

MIKE NOVO  
ZONING ADMINISTRATOR

COUNTY OF MONTEREY  
STATE OF CALIFORNIA

RESOLUTION NO. 040608

A. P. # 221-081-009-000

In the matter of the application of  
**Scheid Vineyards California (PLN040608)**

**FINDINGS AND DECISION**

to allow a Combined Development Permit in accordance with Title 21 (Zoning) Chapter 21.76 (Combined Development Permits) of the Monterey County Code, consisting of 1) a Use Permit to allow the construction and operation of a new processing facility and expanded custom crush operation over two phases at an existing winery. The first phase will include the addition of a new 42,662 sq. ft. processing facility, 8,000 sq. ft. office and 5,266 sq. ft. mechanical building. The second phase will be developed over 3-5 years and will include 62,638 sq. ft. of additional processing facility, adding 5,000 sq. ft. to the office and 1,234 sq. ft. to the mechanical building. Twenty-six new employees are forecast for Phase 1 and eight new employees for Phase 2. Two new aeration ponds are proposed for Phase 1 and an additional pond for Phase 2 to be developed on the property to process as much as 100,000 gallons of liquid wastes during peak production, and 2) a Use Permit to reduce the required number of required parking spaces from 331 spaces to 134 spaces, and 3) a Variance is requested to accommodate the 44 foot tall wine storage and fermentation structure (the processing facility) that exceeds the 35 foot height limitation of the F/40 Zoning District. The property is located at 1972 Hobson Avenue, Greenfield, Central Salinas Valley Area Plan, came on regularly for meeting before the Zoning Administrator on January 13, 2005.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

**1. FINDING: CONSISTENCY.** The winery expansion project, as conditioned is consistent with applicable plans and policies, the Central Salinas Valley Area Plan, and the Monterey County Zoning Ordinance (Title 21) which designates this area as Farmland with 40-acre minimum parcel sizes and appropriate for an agricultural processing facility (winery). Specifically, the proposed winery expansion complies with all applicable requirements of §21.30.

**EVIDENCE:** (a) Plan Conformance. PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the Central Salinas Valley Area Plan and for conformity with the Monterey County Zoning Ordinance (Title 21) and have determined that the project is consistent with the Central Salinas Valley Area Plan which designates this area as Farmland and appropriate for an agricultural processing facility (winery expansion).

(b) Land Use. The parcel is zoned Farmland /40 Acre minimum parcel size (F/40). An agricultural processing facility proposal is subject to Use Permit Approval by the Zoning Administrator (the appropriate authority) per §21.30.050 N.

(c) Development Standards. The project is in compliance with Site Development Standards for Farmland in accordance with §21.30.060. Development standards for the zoning district limit Building Site Coverage to 5% of the property (7.35 acres). The project proposes Building Site Coverage of 2.2% (147,000 square feet). The proposed setbacks of the new processing facility are approximately 260 feet from Hobson Avenue,

the nearest road, which greatly exceeds the minimum front setback requirements of 50 feet. Parking standards are addressed below with the Findings and Evidence for the Use Permit Request to reduce parking. Height standards are addressed below with the Findings and Evidence for the Variance Request.

(d) Site Visit. Project planner conducted an on-site inspection September 23, 2004 to verify that the project on the subject parcel conforms to the plans listed above.

(e) Project File. 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 Project File PLN040608.

2. **FINDING: SITE SUITABILITY:** The site is suitable for the use proposed.

**EVIDENCE:** (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health, Parks and the California Department of Forestry and Fire Protection King City, CalTrans and the Monterey County Agricultural Commissioner's Office. Conditions recommended have been incorporated.

(b) Available technical information and reports indicate that there are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed. Agency staff concurs. Reports in the Project File PLN040608 include:

- "Scheid Winery Expansion, Draft Traffic Report," Prepared for Belli Architectural Group. Prepared by Hexagon Transportation Consultants, Inc. Dated August 23, 2004.

- "Notice of Intent to Comply with the Terms of the General Waste Discharge Requirements for Discharges of Winery Wastes for Scheid Vineyards." Prepared for the California Regional Water Quality Control Board Central Coast Region, by Axiom Engineers, Inc., Lee and Associates, dated September 17, 2004. Received by Planning and Building Inspection staff December 14, 2004.

