PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA

Resolution No. 01003

A.P. #197-081-023-000

FINDINGS & DECISION

In the matter of the application of
Karen LeVett (PLN990316)

WHEREAS: The Monterey County Planning Commission pursuant to regulations established by local ordinance and state law, has considered, at a public hearing, adoption of a Mitigated Negative Declaration, a Mitigation Monitoring Program and a Combined Development Permit and Design Approval for a project located at 32829 Carmel Valley Road, approximately one mile southeast of Carmel Valley Village, north of Carmel Valley Road, upper Carmel Valley area, came on regularly for hearing before the Planning Commission on January 10, 2001.

WHEREAS: Said project proposal includes:

1) A Use Permit for a Cottage Industry for a micro-winery; an Administrative Permit for the construction of a 10,500 square foot building for winery equipment; a 1,500 square foot cave for wine storage; a septic system; and Grading (795 cubic yards).

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The subject Combined Development Permit and Design Approval (PLN990316), as described in Condition # 1 and as conditioned, conforms with the plans, policies, requirements and standards of the Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21). The property is located at 32829 Carmel Valley Road, (Assessors Parcel Number 197-081-023-000) Carmel Valley area. The Greater Monterey Peninsula Area Plan land use designation is Low Density Residential, 5.1 acres per unit. The parcel is zoned "LDR/10-D-S" or Low Density Residential 10 acres per unit, Design Control District and Site Review. The site is physically suitable for the use proposed.

   EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

   a) The certified Greater Monterey Peninsula Area Plan;
   b) Chapter 21.14, Regulations for Low Density Residential or the "LDR" Zoning District of the certified Monterey County Zoning Ordinance (Title 21); and
   c) Section 21.64.095 Regulations for Cottage Industry of the certified Monterey County Zoning Ordinance (Title 21)

EVIDENCE: The Monterey County Planning and Building Inspection Department, the Water Resources Agency, the Public Works Department, the Sheriff's Department, the Environmental Health Department, the Parks and Recreation Department, and the Carmel Valley Fire Protection District reviewed the proposed project. There has been no indication from these agencies that the site is not suitable for the proposed development. Each agency has recommended conditions for improvements where appropriate.

EVIDENCE: Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

EVIDENCE: The Initial Study prepared for the project concludes that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed project.

EVIDENCE: Design Approval request form, with recommendation for approval of the project by the Carmel Valley Land Use Advisory Committee on October 4, 1999, by a vote of 4-0.

EVIDENCE: The on-site inspection by the project planner on July 6, 2000, verified that the proposed project is not visible from Carmel Valley Road. The property's topography and natural vegetation along Carmel Valley Road provides adequate screening for the micro winery structure and wine storage cave.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

2. **FINDING:** The proposed micro winery as a Cottage Industry, is consistent with the "LDR/10-D-S" (Low Density Residential) zoning of the property, and with the Regulations for Cottage Industries.

EVIDENCE: Chapter 21.14 of Title 21 permits cottage industries in the "LDR" zoning district with a Use Permit.

EVIDENCE: In 1995, the Board of Supervisors determined that a micro winery qualifies as a Cottage Industry (Rice PC95082). The proposed micro winery is consistent with the requirements contained in the Zoning Ordinance and with the Board's determination. Section 21.64.090C.3 in Title 21 states that all faucets of a home occupation must be contained in the residence or inside structures on-site that are otherwise considered accessory structures to the residence. This section allows a micro winery in a barn-like structure. The proposed micro winery will not be built until the property owner provides proof that a single-family residence has been established.

EVIDENCE: A Use Permit for (ZA-7180) for James Clark allowed a micro winery as a Cottage Industry in 1989.

EVIDENCE: Conditions have been placed on the project to insure compliance with Section 21.64.095.C.

3. **FINDING:** The project site is physically suitable for the proposed micro winery.

EVIDENCE: The micro winery will operate within a 10,500 square foot building. The 1,500 square foot cave will be cut into small hill. There are no physical or environmental constraints, such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar conditions, that would indicate that the site is not suitable for the proposed use, nor is there other evidence in the record to indicate that the site is not suitable for the project.

4. **FINDING:** The micro winery will not adversely impact existing traffic conditions along Carmel Valley Road.

EVIDENCE: A Trip Reduction Study dated January 4, 2000, was prepared by Higgins and Associates Civil and Traffic Engineers (Library No.02-03-003.). The study concludes that the micro winery is estimated to generate less than 10 vehicular trips per day. The stable and boarding facility approved for this site would have generated 60 trips per day.

EVIDENCE: Public Works Department reviewed the project and has determined that an extensive traffic study is not necessary and that the traffic impact will be less than significant.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

5. **FINDING:** A Combined Development Permit (PC7175) was approved for the subject property in 1990.

EVIDENCE: The Combined Development Permit included permits for a public stable, oak tree removal, a building site for a single-family residence, a waiver to develop on slopes greater than 30 percent and grading. The tree removal and grading have been completed and an Administrative Permit (PLN980390) for a single-family dwelling has been applied for pending approval of the micro winery. The applicant does not intend to construct the public stable.

6. **FINDING:** The proposed micro winery is compatible with the surrounding uses.

EVIDENCE: The project is located in a rural residential setting. The project has been conditioned to insure strict compliance with the Section 21.64.095, Regulations for Cottage Industries and Chapter 21.14, Regulations for the Low Density Residential Zoning District set forth in Title 21.

7. **FINDING:** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment and a Mitigated Negative Declaration has been prepared pursuant to Public Resources Code Section 21081.6 and is attached to and incorporated herein as is set forth in full as Exhibit "A". All mitigation measures identified in the Initial Study and mitigated negative declaration and all project changes required to avoid significant affects on the environment have been incorporated into the Mitigation Monitoring Plan as conditions of project approval. The Mitigation Monitoring Plan is hereby adopted. Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed and mitigated, may cause a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn from the Initial Study and in consideration of testimony and information received, and scientific and factual data presented as evidence during the public review process. Mitigation measures identified in the Initial Study have been incorporated into the project, and agreed to by the property owner, to reduce any impact to an insignificant level. Studies, data and reports prepared by staff from various County departments including Planning and Building Inspection, Public Works, Environmental Health Division and Water Resources Agency support the adoption of the Mitigated Negative Declaration for the project. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based at

the Monterey County Planning and Building Inspection Department located at 240 Church Street, Room 116 in Salinas. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts, have been submitted that refute the conclusions reached by these studies, data and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies and reports.

