>	

Permit Cond. Number	Mitig. Number	<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>	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
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 183-021-015-000 on <b>July 28, 2011</b> . The permit was granted subject to 22 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD032(A) - PERMIT EXPIRATION</b> The permit shall be granted for a time period of 3 years, to expire on July 28, 2013 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	

Permit Cond. Number	Mitig. Number	<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>	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
4.		<p><b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b></p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b></p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	Owner/ Applicant/ Archaeologist	Ongoing	
5.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a</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, or use of the property, whichever occurs first and as applicable	

Permit Cond. Number	Mitig. Number	<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>	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b></p>				
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 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></p>	<p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.  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 building permits, whichever occurs first.	

Permit Cond. Number	Mitig. Number	<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>	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
7.		<p><b>PD010 - EROSION CONTROL PLAN AND SCHEDULE</b></p> <p>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 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></p>	<p>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.</p> <p>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 RMA - Building Services.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits	Ongoing
8.		<p><b>PD014(B) – LIGHTING – EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)</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. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. 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</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>	Owner/ Applicant	Prior to the issuance of building permits.	Prior to Occupancy / Ongoing



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9.		<p><b>PD041 – HEIGHT VERIFICATION</b></p> <p>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. <b>(RMA – Planning Department and Building Services Department)</b></p>	<p>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</p> <p>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 first finished floor from the benchmark is consistent with what was approved on the building permit.</p>	Owner/ Applicant	Prior to the issuance of grading or building permits	Prior to the foundation pre-pour inspection
10.		<p><b>PD008 - GEOLOGIC CERTIFICATION</b></p> <p>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></p>	<p>Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report.</p>	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
<p><b>Health Department</b> <b>Environmental Health Bureau</b></p>						

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11.		<p><b>EHSPP01 - ONSITE WASTEWATER TREATMENT SYSTEM DESIGN</b></p> <p>Environmental Health has determined that adequate area exists to accommodate the necessary onsite wastewater treatment system expansion for the proposed development. Submit onsite wastewater treatment system plans for review and approval that will accommodate the estimated 135 winery employees during harvest time. Indicate the location, design layout and size specifications that meet standards found in Monterey County Code Chapter 15.20, Sewage Disposal Ordinance, and the Central Coast Basin Plan, RWQCB. (Environmental Health)</p>	<p>Submit onsite wastewater treatment system design plans for review and approval by Environmental Health Division. Applicant shall obtain a permit to install the onsite wastewater treatment system from Environmental Health.</p>	<p>Owner / Applicant</p>	<p>Prior to issuance of building permit.</p>	
<b>Monterey County Water Resources Agency</b>						
12.		<p><b>WR8 - COMPLETION CERTIFICATION</b></p> <p>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)</p>	<p>Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.</p>	<p>Owner/ Applicant/ Engineer/ Contractor</p>	<p>Prior to final inspection</p>	
13.		<p><b>WR4 - DRAINAGE PLAN - COASTAL</b></p> <p>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. ImperVIOUS surface stormwater runoff shall be routed to a non-erodible surface at the base of the bluff. Drainage improvements shall be constructed in</p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant/ Engineer</p>	<p>Prior to issuance of any grading or building permits</p>	

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		accordance with plans approved by the Water Resources Agency. (Water Resources Agency)				
14.		<b>STORMWATER DETENTION (NON-STANDARD WORDING)</b> A drainage plan shall be prepared by a registered civil engineer addressing on-site and off-site impacts, which includes routing stormwater runoff from the paved parking areas to an oil-grease/water separator and construction of stormwater detention/retention facilities to mitigate the impact of impervious surface runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of Grading and/or Building Permits	
<b>Fire Agency Monterey County Fire District &amp; City of Soledad Fire Department.</b>						
15.		<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	Applicant shall enumerate as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. rough sprinkler inspection  Applicant shall schedule fire dept. final sprinkler inspection	Owner/ Applicant	Prior to issuance of building permit.  Prior to framing inspection  Prior to final building	