- "Initial Water Use Nitrate Impact Questionnaire For Development in Monterey County for Scheid Vineyards Greenfield." Prepared by Axiom Engineers Inc., Lee & Associates, dated September 2004. Received by Planning and Building Inspection staff December 14, 2004.

- Preliminary Geotechnical Recommendations for the Proposed Building Additions at the Scheid Vineyards, Inc. Project in Greenfield, California. Prepared by Kleinfelder. August 25, 2004.

(c) Staff conducted an on-site visit to verify that the site is suitable for this use.

3. **FINDING: CEQA:** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment. A Mitigated Negative Declaration has been prepared and is on file (File# PLN040608 in the Department of Planning and Building Inspection). All mitigation measures identified in the Initial Study and Mitigated Negative Declaration and all project changes required to avoid significant effects on the environment have been incorporated into the approved project or are made conditions of approval. A Program for Mitigation Monitoring and/or Reporting on Conditions of Approval (hereafter "the MMRP") has been prepared pursuant to Public Resources Code 21081.6 and is made a condition of approval. The MMRP is attached

hereto and is incorporated herein by reference. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Coastal Offices of the Monterey County Planning and Building Inspection Department, located at 2620 1<sup>st</sup> Avenue, Marina is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

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

(b) County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on December 15, 2004, and noticed for public review. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Project Application, Plans, and Descriptions.
2. Interdepartmental Review Responses / Personal Communication.
3. Monterey County General Plan, 1983 and as amended.
4. Central Salinas Valley Area Plan, August 1983, and as amended.
5. 2000 Air Quality Management Plan (Monterey Bay Unified Air Pollution Control District).
6. Department of Conservation, Division of the Mines and Geology.
7. Planner Site Visit September 23, 2004.
8. Franciscan Estates Process Wastewater Treatment System Improvements (Estancia Estates Winery: County File# GP02044) Initial Study, prepared by Pacific Municipal Consultants for the Monterey County Planning and Building Inspection Department, July 19, 2002.
9. Draft Environmental Impact Report / Environmental Impact Statement for the Salinas Valley Water Project, Monterey County Water Resources Agency, June 2001.
10. Scheid Winery - Initial Water Use / Nitrate Impact Questionnaire.
11. Draft Traffic Report for Scheid Winery Expansion. Prepared by Hexagon Transportation Consultants, Inc., August 23, 2004.
12. Preliminary Geotechnical Recommendations for the Proposed Building Additions at the Scheid Vineyards, Inc. Project in Greenfield, California. Prepared by Kleinfelder. August 25, 2004.

13. Soil Survey of Monterey County, April 1978. United States Department of Agriculture, Soil Conservation Service.
14. Monterey County ARC-IMS Geographic Information System.
15. Monterey County Draft Existing Conditions Report for the Monterey County 21<sup>st</sup> Century General Plan Update, Anne Towner, October 12, 1999.
16. Initial Water Use Nitrate Impact Questionnaire For Development in Monterey County for Scheid Vineyards Greenfield. Prepared by Axiom Engineers Inc., Lee & Associates, dated September 2004. Received by Planning and Building Inspection staff December 14, 2004.
17. Notice of Intent to Comply with the Terms of the General Waste Discharge Requirements for Discharges of Winery Wastes for Scheid Vineyards. Prepared for the California Regional Water Quality Control Board Central Coast Region, by Axiom Engineers, Inc., Lee and Associates, dated September 17, 2004. Received by Planning and Building Inspection staff December 14, 2004.
18. Telephone conversation December 15, 2004 with Applicant, Kurt Gollnick.

**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. Zoning violation abatement cost, if any, have been paid.

**EVIDENCE:** (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.  
 (b) The subject property contains existing nonconforming conditions relative to a residential structure with a non-conforming setback to Hobson Avenue.