EVIDENCE: County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigated measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on April 20, 2000. All comments on the Initial Study have been received and considered as well as evidence in the record that includes studies, data and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data and reports; application materials, and expert testimony. Among the studies, data and reports analyzed as part of the environmental determination are the following:

Steven G. Smith, Forest Management Plan, October 1989;
Archaeological Consulting, Archaeological Report, August 29, 1989;
Steven Raas & Associates, Inc., Geotechnical Investigation, May 20, 1999 and the August 3, 1999 Addendum;
Higgins Associates, Trip Generation Analysis, January 4, 2000

EVIDENCE: The Initial Study, Mitigated Negative Declaration, mitigation measures and Conditions.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

EVIDENCE: Mitigation Monitoring Plan attached hereto as Exhibit "E", the Initial Study, Mitigated Negative Declaration and Conditions of Project Approval 2-59.

8. **FINDING:** For purposes of the Fish and Game Code, the project may have a potential for changes to fish and wildlife resources upon which the wildlife depends.

EVIDENCE: Staff analysis contained in the Initial Study and the record as a whole indicate the project may cause changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations.

EVIDENCE: The project's development could potentially cause changes to the immediate environment.

EVIDENCE: The applicant shall pay the Environmental Document Fee, pursuant to Fish and Game Code Section 753.5.

EVIDENCE: The Initial Study and Mitigated Negative Declaration contained in the project file.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development found in the project file.

9. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood, or to the general welfare of the County.

EVIDENCE: The project as described in the application and accompanying materials were reviewed by the Planning and Building Inspection Department, Environmental Health Division, Public Works Department, the Carmel Valley Fire Protection District, and the Water Resources Agency, Parks Department, the Monterey County Sheriff's Department and the Carmel Valley Land Use Advisory Committee. The preceding 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; or the county in general.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

10. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21, and any zoning violation abatement costs have been paid.

EVIDENCE: Staff verification of the Monterey County Planning and Building Inspection Department records indicate that no violations exist on subject property.

DECISION

THEREFORE, it is the decision of the Planning Commission that the Mitigated Negative Declaration, Mitigation Monitoring Program be adopted and said application for a Combined Development Permit and Design Approval be granted as shown on the attached sketch, subject to the following conditions:

1. The subject Combined Development Permit (PLN990316) and Design Approval for Karen Levett consists of a Use Permit for a Cottage Industry for a micro-winery; an Administrative Permit for the construction of a 10,500 square foot barn for winery equipment; a 1,500 square foot cave for wine storage; a septic system; and Grading (795 cubic yards). The property is located at 32829 Carmel Valley Road (Assessors Parcel Number 197-081-023-000), approximately one mile southeast of Carmel Valley Village, north of Carmel Valley Road, upper Carmel Valley area. The parcel is zoned LDR/10-D-S or Low Density Residential 10 acres per unit, Design Control and Site Review. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 Planning and Building Inspection. 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. **(Planning and Building Inspection)**

Prior to the Issuance of Grading and Building Permits:

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

3. The property owner shall record a notice which states: "A permit Resolution PLN990316 was approved by the Planning Commission for Assessor's Parcel Number 197-081-023-000 on January 10, 2001. The permit was granted subject to 59 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection)**

4. The applicant shall submit a letter agreeing to withdraw the stable and boarding facility portion of Use Permit PC7175 within 30 days following approval of the micro winery. **(Planning and Building Inspection)**

5. A single-family dwelling shall be constructed and occupied prior to establishing any part of the micro winery operation. **(Planning and Building Inspection)**

6. The applicant shall obtain a grading permit pursuant to Monterey County Code 16.08. **(Planning and Building Inspection)**

7. Pursuant to the State Public Resources Code, State Fish and Game Code and California Code of Regulations, the property owner shall pay a fee to be collected by the County of Monterey in the amount of $1,275. This fee shall be paid within five days of project approval, before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. **(Planning and Building Inspection)**

8. The property owner shall pay the Carmel Valley Road Traffic Mitigation Fee as determined by the Department of Public Works pursuant to the Monterey County Board of Supervisor's Resolution #95-410 adopted on September 12, 1995. **(Planning and Building Inspection/Public Works)**

9. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the structures for the micro winery is illuminated and off-site glare is fully controlled. That the property owner 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection)**

10. The property owner shall record a deed restriction indicating that all exterior design changes, including color changes associated with repainting and re-roofing and including exterior lighting changes, be approved by the Planning Commission. The deed restriction shall be subject to the approval of the Director of Planning and Building Inspection prior to recordation. **(Planning and Building Inspection)**

11. Native trees that are located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping the tree trunks with protective materials, avoid fill of any type against the base of the tree trunks and avoid increase in soil depth at the feeding zone or drip line of the native trees. Said protection shall be demonstrated prior to the issuance of grading and building permits subject to approval by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**

12. A drainage plan shall be prepared by a registered civil engineer or architect addressing the on-site and off-site impacts, and includes retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. The necessary improvements shall be constructed in accordance with the approved plans. **(Water Resources Agency)**

13. The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups. **(Water Resources Agency)**

14. The applicant shall obtain proof of water availability on the property in the form of a Water Release Form from the Monterey County Water Resources Agency (MCWRA). **(Water Resources Agency)**

15. Prior to the issuance of building and grading permits, the applicant shall submit a detailed disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 Monterey County Code, and prohibitions of the Basin Plan, Regional Water Quality Control Board (RWQCB). The design shall include 100 percent additional expansion/repair areas, and shall meet the following:

    A. Adequate setbacks from: 1) buildings/foundations, 2) property lines, 3) wells, 4) springs, streams and drainages, 5) trees, 6) water lines and 7) down-slope embankments/cuts/retaining walls;
    B. Distribution and diversion designs;
    C. The designs shall be at a scale of 1" = 30" or better;

D. The designs shall also include notes for the requirement for the installation of both the primary and secondary drain filed systems at the time of system construction for the avoidance of soil constraints as found during soil testing: June 1999 by Haro, Kasunich and Associates, Inc. **(Division of Environmental Health)**

16. Prior to the issuance of building permits, the applicant shall pay the annual water system permit fee to the Division of Environmental Health for the Transient Non-Community Water System established to serve the project. **(Division of Environmental Health)**