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16.		<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>Responsible Land Use Department: Monterey County Fire District &amp; City of Soledad Fire Department.</b></p>	<p>Applicant shall incorporate &amp; Schedule a Site Inspection to determine the location of hydrant with specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit, applicant must schedule a Site Inspection</p>	
		<p>and completed prior to requesting a framing inspection. <b>Responsible Land Use Department: Monterey County Fire District &amp; the City of Soledad Fire Department..</b></p>			<p>inspection</p>	
		<p><b>Applicant shall schedule fire dept. clearance inspection</b></p>			<p>Prior to final building inspection</p>	

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17.		<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 NEPA 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>Responsible Land Use Department: Monterey County Fire District &amp; City of Soledad Fire Department.</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.  Applicant shall submit fire alarm plans and obtain approval.  Applicant shall schedule fire alarm system acceptance test	Applicant or owner	Prior to issuance of building permit.  Prior to rough sprinkler or framing inspection  Prior to final building inspection	
<b>RMA – Public Works Department</b>						
18.		<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	
19.		<b>PW0001 - 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 PBI required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Issuance of Building Permits	

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20.		<p><b>PW0002 – NON STANDARD - ENCRoACHMENT PERMIT</b></p> <p>Obtain an encroachment permit from the Department of Public Works and Cal Trans for both signage and pavement markings for the Highway 101 Southbound On-Ramp prior to Doud Road and for the Doud Road portion of the road which is governed by the RMA Department of Public Works. Siting and design of signage and pavement markings/two-way traffic signage will be in accordance with the California Streets and Highways Code and the Department of Public Works. The design and construction is subject to the approval of the Public Works Director. <b>(Public Works)</b></p>	<p>Applicant shall obtain an encroachment permit from DPW and Cal Trans prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.</p>	<p>Owner/ Applicant</p>	<p>Prior to Building/ Grading/ Permit Issuance.</p>	
Mitigation Measures						
21.	MM01	<p><b>PD01 - Air Quality</b> - The BACMP shall be submitted to the Director of Planning for approval. The plan shall include and incorporate the following: The contractor shall employ all labor, equipment and methods required to prevent the operations from producing dust in amounts damaging to adjacent property, cultivated vegetation and domestic animals or causing a nuisance to persons occupying buildings in the vicinity of the job site. The contractor shall be responsible for damage caused by dust from his grading operation. The following mitigation measures shall be employed to mitigate potential adverse impact to air quality:</p> <ol style="list-style-type: none"> <li>All unpaved construction areas shall be sprinkled with water (at least twice per</li> </ol>	<p>The applicant shall submit a plan to implement BACMP prepared by a qualified construction manager or contractor utilizing MBUAPCD standards.</p>	<p>The qualified construction manager or contractor utilizing MBUAPCD standards.</p>	<p>Prior to Issuance of Grading or Building Permits</p>	

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		<p>day in dry weather during grading activities.)</p> <ol style="list-style-type: none"> <li>2. Apply non-toxic tackifier, or other suitable cover (such as jute netting, erosion control fabric, mulch, etc.), to exposed areas immediately after cut-and-fill operations are complete.</li> <li>3. Trucks hauling dirt and debris must be covered.</li> <li>4. Post the project at two locations with a publicly visible sign during construction operations that specifies the telephone number and person to contact for complaints and/or injuries from dust generation and other air quality problems resulting from project construction.</li> <li>5. Immediately sweep up spilled dirt or debris onto paved surfaces.</li> <li>6. Cover on-site stockpiles of excavated materials.</li> <li>7. Vacuum (e.g. road sweeper/vacuum) construction-related soils on public roads whenever soils are visible.</li> </ol> <p>Prior to final of grading and building permits, the owner, qualified construction manager or contractor shall provide written certification that the construction management techniques have been carried out in accordance with the BACMP.</p>			<p>Prior to final of grading and building permits</p>	