**5. FINDING: USE PERMIT TO MODIFY PARKING STANDARDS:** Due to the particular characteristics of the use of the property as a winery (an agricultural processing facility) and its immediate vicinity within prime farmland, do not necessitate that the standard parking ratios of 1 parking space per 500 gross square foot attributable to Agricultural Processing plants apply. A gross calculation would require 331 parking spaces. The proposed reduction to 134 parking spaces will be adequate to accommodate all parking needs generated by the use (a difference of 196 spaces):

**EVIDENCE:** (a) Most of the floor area of the processing facility does not generate occupants and is occupied by large towers of wine that sit and age wine according to the varieties and the needs of the industry. In this sense, much of the space can be considered similar to *Mechanical Rooms* and parking ratios should be based on net floor area (reference §21.58.050 A.)  
 (b) No additions to visitor serving wine tasting facilities are proposed.  
 (c) The present winery site accommodates 17 formalized spaces near the offices and wine tasting structure, and other less formalized parking occurs on the remainder of the facility grounds. The parking need of the existing Scheid facilities is approximately 34 spaces according to Monterey County Development standards.  
 (d) New employment expected for Phase I is 26 persons and another 8 persons for Phase II (34 new employees). The new development proposal would develop another 100 spaces above the present calculated need. As only 34 additional employees are forecast to

be employed at the facility, it would appear that there may be many unused or unnecessary spaces still.

(e) The reduction in required parking space construction “saves” approximately 63,700 square feet of ground surface area to remain in vine and producing grapes; 1.46 acres would not need to be taken out of prime production and covered with pavement.

**6. FINDING: VARIANCE TO INCREASE THE MAIN STRUCTURE HEIGHT FROM 35 FOOT MAXIMUM TO 44 FEET (SPECIAL CIRCUMSTANCES):** Because of special circumstances applicable to the subject property, including the size, shape, topography, location of the lot, or the surrounding area, the strict application of Section 21.30.060 B.1.a. of the Monterey County Zoning Code is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under an identical zoning classification.

**EVIDENCE:** (a) The Scheid Vineyards winery facility is located on Prime Farmlands according to Monterey County Resources.

(b) Goal 30 of the Monterey County General Plan is “To protect all viable farmlands designated as prime, of statewide importance, unique or of local importance from conversion to and encroachment of nonagricultural uses.” The winery facility is an agricultural use.

(c) If the project was to conform to the 35’ height standard of the district, many smaller wine storage vats and tanks would be needed, substantially increasing the footprint of the large facility and that would remove additional prime farmland areas from vine production.

(d) The tallest tanks under the facility roof are proposed with a height of 28 feet from finished floor. The highest floor levels of a catwalk along the tall tanks is 27’6” from finished floor. At this height winery personnel need to move freely, unencumbered by the roof or roof mounted equipment, such as the numerous light fixtures that are suspended.

(e) Architecturally, the architect has attempted to break up the mass of the large structure from its most visible vantage, the southwest corner of the building seen from Hobson Avenue. This is where the winery offices are attached to soften the “industrialness” of the agriculture processing plant (see elevations on Sheet A4.1).

(f) The project site is not located within a critical viewshed or near a scenic vista. Highway 101 and Hobson Avenue are public roads with public views, yet neither are designated as visually sensitive or protected. The project will not damage any designated scenic resources.

(g) Materials and documents in Project File No. PLN040608.

**7. FINDING: VARIANCE (SPECIAL PRIVILEGES):** The variance to increase the main structure height from the 35-foot district maximum to 44 feet shall not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated.

**EVIDENCE:** (a) The increase in height to the main structure serves to lessen encroachment onto prime farmlands and furthers the purposes and goals of the General Plan in regard to protection of Agricultural resources.

(b) See Evidence above in #6

(c) Materials and documents in Project File No. PLN040608.

**8. FINDING: VARIANCE (AUTHORIZED USE):** The Variance shall not be granted for a use or activity, which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

**EVIDENCE:** (a) The project for a height increase to an agricultural processing facility is allowed as a conditional use under the property's Farmland/ 40 designation.

(b) Materials and documents in Project File No. PLN040608.

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

**EVIDENCE:** (a) Preceding findings and supporting evidence.

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

**EVIDENCE:** (a) Section 21.80.040 B. of the Monterey County Zoning Code. The Planning Commission is the Appeal Authority to consider appeals from the discretionary decisions of the Zoning Administrator made pursuant to this Title. The decision of the Planning Commission shall be final and may not be appealed, except as provided for in Section 21.80.040 C.

## DECISION

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

**PASSED AND ADOPTED** this 13th day of January 2005.

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SCOTT HENNESSY  
Director, Planning & Building Inspection

COPY OF THIS DECISION MAILED TO APPLICANT ON

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

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 90<sup>th</sup> 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 Marina.