17. The applicant shall design the water system improvements to meet fire flow standards as required and approved by the Carmel Valley Fire Protection District. Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved. **(Division of Environmental Health)**

18. Building permit plans shall identify that the grade for all roads, streets, private lanes and driveways does not exceed 15 percent. **(Carmel Valley Fire Protection District)**

19. Residential driveways with turns of 90 degrees or less shall have a minimum horizontal inside radius curvature of 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. **(Carmel Valley Fire Protection District)**

20. 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. **(Carmel Valley Fire Protection District)**

21. The building permit plans shall show roadway turnarounds on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. **(Carmel Valley Fire Protection District)**

22. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**

23. Adequate access and parking shall be provided on the site. Parking shall include two spaces for the single-family residence, one must be covered, and two spaces for employee parking. The applicant shall submit a parking plan reflecting the parking requirement to the Director of Planning and Building Inspection and Public Works Department for review and approval. **(Planning and Building Inspection/Public Works)**

24. The property owner shall enter into an agreement with the County to implement the mitigation-monitoring plan adopted for this project. **(Planning and Building Inspection)**

25. An erosion control plan shall be prepared by a registered soils engineer addressing the on-site and off-site impacts related to land clearing for the vineyard. The plan must implement erosion control measures to prevent off-site impacts. The plan shall be submitted to the Director of Planning and Building Inspection for review and approval. **(Planning and Building Inspection)**

26. Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign. **(Carmel Valley Fire Protection District)**

Prior to Final Building Inspection/Occupancy:

27. The site shall be landscaped. At least three weeks prior final building inspection, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection)**

28. Measures shall be taken to eradicate and avoid the introduction of following pest species: Pampas grass; Genista (Scotch Broom, French Broom); eucalyptus, Russian Star thistle, etc. Eradication shall be performed as recommended in the Monterey County "Invasive Exotic Plants in Monterey County" brochure. There shall be newly introduced plants visible upon site inspection by the Monterey County Landscape Architect prior to obtaining final occupancy. **(Planning and Building Inspection)**

29. Excavation work shall be halted in the event that cultural, archaeological, historical or paleontological resources are uncovered. A buffer area of 150 feet shall be created around the site and a qualified professional archaeologist shall be contacted. **(Planning and Building Inspection)**

30. All unpaved construction areas shall be watered at least twice per day in dry weather during grading activities. **(Planning and Building Inspection)**

31. A non-toxic tactifier or other suitable cover (i.e. jute netting, erosion control fabric, mulch, etc.), shall be placed on the exposed areas immediately after cut and fill operations are completed. **(Planning and Building Inspection)**

32. Trucks hauling dirt and debris shall be covered with tarpaulins or other adequate covering at all times. All hauling shall occur at non-peak traffic periods. **(Planning and Building Inspection)**

33. The applicant shall post a sign at two locations visible to the public along Carmel Valley Road during construction activities. Each sign shall have a telephone number and the name of the contact person for potential complaints and/or injuries related to the dust generated or air quality questions resulting from construction activities. The applicant shall provide evidence of reasonable effort to post the sign. If the applicant is unable to adequately post the sign and has provided satisfactory evidence, the Director of Planning and Building Inspection may wave this condition. **(Planning and Building Inspection)**

34. Dirt and debris that is spilled onto paved areas shall be cleaned up immediately. **(Planning and Building Inspection)**

35. Excavated materials that are stockpiled on-site shall be covered up with tarpaulins or other adequate covering at all times. **(Planning and Building Inspection)**

36. Construction-related soils on public roads shall be cleaned up immediately. **(Planning and Building Inspection)**

37. No more than 2.2 acres of grading activities will be allowed per day for the vineyard. **(Planning and Building Inspection)**

38. The project recommendations and mitigation measures contained within the Geotechnical Investigation for the Tudor residence (PLN980390) prepared by Steven Raas & Associates dated May 20, 1999 and Amended Geotechnical Investigation dated August 3, 1999, shall be incorporated into the project conditions of approval and an addendum for the micro winery structures shall be prepared, which includes preparation of detailed geotechnical and geological reports. Final grading plans shall be reviewed and the excavation of cut slopes shall be observed by a certified engineer. Site-specific recommendations for the design of the micro winery will be prepared as an addendum to the report. **(Planning and Building Inspection)**

39. Re-vegetation of disturbed surfaces to prevent bedrock and soil erosion shall be required per a landscape plan as approved by the County landscape architect. **(Planning and Building Inspection)**

40. The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. **(Carmel Valley Fire Protection District)**

41. Driveways shall not be less than 12 feet wide and be unobstructed. 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 driveways access 800 feet, turnouts shall be provided at no greater than 400-foot intervals **(Carmel Valley Fire Protection District)**

42. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper at each end. **(Carmel Valley Fire Protection District)**

43. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. **(Carmel Valley Fire Protection District)**

44. The water system for fire protection shall include a minimum of a 10,000-gallon storage tank centrally located with a minimum 4-inch main and riser to a hydrant(s) location approved by the fire district. Minimum flows shall be 500 gallons per minute calculated on the basis of a residual pressure of 20 pounds per square inch (psi) in the distribution system under flowing conditions. **(Carmel Valley Fire Protection District)**

45. The fire hydrant serving any building shall not be less than 50 feet nor more than 1000 feet by road, from the building it is to serve. The minimum hydrant standards shall include a brass head and valve with at least one 2½-inch National Standard Thread (NST) outlet. **(Carmel Valley Fire Protection District)**

46. The intersection of the access road and Carmel Valley Road shall be improved as a standard driveway connection per Monterey County standards as approved by the Public Works Department. **(Public Works)**

47. Excavated material shall be deposited on-site where practical and feasible. **(Planning and Building Inspection)**

48. The applicant shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:

    a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.

    b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**

49. New utility and distribution lines shall be placed underground. **(Planning and Building Inspection/Public Works)**

50. All buildings shall be fully protected with automatic fire sprinkler system(s) as per the National Fire Protection Association (NFPA) 13D. The following notation is required on the plans when a building permit is applied for:

    "The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards; the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." **(Carmel Valley Fire Protection District)**

51. The roll-up doors for the micro winery building shall be made of wood material. **(Planning and Building Inspection)**

Continuous Permit Conditions:

52. Any location, type and size of all antennas, satellite dishes, tower, and similar appurtenances not specifically approved pursuant to this permit, shall require a new permit subject to the approval by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**