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22.	MM02	<p><b>PD02 – Traffic</b> - The applicant shall submit a <b>Traffic Management Program</b> which shall include but not be limited to the following:</p> <ol style="list-style-type: none"> <li>a. A policy prohibiting truck traffic and employee circulation to and from the facility through the Doud Road/Highway 101 exit;</li> <li>b. Placement of signs in the trucker's lounge, employee lounge and other conspicuous locations throughout the facility, specifically prohibiting truck and employee circulation through the Doud Road/Highway 101 exit;</li> <li>c. Placement of increased size signage along Doud Road and Highway 101 at locations approved by Public Works and Caltrans, specifying usage of Arroyo Secco Road and Highway 101 exit for Kendall Jackson traffic;</li> <li>d. Thresholds of success of this program and how it will be measured for the next five years, which can include specific trip reduction measures for the Doud Road/Highway 101 exit and internal monitoring of compliance.</li> </ol> <p><b>Prior to final inspection</b> the applicant, shall provide the Director of Public Works and Director of Planning written verification/certification of the Traffic Management Program implementation.</p> <p><b>The applicant must submit a report to the Director of Public Works and Director of Planning annually for the first five years.</b> The report shall include a</p>	<p>The applicant shall submit a Traffic Management Plan in consultation with their traffic consultant, the Department of Public Works and Director of Planning. Once success criteria is agreed upon, the applicant shall provide, each year, documentation of implementation of said Traffic Management Plan until such time as success criteria has been achieved.</p>	Applicant/Owner	Prior to issuance of certificate of occupancy	