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



<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>
2.		<p><b>NON-STANDARD CONDITION - FEES OWED</b></p> <p>During review of the Scheid Vineyards Winery Expansion application, it was determined that the project would require an additional Use Permit for the requested reduction in parking spaces, and that the project would also require a Variance for the increase in structure height above district standards. The associated fees for the County to review and process these additional components of the development proposal have not yet been paid to the County of Monterey and are due.</p> <p>Additional fees will be necessary for Grading Permits, Building Permits, Mitigation Monitoring and as may be required by other agencies.</p>	<p>Prior to the issuance of building permits or grading permits the applicant shall pay all outstanding Planning and Building Inspection Department development review fees as follows:</p> <p>Scheid Vineyards has paid \$12,677.34 towards a Use Permit and Initial Study. With the addition of a second Use Permit and a Variance, these fees become a Combined Development Permit and the total fees assessed are now \$21025.10.</p> <p style="text-align: center;">\$21,025.10 For County Review  <u>-\$12,677.34 Paid to Date</u>  <b>\$8,347.76 Outstanding and Due</b></p>	Owner/ Applicant	Prior to issuance of grading and building permits.	
3.		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b></p> <p>The applicant shall record a notice that states, "A permit (Resolution 040608) was approved by the Zoning Administrator for Assessor's Parcel Number 221-081-009-000 on January 13, 2005. The permit was granted subject to 35 conditions of approval and 4 mitigation measures that 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. <b>(Planning and Building Inspection)</b></p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits.	

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4.		<b>PBD012 - FISH AND GAME FEE-NEG. DEC/EIR</b> Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) calendar days of project approval. This fee shall be paid on or before the filing of the Notice of Determination. The project shall not be operative, vested, or final until the filing fees are paid. <b>(Planning and Building Inspection)</b>	As of December 30, 2004, the fee is known to be \$1,275.00 and shall be made payable to the County of Monterey. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the issuance of building and/or grading permits, whichever occurs first.	Owner/ Applicant	Prior to issuance of grading and building permits.	
5.		<b>PBD022 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>(Planning and Building Inspection)</b>	Enter into agreement with the County to implement a Mitigation Monitoring Program.  Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement. Presently these fees are <b>\$5,044.00</b> for the County to monitor 1 to 10 mitigation measures. This project has 4 mitigation measures as listed below.	Owner/ Applicant	Prior to issuance of grading and building permits.	
6.		<b>PBD016 - INDEMNIFICATION AGREEMENT</b> The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits.	

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		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. <b>(Planning and Building Inspection)</b>				
7.		<b>PBD014 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. <b>(Planning and Building Inspection)</b>	None	Owner/ Applicant	Ongoing	
8.		<b>PBD034 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. <b>(Planning and Building Inspection; Public Works)</b>	None	Applicant/ Owner	Ongoing	

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9.		<b>PBD030 - STOP WORK - RESOURCES FOUND</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection 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>(Planning and Building Inspection)</b>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical, or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologis t	Ongoing	
10.		<b>NON-STANDARD CONDITION</b> All materials, colors, and treatments shall be consistent with plans dated 12/10/2004 in Planning and Building Inspection Department Files for #PLN040608. Changes from these plans shall require review and approval from the Department of Planning and Building Inspection. <b>(Planning and Building Inspection)</b>	As described.	Owner / Applicant	Verifica tion prior to issuance of building permits. Ongoing	
11.		<b>PBD013 - GEOLOGIC CERTIFICATION</b> Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. <b>(Planning and Building Inspection)</b>	Submit certification by the geological consultant to PBI showing project's compliance with the geological report.	Owner/ Applicant/ Geological Consultant	Prior to final building inspecti on.	

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12.		<p><b>PBD021 LIGHTING EXTERIOR LIGHTING PLAN</b></p> <p>All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan and detailed photometric analysis, which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan and detailed photometric analysis shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. <b>(Planning and Building Inspection)</b></p>	<p>Submit three copies of the lighting plans and photometric analysis to PBI for review and approval.</p> <p>Exterior lighting shall be for purposes of security and localized site functions only. Staff will review the exterior lighting plan and photometric analysis and make recommendations where necessary to reduce glare and excessive lighting, prior to occupancy being granted for the new structures.</p>	Owner/ Applicant	Prior to occupancy	
13.		<p><b>NON-STANDARD CONDITION</b></p> <p>The Planning Department planner shall be called for formal inspection to confirm all condition compliance items. <b>(Planning and Building Inspection)</b></p>	As described.	Owner/ Applicant	Prior to final of building permits or occupancy	
14.		<p><b>NON-STANDARD CONDITION</b></p> <p>No additional business identification signs have been reviewed or approved, nor shall any be added to the subject property without prior review and approval from the County of Monterey. <b>(Planning and Building Inspection)</b></p>		Owner/ Applicant	Ongoing	
Note		While submitted for their review, there are no conditions from the Monterey County Parks Department, Sheriff's Department, or the Agricultural Commissioner's Office.	Information item only.			