53. No persons, other than the resident living on the property-site and up to two non-family member employees may be operate the micro winery. **(Planning and Building Inspection)**

54. Advertising is not permitted for the micro winery on the property, except for such advertising as may be incorporated within the four square foot nameplate allowed for the residence. The location and design of the nameplate is subject to approval by the Zoning Administrator. **(Planning and Building Inspection)**

55. Wine processing shall be limited to grapes grown on the property. Wine production shall not exceed 9,000 cases per year. **(Planning and Building Inspection)**

56. No on-site retail sales are permitted at any time. **(Planning and Building Inspection)**

57. No public wine tasting or public assemblage is permitted under this permit on this property. No public gatherings shall be conducted in the micro winery. The following uses are specifically prohibited: commercial rentals including rental to any artificial entity; use as a preparation area for public or private functions held elsewhere on the parcel; weddings or wedding preparations (other than immediate members of the family in the residence); meetings; classes; outdoor functions with more than 16 persons in attendance; on-site parking for over three vehicles; commercial vehicle parking (except one commercial vehicle under 10,000 pounds GVW or temporary parking during times of deliveries, utility services or construction; repair or maintenance activity on the micro winery; wine tasting; food tasting; or music performances for anyone other than the immediate members of the family in the residence and their private, personal guests; short term rentals; subleases or sub-rentals; and outdoor activities that produce sound in excess of existing residential sound laws or ordinances restrictions. **(Planning and Building Inspection)**

58. The Use Permit for the micro winery shall be subject to the following time limits:
    1. The initial Use Permit shall not be issued for more than one year from the date from which the applicant receives a final inspection from the Monterey County Building Inspector for the micro winery.
    2. The second Use Permit shall not be issued for more than three years; and
    3. The third and subsequent Use Permits shall not be issued for more than five years.

    This initial Use Permit shall expire one year from the date of final inspection of the micro winery and is subject to subsequent review prior to granting additional permits for the micro winery. **(Planning and Building Inspection)**

59. The property owner shall notify in writing, the Chair of the Los Tulares Home Owners' Association Board of Management for periodic review of this permit. **(Planning and Building Inspection)**

PASSED AND ADOPTED on this 10th day of January 2001, upon motion of Commissioner Brennan, seconded by Commissioner Hawkins, by the following vote, to-wit:

AYES: Sanchez, Hawkins, Parsons, Brennan, Pitt-Derdivanis, Hernandez, Lacy, Wilmot
NOES: None
ABSENT: Errea

Lynne H. Mounday, Secretary

Copy of this decision mailed to applicant on JAN 2 3 2001

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE FEB - 2 2001

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 and Building Inspection Department office in Monterey .

2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.

EXHIBIT A

Monterey County Planning & Building Inspection Department
Condition Compliance/Mitigation Monitoring Plan

Staff Assigned to Monitor Senior or Associate Planner

Date Last Updated _____

LEGEND

Planning & Building Inspection Department = PBI
Fire Protection District = FPD
Water Resources Agency = WRA
Environmental Health =EH
Public Works = PW

Project Name Levett
Applicant Name Karen Levett
Permit No. PLN990316
APN 197-081-023-000
Date Adopted January 10, 2001

Permit Cond. #	Mitigation # from ND/EIR	Condition of Approval/Mitigation Measure	Dept./Agency Responsible for Clearing Conditions	Responsible Party for Monitoring Conditions	Schedule of Condition Clearance	Final Condition Cleared Date & Initial/Agency	Frequency of Ongoing Monitoring Reporting	Comments
1		The subject Combined Development Permit (PLN990316) and Design Approval for Karen Levett consists of a Use Permit for a Cottage Industry for a micro-winery; an Administrative Permit for the construction of a 10,500 square foot barn for winery equipment; a 1,500 square foot cave for wine storage; a septic system; and Grading (795 cubic yards). The property is located at 32829 Carmel Valley Road, (Assessors Parcel Number 197-081-023-000) approximately one mile southeast of Carmel Valley Village, north of Carmel Valley Road, upper Carmel Valley area. The parcel is zoned LDR/10-D-S or Low Density Residential 10 acres per unit, Design Control and Site Review. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 Planning and Building Inspection. 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	PBI	N/A	N/A		N/A	

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		this permit is allowed unless additional permits are approved by the appropriate authorities.						
2		The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees, which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.	PBI	N/A	Prior to Issuance of Grading and Building Permits		N/A	
3		The property owner shall record a notice which states: "A permit Resolution	PBI	N/A	Prior to Issuance of Grading and		N/A	

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		PLN990316 was approved by the Planning Commission for Assessor's Parcel Number 197-081-023-000 on January 10, 2001. The permit was granted subject to 59 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use.			Building Permits			
4		The property owner shall submit a letter agreeing to withdraw the stable and boarding facility portion of Use Permit PC7175) within 30 days following approval of the micro winery.	PBI	N/A	Prior to Issuance of Grading and Building Permits		N/A	
5		A single-family dwelling shall be constructed and occupied prior to establishing any part of the micro winery operation.	PBI	PBI	Prior to Issuance of Grading and Building Permits		N/A	
6		The property owner shall obtain a grading permit pursuant to the Monterey County Code 16.08.	PBI	N/A	Prior to Issuance of Grading and Building Permits		N/A	
7		Pursuant to the State Public Resources Code, State Fish and Game Code and California Code of Regulations, the property owner shall pay a fee to be collected by the County of Monterey in the amount of $1,275. This fee shall be paid within five days of project approval, before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid.	PBI	N/A	Prior to Issuance of Grading and Building Permits		N/A	
8	1	The applicant shall pay the Carmel Valley Road Traffic Mitigation Fee as determined by	Public Works	Public Works	Prior to Issuance of Grading and		N/A	