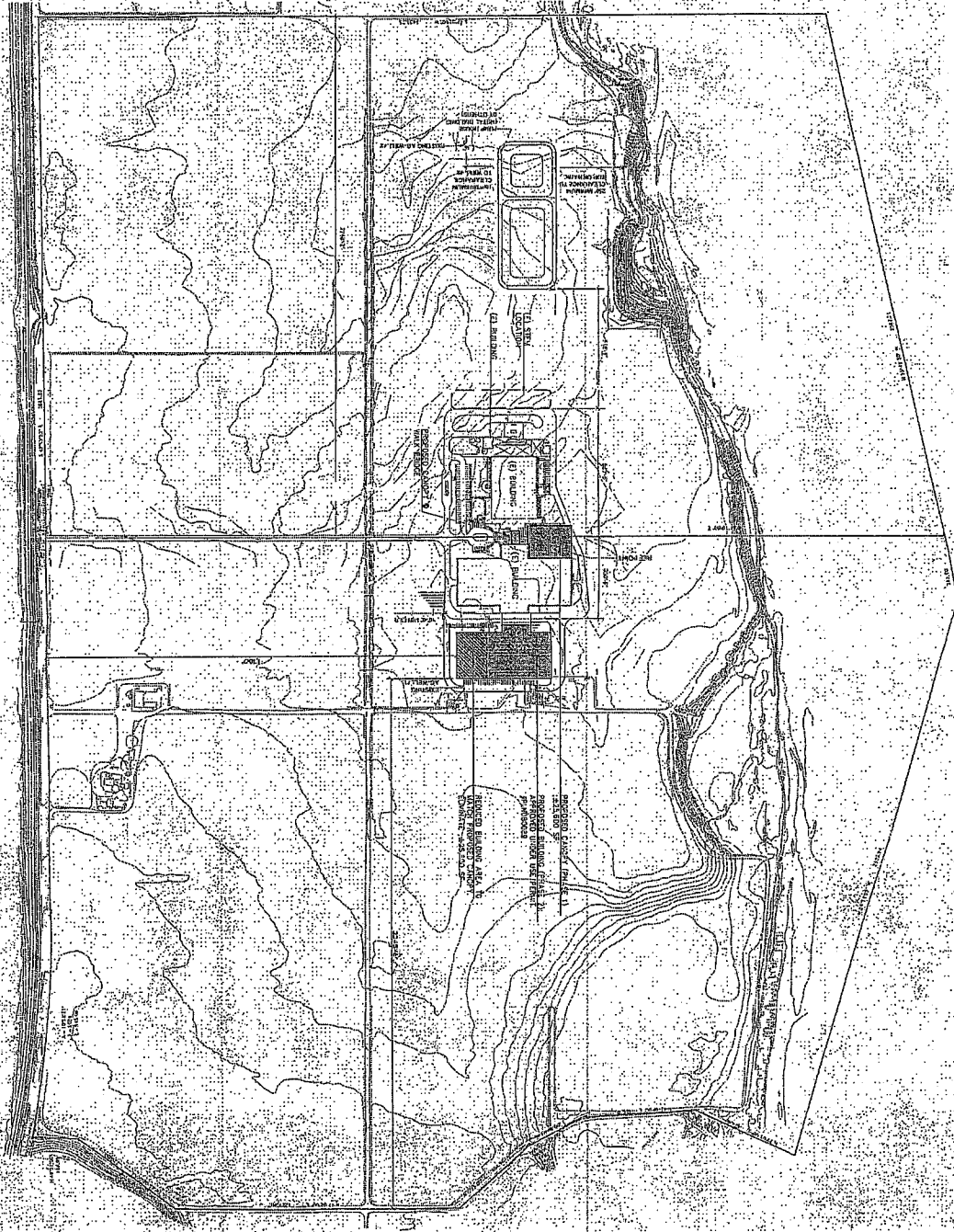


<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>statement that the Traffic Management Program has been taught each year with documentation of implementation. In addition, the applicant will implement this program beyond the five years until such time as the required success of the program has been achieved with ongoing consultation with the Director of Public Works and Director of Planning.</p>				

**END OF CONDITIONS**

RECEIVED  
MAY 09 2011  
MONTEREY COUNTY  
PLANNING DEPARTMENT

1 REFERENCE SITE PLAN  
Scale: 1"=400'



KENDALL JACKSON MONTEREY WINERY  
PINOT NOIR FERMENTATION CANOPY CONCEPT

37300 DOUD ROAD  
SOLEAD, CA



ISSUE NO.:  
DATE:  
Original Issue 02.21.11  
Revision #1 04.18.11  
Revision #2 05.06.11

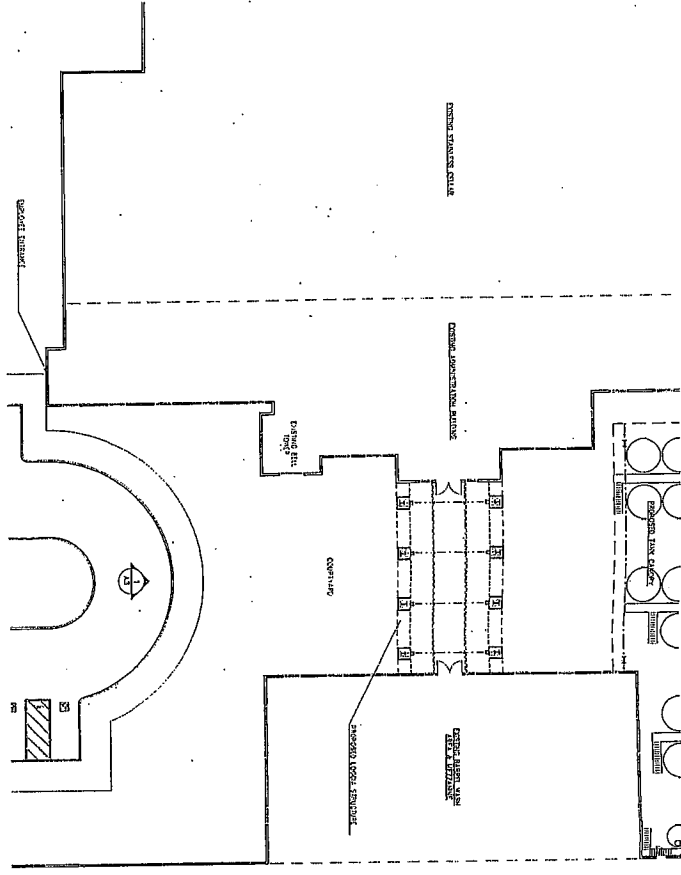
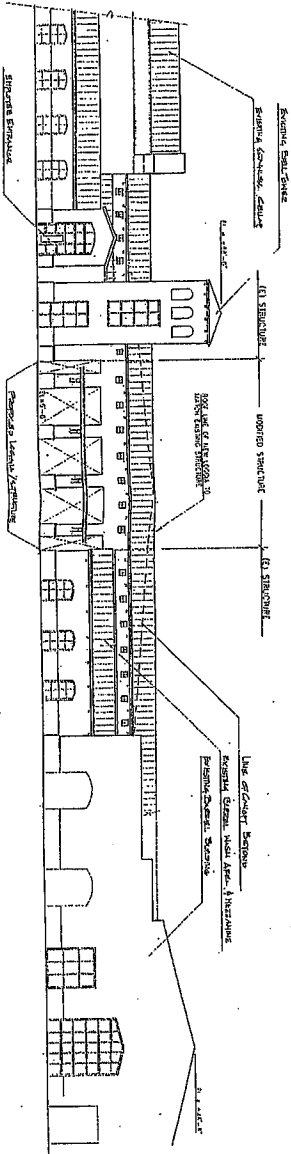
PLOT DATE:  
05.06.11