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<b>WATER RESOURCES AGENCY</b>						
15.		<b>NON-STANDARD CONDITION STORMWATER DETENTION</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 detention facilities to mitigate the impact of impervious surface stormwater runoff. The detention pond shall be fenced for public safety. <b>(Water Resources Agency)</b>	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	WRA
16.		<b>WR45 - WELL INFORMATION</b> The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. <b>(Water Resources Agency)</b>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
17.		<b>WR8 - COMPLETION CERTIFICATION</b> 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. <b>(Water Resources Agency)</b>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	

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18.		<p><b>WR0040 - WATER CONSERVATION MEASURES</b></p> <p>The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>1. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>2. 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)</p>				

<b>ENVIRONMENTAL HEALTH DEPARTMENT</b>						
19.		<p><b>EHSP01.</b> Comply with Title 14, Chapter 3.1 of the California Code of Regulations (Composting Operations Regulatory Requirements) as approved by the Director of Environmental Health. <b>(Environmental Health)</b></p>	Contact the Solid Waste Program of the Division of Environmental Health.	Owner/ Applicant	Ongoing	EH

20.		<b>EHSP02.</b> The winery wastewater discharge for this project shall comply with the Prohibitions, Recommendations, and Specifications of the General Waste Discharge Requirements (WDR) for Discharges of Winery Wastes set forth by the Regional Water Quality Control (CRWQCB). <b>(Environmental Health)</b>	Submit application to CRWQCB for review and issuance of Waste Discharge Requirements (WDR) or a waiver of Waste Discharge Requirements. Submit evidence of enrollment under a general WDR or waiver to EH.	Owner/ Applicant	Prior to operations <hr/> Ongoing	EH
21.		<b>EH1 - WATER SYSTEM PERMIT</b> Obtain a new or amended water system permit from the Division of Environmental Health. <b>(Environmental Health)</b>	Submit necessary application, reports, and testing results to EH for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading and building permits.	
22.		<b>EH11 - SEPTIC SYSTEM DESIGN</b> Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions," Central Coast Basin Plan, RWQCB. <b>(Environmental Health)</b>	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading and building permits.	
23.		<u>EH28 - HAZ MAT BUSINESS RESPONSE PLAN</u> Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. <b>(Environmental Health)</b>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Ongoing	
24.		<u>EH30 - HAZARDOUS WASTE CONTROL</u> Comply with Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Hazardous Waste Control) as approved by the Director of Environmental Health. <b>(Environmental Health)</b>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Ongoing	

25.		<b>Eh31 - HAZ MAT R.M.P.</b> Submit a Risk Management Plan to the Director of Environmental Health for review and approval. The RMP shall comply with Title 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code. <b>(Environmental Health)</b>	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to operation.	
26.		<b>Eh34 - HAZ MAT SPCC</b> Submit a site Spill Prevention Control Countermeasure (SPCC) Plan to the California Regional Water Quality Control Board for storage of petroleum products (i.e. diesel, oil, and gasoline) in above ground storage tanks greater than 650-gallon capacity or for cumulative storage of more than 1320 gallons. The Plan shall meet the standards as per Title 26, Division 22, Article 3, Sections 66264.30-66264.56 (Preparedness and Prevention). <b>(Environmental Health)</b>	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to operation.	
<b>PUBLIC WORKS DEPARTMENT</b>						
27.		<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>	This shall be demonstrated on Building and Grading Permit plans submitted for review.	Owner/ Applicant	Ongoing	
28.		<b><u>NON-STANDARD CONDITION</u></b> The applicant shall enter into an agreement with the County of Monterey to pay the proposed TAMC Regional Development Impact fee in accordance with the recommendation of CalTrans.	This Condition of Approval was ADDED at the 1/13/05 public hearing by the acting Zoning Administrator.	Owner/ Applicant		