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		the Department of Public Works pursuant to the Monterey County Board of Supervisor's Resolution #95-410 adopted on September 12, 1995. SECTION VI. 15a.1			Building Permits			
9	2	All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the micro winery structure is illuminated and off-site glare is fully controlled. That 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. SECTION VI. 1d.I	PBI	PBI	Prior to Issuance of Grading and Building Permits		Annually	Upon completion of the micro winery, lighting will be inspected at night by Planning and Building Inspection staff.
10		The property owner shall record a deed restriction indicating that all exterior design changes, including color changes associated with repainting and re-roofing and including exterior lighting changes, be approved by the Planning Commission. The deed restriction shall be subject to the approval of the Director of Planning and Building Inspection prior to recordation.	PBI	N/A	Prior to Issuance of Grading and Building Permits		N/A	
11	3	Native trees that are located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping the tree trunks with protective materials. Fill of any type may not be placed against the base of the tree trunks, and soil depth at the feeding zone or drip line of the native trees should not be increased. Said protection shall be demonstrated prior to the issuance of grading and building permits subject to approval by the Director of Planning and Building Inspection. SECTION VI. 4e.1	PBI	PBI	Prior to Issuance of Grading and Building Permits		Periodically during construction	Planning and Building Inspection staff will visit the project site before construction begins and during each inspection by the building inspector until final inspection has been completed.
12	4	A drainage plan shall be prepared by a registered civil engineer or architect addressing the on-site and off-site impacts,	Water Resources /PBI	Water Resources	Prior to Issuance of Grading and Building Permits		Annually	The applicant shall retain a registered civil engineer to inspect the drainage system as approved in the drainage plan and submit an annual report to the Planning and

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		and include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. The necessary improvements shall be constructed in accordance with the approved plans. The plan shall include surface drainage and extensive subdrain systems. **SECTION VI.6b.1**						Building Inspection Department for evaluation and acceptance.
13		The property owner shall provide the Water Resources Agency with information on the water system which is to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups.	Water Resources	Water Resources	Prior to Issuance of Grading and Building Permits		N/A	
14		The property owner shall obtain proof of water availability on the property in the form of a Water Release Form from the Monterey County Water Resources Agency (MCWRA).	Water Resources	Water Resources	Prior to Issuance of Grading and Building Permits		N/A	
15		Prior to the issuance of building and grading permits, the applicant shall submit a detailed disposal system design to the Director of Environmental Health for review and approval. The design must comply with the regulations found in Chapter 15.20 Monterey County Code prohibitions of the Basin Plan, Regional Water Quality Control Board (RWQCB). The design shall include 100 percent additional expansion/repair areas, and shall meet the following: A. Adequate setbacks from: 1) buildings/foundations, 2) property lines, 3) wells, 4) springs, streams and drainages, 5) trees, 6) water lines and 7) down-slope embankments/cuts/retaining walls; B. Distribution and diversion designs; C. The designs shall be at a scale of 1" = 30" or better.	Division of Environmental Health	Division of Environmental Health	Prior to Issuance of Grading and Building Permits		N/A	

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		The designs shall also include notes for the requirement for the installation of both the primary and secondary drain filled systems at the time of system construction for the avoidance of soil constraints as found during soil testing: June 1999 by Haro, Kasunich and Associates, Inc.						
16		Prior to the issuance of building permits, the property owner shall pay the annual water system permit fee to the Division of Environmental Health for the Transient Non-Community Water System established to serve the project	Division of Environmental Health	Division of Environmental Health	Prior to Issuance of Grading and Building Permits		N/A	
17		The property owner shall design the water system improvements to meet required fire flow standards and obtain approval by the Carmel Valley Fire Protection District. Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved.	Division of Environmental Health	Division of Environmental Health	Prior to Issuance of Grading and Building Permits		N/A	
18		Building permit plans shall identify that the grade for all roads, streets, private lanes and driveways does not exceed 15 percent	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
19		Residential driveways with turns of 90 degrees or less shall have a minimum horizontal inside radius curvature of 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet.	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
20		Access roads shall be required for every	Carmel Valley	Carmel Valley	Prior to Issuance		N/A	

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		building if any portion of the exterior wall of the first story is located more than 150 feet from fire department access.	Fire Protection District	Fire Protection District	of Grading and Building Permits			
21		The building plans shall show roadway turnarounds on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
22		No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection	PBI	PBI	Prior to Issuance of Grading and Building Permits		Quarterly	Planning and Building Inspection staff will visit the site every three months
23		Adequate access and parking shall be provided on the site. Parking shall include two spaces for the single-family residence, one of which must be covered; and two spaces for employee parking. The property owner shall submit a parking plan in compliance with the parking requirement to the Director of Planning and Building Inspection and Public Works Department for review and approval.	PBI	PBI/Public Works	Prior to Issuance of Grading and Building Permits		N/A	
24		The property owner shall enter into an agreement with the County to implement the mitigation-monitoring plan adopted for this project.	PBI	PBI	Prior to Issuance of Grading and Building Permits		N/A	
25		An erosion control plan shall be prepared by a registered soils engineer addressing the on-site and off-site impacts related to land clearing for the vineyard. The plan must implement erosion control measures to prevent off-site impacts. The plan shall be submitted to the Director of Planning and Building Inspection for review and approval.	PBI	PBI	Prior to Issuance of Grading and Building Permits		N/A	

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26		Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign.	Carmel Valley Fire Protection District		Prior to Issuance of Grading and Building Permits		N/A	
27		The site shall be landscaped. At least three weeks prior final building inspection, three copies of a landscaping plan shall be submitted for approval by the Director of Planning and Building Inspection. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department.	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		N/A	
28	5	Measures shall be taken to eradicate and avoid the introduction of following pest species: Pampas grass; Genista (Scotch Broom, French Broom); eucalyptus, Russian Star thistle, etc. Eradication shall be performed as recommended by the Monterey County "Invasive Exotic Plants in Monterey County" brochure. The newly introduced plants should be visible upon site inspection by the	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		Bi-annually	Planning and Building Inspection staff will make a bi-annual site visit to ensure compliance with this mitigation measure.

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		Monterey County Landscape Architect prior to obtaining final occupancy. **SECTION VI. 4c.2**						
29	6	Excavation work shall be halted in the event that cultural, archaeological, historical or paleontological resources are uncovered. A buffer area of 150 feet shall be created around the site and a qualified professional archaeologist shall be contacted. **SECTION VI. 5a.1**	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		During periodic building and grading inspections	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.
30	7	All unpaved construction areas shall be watered at least twice per day in dry weather during grading activities. **SECTION VI. 3d.1**	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		Daily	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.
31	8	A non-toxic tactifier or other suitable cover (i.e. jute netting, erosion control fabric, mulch, etc.), shall be placed on the exposed areas immediately after cut and fill operations are completed. **SECTION VI. 3d.2**	PBI	PBI	Prior to Final Building Inspect/Occupancy		Immediately after the completion of grading activities	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.
32	9	Trucks hauling dirt and debris shall be covered with tarpaulins or other effective covers a tarp at all times. All hauling shall occur at non-peak traffic periods. **SECTION VI. 3d.3**	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		Daily	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.
33	10	The applicant shall post a sign at two locations visible to the public along Carmel Valley Road during construction activities. Each sign shall have a telephone number and the name of the contact person for potential complaints and/or injuries related to the dust generated or air quality questions resulting from construction activities. The applicant shall provide evidence of reasonable effort to post the sign. If the applicant is unable to adequately post the sign and has provided satisfactory evidence, the Director of Planning and Building Inspection may wave this condition. **SECTION VI. 3d.4**	PBI	PBI	Prior to Final Building Inspect/Occupancy		During periodic building and grading inspections	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.