OVERALL  
SITE PLAN

A1



1 PARTIAL EAST ELEVATION/PLAN (FRONT)  
 Scale: 1/32" = 1'-0"



KENDALL JACKSON MONTEREY WINERY  
 PINOT NOIR FERMENTATION CANOPY CONCEPT

37300 DOUD ROAD  
 SOLEDAD, CA

ISSUE NO.:

DATE:

Original Issue 03/21/11

Revision #1 04/18/11

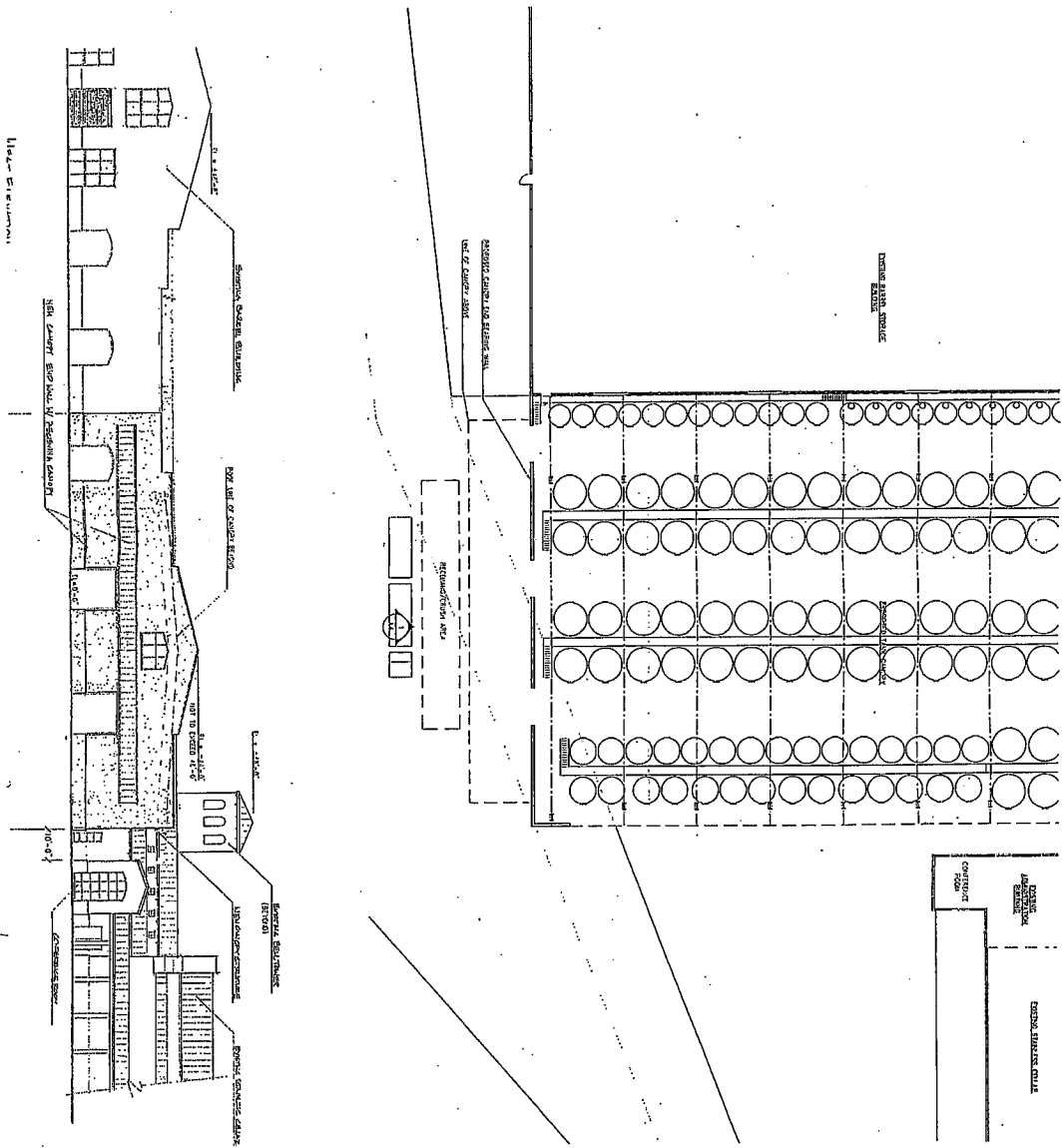
PLOT DATE:

05.06.11

PLAN &  
 ELEVATION:  
 EAST



1 PARTIAL WEST ELEVATION / PLAN (BACK)



A4

PLAN & ELEVATION: WEST

05.06.11

PILOT DATE:

ISSUE NO.:  
 DATE  
 Original Issue 03.21.11  
 Revision #1 04.19.11

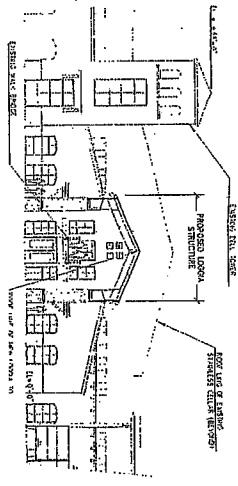
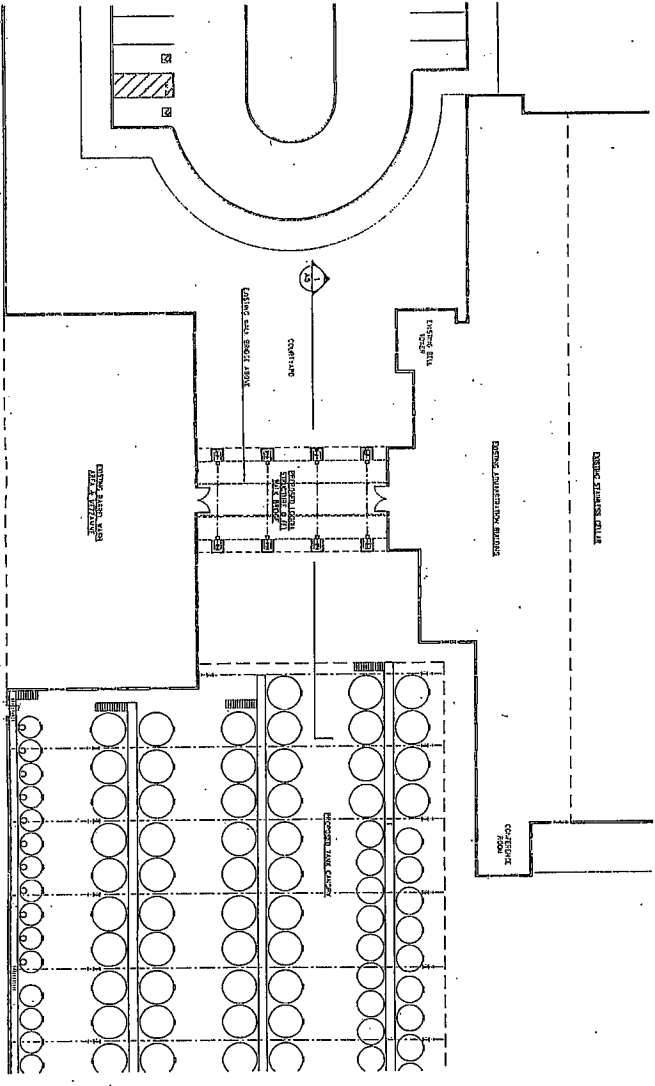
KENDALL JACKSON MONTEREY WINERY  
PINOT NOIR FERMENTATION CANOPY CONCEPT