## FIRE DEPARTMENT

California Department of Forestry (C.D.F.) South County

29.	<p><b><u>FIRE008 - GATES</u></b>                  All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. California Department of Forestry (C.D.F.) South County.</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
		Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
30.	<p><b><u>FIRE011 - ADDRESSES FOR BUILDINGS</u></b>                  All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers, and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

		required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. California Department of Forestry (C.D.F.) South County.				
31.		<b>FIRE023 FIRE ALARM SYSTEM COMMERCIAL</b> The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA 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. (California Department of Forestry (C.D.F.) South County.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
32.		<b>NON-STANDARD CONDITION</b> All new buildings are to be sprinklered in accordance with NFPA 13, 1999 edition. Fire sprinkler plans and specifications are to be submitted directly to reviewing authority (Carmel Fire Protection Associates) by a California licensed C-16 contractor for review and approval prior to any work being done on sprinkler system. Note that this is not intended to delay issuance of building permits. {California Department of Forestry (C.D.F.) South County}	As described.	Applicant or owner	Prior to final building inspection	
33.		<b>NON-STANDARD CONDITION</b> Total development appears to be proposed as 50,000 square feet during Phase I and 75,000 square feet in Phase II. Adequate fire protection water shall be developed in accordance with the California Fire Code	As described.	Applicant or owner	Demonstrate on building plans submitted	

		for this development; water supply for the entire project shall be deemed to be part of Phase I. In accordance with Table III-A, minimum water supply appears to be 1.9 million gallons, which can be reduced if ALL buildings on property are sprinklered. <b>{California Department of Forestry (C.D.F.) South County}</b>			Prior to final building inspection	
34.		<b>NON-STANDARD CONDITION</b> Yard hydrants are required for fire protection. Yard hydrants may be supplied off from same fire protection water supply as item above. Fire pumps may be required for fire protection water and yard hydrant systems. <b>{California Department of Forestry (C.D.F.) South County}</b>	As described.	Applicant or owner	Demonstrate on building plans submitted Prior to final building inspection	
35.		<b>NON-STANDARD CONDITION</b> All fire sprinkler systems are to be monitored in accordance with California Fire Code Section 1003.3.1 for valve tamper and waterflow signals. All relevant requirements of Section 1006.3.3.3 shall also apply. <b>{California Department of Forestry (C.D.F.) South County}</b>	As described.	Applicant or owner	Ongoing	
36.		<b>NON-STANDARD CONDITION</b> Access gates shall have access controls acceptable to C.D.F.-King City. All access shall meet minimum requirements of California Fire Code. <b>{California Department of Forestry (C.D.F.) South County}</b>	As described.	Applicant or owner	Ongoing	

### MITIGATION MEASURES

	MM#1	<b>MITIGATION MEASURE #1 - (Air Quality)</b> The applicant and construction contractor shall implement the following Best Available Control Practices per MBUAPCD standards and shall implement the following special conditions. The following	Include the notes on Grading Plans as described.	Applicant or owner	Prior to issuance of Grading Permits	
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	<p>mitigation measure shall also be included in the General Notes on the Proposed Grading Plans and the Building Plans for the Scheid Vineyard expansion project.</p> <p>“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>1. All unpaved construction areas shall be sprinkled with water (at least twice per day in dry weather during grading activities.)</li> <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. construction-related soils on public roads whenever soils are visible.”</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>	Ongoing during construction		Ongoing	
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	MM#2	<b>MITIGATION MEASURE #2 (Traffic / Trans.)</b> Prior to occupancy, obtain an encroachment permit from the Department of Public Works and widen the north side of Hobson Avenue to provide a 26' paved width from Highway 101 to the most westerly driveway. Structural section shall be approved by the department of Public Works. <b>(Public Works)</b>	This Mitigation Measure was modified at the Zoning Administrator's public hearing 1/13/05.  Applicant shall comply as written and edited herein.	Applicant or owner	Prior to occupancy	
	MM#3	<b>MITIGATION MEASURE #3 (Traffic / Trans.)</b> Prior to occupancy, obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to Hobson Avenue at the new driveway to the truck scales. <b>(Public Works)</b>		Applicant or owner	Prior to occupancy	

**End**