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34	11	Dirt and debris that is spilled onto paved areas shall be cleaned up immediately. SECTION VI. 3d.5	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		Daily	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.
35	12	Excavated materials that are stockpiled on-site shall be covered with tarpaulins or other effective covers at all times. SECTION VI. 3d.6	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		Daily	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.
36	13	Construction-related soils on public roads shall be cleaned up immediately. SECTION VI. 3d.7	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		Daily	Planning and Building Inspection staff will inspect the project site during grading and building inspection site visits to ensure compliance with this mitigation measure.
37	14	Grading will be limited to 2.2 acres per day. SECTION VI. 3d.8	PBI	Applicant/Owner	Prior to Final Building Inspect/Occupancy		Daily	Planning and Building Inspection staff will inspect the project site during grading inspection site visits to ensure compliance with this mitigation measure.
38	15	The project recommendations and mitigation measures contained within the Geotechnical Investigation for the Tudor residence (PLN980390) prepared by Steven Raas & Associates dated May 20, 1999 and Amended Geotechnical Investigation dated August 3, 1999, shall be incorporated into the project conditions of approval, the micro winery structures. Site-specific recommendations for the design of the micro winery will be prepared as an addendum, which includes preparation of a detailed geotechnical and geological reports. All recommendations shall be incorporated into the conditions of project. .Final grading plans shall be reviewed and a certified engineer shall observe the excavation of cut slopes. SECTION VI. 6a,c,d	PBI	PBI	Prior to Issuance of Grading and Building Permits		Bi-annually	The applicant shall retain a registered geological engineer to inspect the project for compliance with the recommendations in the geological report and submit a bi-annual report of the findings for evaluation to the Planning and Building Inspection Department for evaluation and acceptance.
39	16	Re-vegetation of disturbed surfaces to prevent bedrock and soil erosion shall be required per a landscape plan and approved by the County landscape architect. SECTION VI. 6b.2	PBI	PBI	Prior to Issuance of Grading and Building Permits		Bi-annually	Planning and Building Inspection staff will make a bi-annual site visit to ensure compliance with this mitigation measure.
40		The roadway surface shall provide	Carmel Valley	Carmel Valley	Prior to Issuance		N/A	

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		unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus.	Fire Protection District	Fire Protection District	of Grading and Building Permits			
41		Driveways shall be unobstructed and not less than 12 feet wide. 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 driveways exceed 800 feet, turnouts shall be provided at no greater than 400-foot intervals	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
42		Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper at each end.	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
43		Unobstructed vertical clearance shall not be less than 15 feet for all access roads.	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
44		The water system for fire protection shall include a minimum of a 10,000-gallon storage tank centrally located with a minimum 4-inch main and riser to a hydrant(s) where location is approved by the Fire District. Minimum flows shall be 500 gallons per minute calculated on the basis of a residual pressure of 20 pounds per square inch (psi) in the distribution system under flowing conditions.	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
45		The fire hydrant serving any building shall not be less than 50 feet nor more than 1000 feet by road, from the building it is to serve. The minimum hydrant standards shall include a brass head and valve with at least one 2 ½-inch National Standard Thread (NST) outlet.	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Issuance of Grading and Building Permits		N/A	
46	17	The intersection of the access road and Carmel Valley Road shall be improved as a standard driveway connection per Monterey County standards as approved by the Public	Public Works	Public Works	Prior to Final Building Inspect/Occupancy		A minimum of one time prior to final inspection	Planning and Building Inspection staff will inspect the project site during grading inspection site visits to ensure compliance with this mitigation measure.

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		Works Department. SECTION VI. 15b.1						
47		Excavated material shall be deposited on-site where practical and feasible.	PBI	PBI	Prior to Final Building Inspect/Occupancy		N/A	
48		The applicant shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a) All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b) Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices.	Water Resources	Water Resources	Prior to Final Building Inspect/Occupancy		N/A	
49		New utility and distribution lines shall be placed underground.	PBI/Public Works	Public Works	Prior to Final Building Inspect/Occupancy		N/A	
50		All buildings shall be fully protected with automatic fire sprinkler system(s) as per the National Fire Protection Association (NFPA) 13D. The following notation is required on the plans when a building permit application submitted:	Carmel Valley Fire Protection District	Carmel Valley Fire Protection District	Prior to Final Building Inspect/Occupancy		N/A	

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		"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection."						
51		The roll-up doors for the micro winery building shall be made of wood material.	PBI	N/A	Prior to Final Building Inspect/Occupancy		N/A	
52		Any location, type and size of all antennas, satellite dishes, tower,. and similar appurtenances not specifically approved pursuant to this permit, shall require a new permit subject to the approval by the Director of Planning and Building Inspection.	PBI	PBI	Continuous_ Permit Conditions		N/A	
53		No persons, other than the resident living on the property-site and up to two non-family member employees may operate the micro winery.	PBI	PBI	Continuous_ Permit Conditions		Annually	Planning and Building Inspection staff will make an annual site visit to ensure compliance with this mitigation measure.
54		Advertising is not permitted on the property for the micro winery, except for such advertising as may be incorporated within the four square foot nameplate allowed for the residence. The location and design of the nameplate is subject to approval by the Zoning Administrator.	PBI	PBI	Continuous_ Permit Conditions		Annually	Planning and Building Inspection staff will make an annual site visit to ensure compliance with this mitigation measure.