37300 DLOUD ROAD  
SOLEDAD, CA.





1 PARTIAL SECTION/FLOOR PLAN @ ENTRY LOGGIA  
SECTION/SECTION-0



GENERAL TABLE CHAIRS

A5

ISSUE NO.:  
DATE  
Original Issue 02.21.11  
Revision #1 04.18.11

PLOT DATE:  
05.06.11

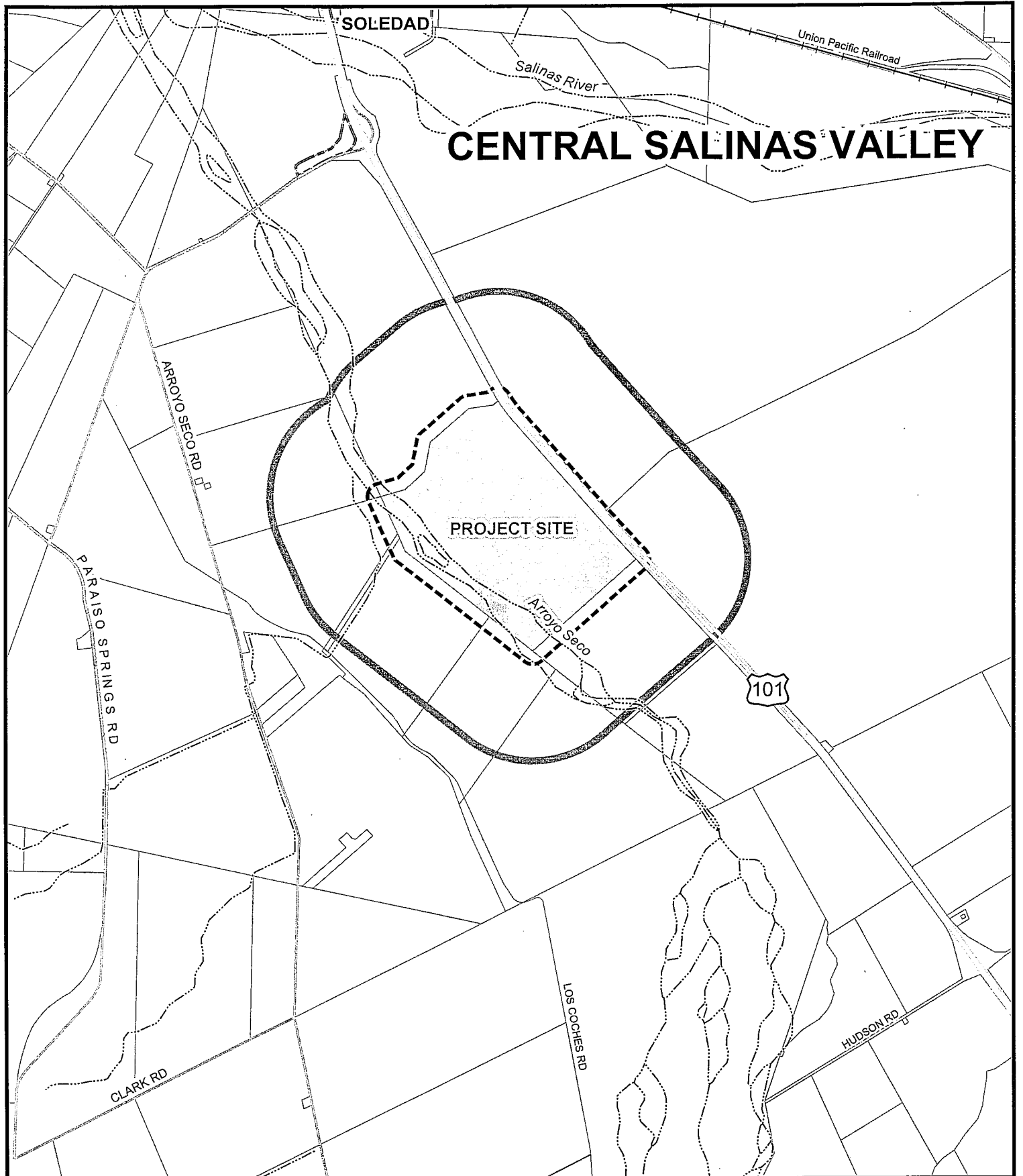
PLAN & SECTION:  
ENTRY LOGGIA

KENDALL JACKSON MONTEREY WINERY  
PINOIS NOIR FERMENTATION CANOPY CONCEPT

37300 DOLB ROAD  
SOLEDAD, CA







# CENTRAL SALINAS VALLEY





PROJECT SITE

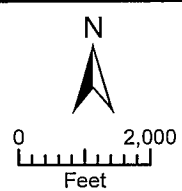
101

APPLICANT: JACKSON FAMILY ESTATES II LLC

APN: 183-021-015-000

FILE # PLN110252

 Water 
  2500' Limit 
  300' Limit 
  City Limits



PLANNER: NEGRETE