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55		Wine processing shall be limited to grapes grown on the property. Wine production shall not exceed 9,000 cases per year. An annual report including production records and an executive summary shall be submitted to the Director of Planning and Building Inspection.	PBI	PBI	Continuous Permit Conditions		Annually	The applicant will provide an annual report on wine production for review by the Director of Planning and Building Inspection.
56		No on-site retail sales are permitted at any time.	PBI	Code Enforcement	Continuous Permit Conditions		Annually	Planning and Building Inspection staff will make a annual site visit to ensure compliance with this mitigation measure.
57		No public wine tasting or public assemblage is permitted under this permit on this property. No public gatherings shall be conducted in the micro winery. The following uses are specifically prohibited: commercial rentals including rental to any artificial entity; use as a preparation area for public or private functions held elsewhere on the parcel; weddings or wedding preparations (other than immediate members of the family in the residence); meetings; classes; outdoor functions with more than 16 persons in attendance; on-site parking for over three vehicles; commercial vehicle parking (except one commercial vehicle under 10,000 pounds GVW or temporary parking during times of deliveries, utility services or construction; repair or maintenance activity on the micro winery; wine tasting; food tasting; or music performances for anyone other than the immediate members of the family in the residence and their private, personal guests; short term rentals; subleases or sub-rentals; and outdoor activities that produce sound in excess of existing residential sound laws or ordinances restrictions	PBI	Code Enforcement	Continuous Permit Conditions		Annually	Planning and Building Inspection staff will make an annual site visit to ensure compliance with this mitigation measure.
58		The Use Permit for the micro winery shall be subject to the following time limits:	PBI	PBI	Continuous Permit Conditions		Bi-annually	Planning and Building Inspection staff will make a bi-annual site visit to ensure compliance with this mitigation measure.

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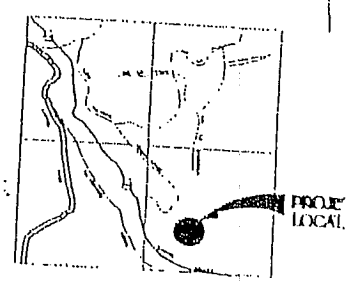
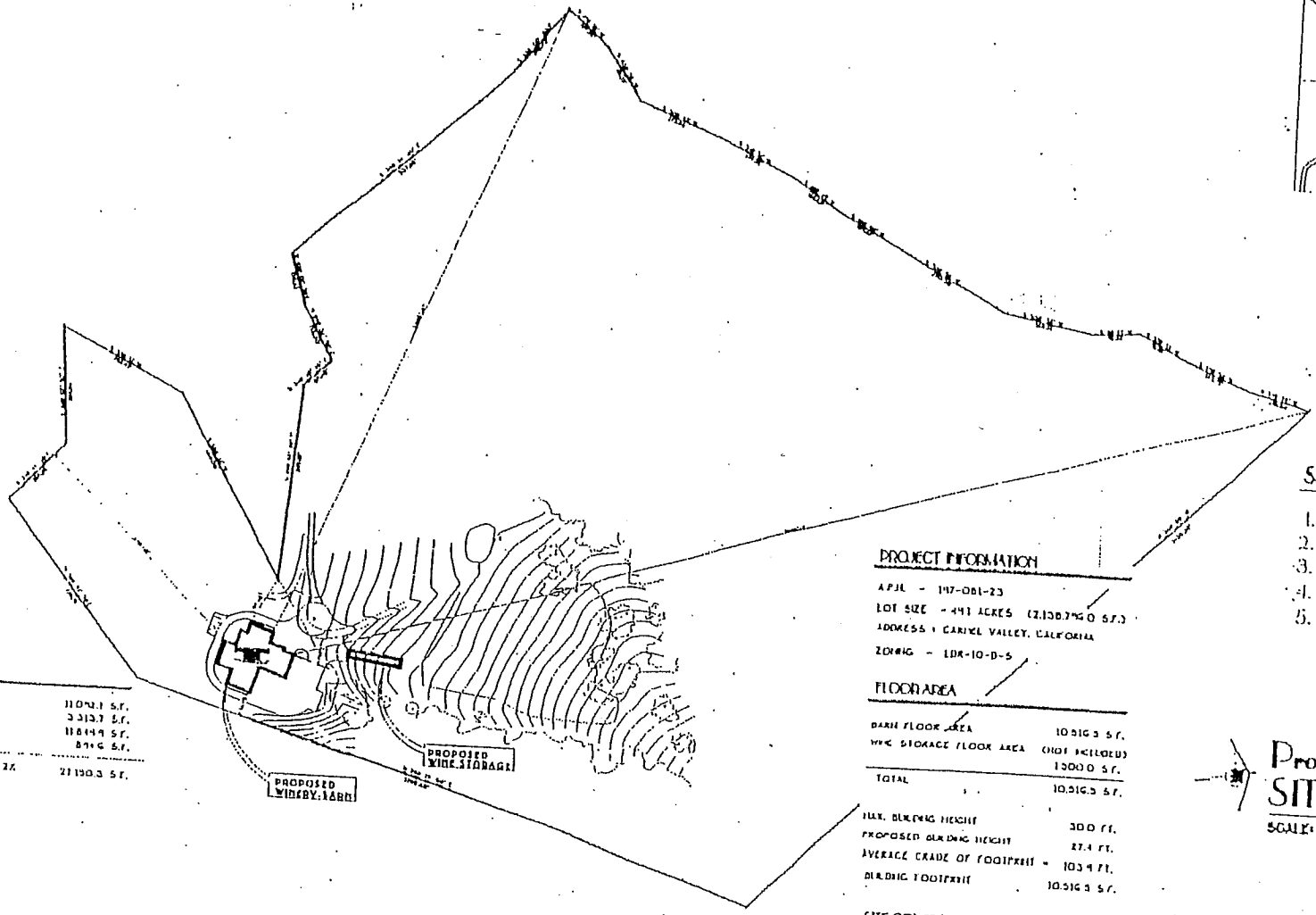
		1. The initial Use Permit for the micro winery shall not be issued for more than one year from the date from which the applicant receives a final inspection from the Monterey County Building Inspector. 2. The second Use Permit shall not be issued for more than three years; and 3. The third and subsequent Use Permits shall not be issued for more than five years. This initial Use Permit shall expire one year from the date of final inspection of the micro winery and is subject to subsequent review prior to granting additional permits for the micro winery.						
59		The property owner shall provide written notification regarding periodic review of this permit to the Chair of the Los Tulares Home Owners' Association Board of Management.	PBI	PBI	Continuous Permit Conditions:		Annually	The applicant will provide written evidence of any noticing.

WINERY-BARN

VICINITY MAP





SHEET INDEX

1. Site Plan
2. Partial Site Plan
3. Main Floor Plan
4. Proposed Elevations
5. Proposed Roof Plan

PROJECT INFORMATION

A.P.N. - 197-081-23

LOT SIZE - 4.91 ACRES (213,879.60 S.F.)

ADDRESS - CARMEL VALLEY, CALIFORNIA

ZONING - LDR-10-D-S

FLOOR AREA

BARN FLOOR AREA	10,516.3 S.F.
WINE STORAGE FLOOR AREA	(NOT INCLUDED) 1,500.0 S.F.
TOTAL	10,516.3 S.F.
MAX. BUILDING HEIGHT	30.0 FT.
PROPOSED BUILDING HEIGHT	27.4 FT.
AVERAGE GRADE OF FOOTPRINT =	103.9 FT.
BUILDING FOOTPRINT	10,516.3 S.F.

SITE COVERAGE

SITE COVERAGE ALLOWED 20% 334,694.10 S.F.

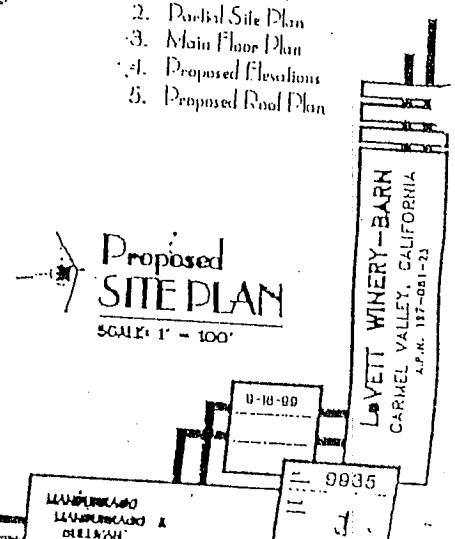
BARN	0.42	10,516.3 S.F.
PROPOSED COVERAGE	0.42	10,516.3 S.F.

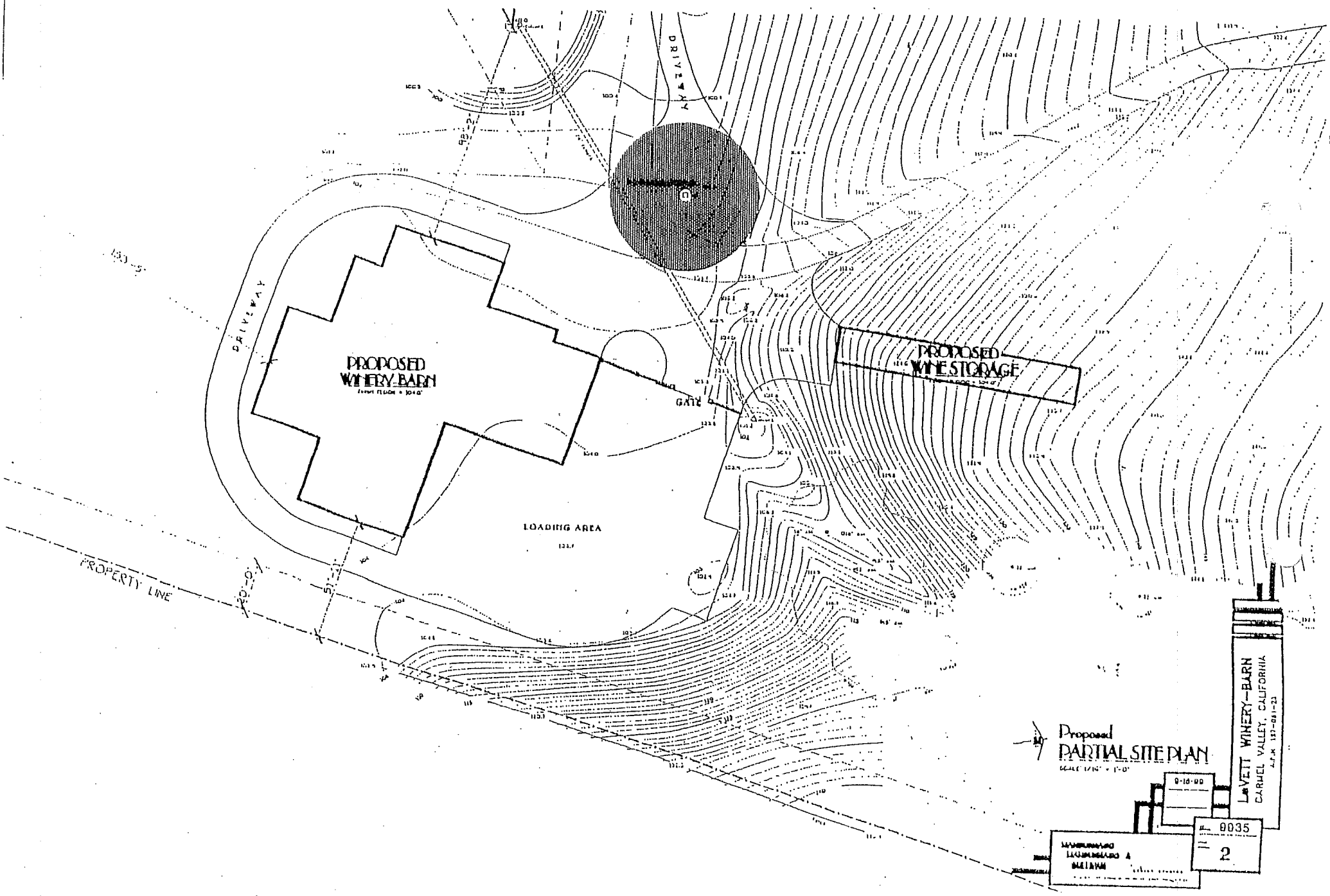
LAND COVERAGE

DRIVEWAY		11,093.1 S.F.
TIMBERLAND		3,313.7 S.F.
LOADING AREA		11,819.9 S.F.
LOADING AREA		871.6 S.F.
PROPOSED	12%	27,190.3 S.F.

Proposed SITE PLAN

SCALE: 1" = 100'




PROPOSED
WINERY-BARN
PROPOSED
WINE STORAGE
DRIVEWAY
DRIVEWAY
GATE
LOADING AREA
PROPERTY LINE
20'-0"
51'-2"
Proposed
PARTIAL SITE PLAN
LaVETT WINERY—BARN
CARMEL VALLEY, CALIFORNIA
9-16-99
9035
2