

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 040702

A.P.# 167-041-005-000

In the matter of the application of
PANZIERA WILLIAM J TR ET AL (PLN040702)

FINDINGS & DECISION

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow winery events of approximately 15-20 people two to three times per year, events of approximately 11 people two to three times per year, and winery expansion consisting of five buildings: a 26,000 sq. ft. barrel storage building, a 1,000 sq. ft. utility building, a 19,241 sq. ft. barrel storage/processing building, a 8,211 sq. ft. case storage building with a 4,275 sq. ft. top story for offices, tasting room and lab, and a 42,000 sq. ft. building for storage and processing, and a reduction in the number of required parking spaces. The expansion will allow a production increase from 6,000 cases per year to 800,000 cases per year. The property is zoned Farmland/40 and is located at 1290 River Road, Salinas, approximately 3.5 miles south of the Chualar River Bridge west of River Road, Central Salinas area, came on regularly for hearing before the zoning administrator on May 12, 2005.

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

FINDINGS OF FACT

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 Toro 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 and the Toro Area Plan which designate 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 0.5% (103,727 square feet). The proposed setbacks of the new processing facility are approximately 1383 feet from River Road, 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.

(d) Height standards. The project is in compliance with Maximum Height Requirements of 35 feet in accordance with §21.30.060. Parts of the proposed buildings do exceed the 35' height limit, but they are mechanical appurtenances which are allowed to exceed the height limit.

(e) Site Visit. Project planner conducted an on-site inspection December 6, 2004 to verify that the project on the subject parcel conforms to the plans listed above.

(f) 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 PLN040702.

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, and Parks. 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 PLN040702 include:

- “Draft Traffic Study for the Mer Soleil Winery Expansion”. Prepared by Higgins Associates. Dated November 20, 2004.

- “Nitrate, Hazardous Materials, and Water System Information for the Mer Soleil Winery in Salinas, CA”. Prepared by Axiom Engineers Inc., November 29, 2004.

- Geotechnical Engineering and Percolation Report for Proposed Barrel Storage Facility, Conundrum Winery. Prepared by Buena Geotechnical Services. August 31, 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# PLN040702 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 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 1st 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 March 26, 2005, 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, 1982 and as amended.
4. Toro Area Plan, 1986 and as amended.
5. Central Salinas Valley Area Plan, 1987, and as amended.
6. 2000 Air Quality Management Plan (Monterey Bay Unified Air Pollution Control District).
7. Planner Site Visit December 6, 2004.
8. Mer Soleil Winery Expansion - Initial Water Use / Nitrate Impact Questionnaire.
9. Draft Traffic Report for Mer Soleil Winery Expansion. Prepared by Higgins Associates, November 20, 2004.
10. Geotechnical Engineering and Percolation Report for Proposed Barrel Storage Facility, Conundrum Winery. Prepared by Buena Geotechnical Services. August 31, 2004.
11. Soil Survey of Monterey County, April 1978. United States Department of Agriculture, Soil Conservation Service.
12. Monterey County ARC-IMS Geographic Information System.
13. Monterey County Draft Existing Conditions Report for the Monterey County 21st Century General Plan Update, Ann Towner, October 12, 1999.
14. Nitrate, Hazardous Materials, and Water System Information for the Mer Soleil Winery in Salinas, CA. Prepared by Axiom Engineers Inc., November 29, 2004.

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.

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 199 parking spaces. The proposed reduction to 50 parking spaces will be adequate to accommodate all parking needs generated by the use (a difference of 149 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) New employment expected for Phase I is 3-5 persons, another 8-10 persons for Phase II, and 30 persons for Phase III for a total of 41-46 employees. The new development proposal would develop another 50 spaces total, or 4-9 above the present calculated need.

(d) The reduction in required parking space construction "saves" approximately 48,425 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: HEALTH AND SAFETY:** The establishment, maintenance or operation of the project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: (a) Preceding findings and supporting evidence.

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

EVIDENCE: (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

THEREFORE, it is the decision of said Zoning Administrator to adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan and approve said application for a Use Permit as shown on the attached sketch, and subject to the attached conditions.

PASSED AND ADOPTED this 12th day of May 2005.

MIKE NOVO
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE 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 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 Salinas.

2. This permit expires two 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>
		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)				
3.		PBD012 - FISH AND GAME FEE-NEG. DEC/EIR 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. (Planning and Building Inspection)	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.	
4.		PBD022 MITIGATION MONITORING PROGRAM 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. (Planning and Building Inspection)	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 \$5,044.00 for the County to monitor 1 to 10 mitigation measures. This project has 1 mitigation measures as listed below.	Owner/ Applicant	Prior to issuance of grading and building permits.	
5.		PBD014 - GRADING-WINTER RESTRICTION 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)	None	Owner/ Applicant	Ongoing	

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6.		PBD034 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (Planning and Building Inspection; Public Works)	None	Applicant/ Owner	Ongoing	
7.		PBD030 - STOP WORK - RESOURCES FOUND 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. (Planning and Building Inspection)	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/ Archaeologist	Ongoing	
8.		NON-STANDARD CONDITION 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. (Planning and Building Inspection)	As described.	Owner / Applicant	Verification prior to issuance of building permits. Ongoing	
9.		PBD013 - GEOLOGIC CERTIFICATION Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. (Planning and Building Inspection)	Submit certification by the geological consultant to PBI showing project's compliance with the geological report.	Owner/ Applicant/ Geological Consultant	Prior to final building inspection.	

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10.		PBD021 LIGHTING EXTERIOR LIGHTING PLAN 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 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)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
11.		NON-STANDARD CONDITION The Planning Department planner shall be called for formal inspection to confirm all condition compliance items. (Planning and Building Inspection)	As described.	Owner/ Applicant	Prior to final of building permits or occupancy	
12.		NON-STANDARD CONDITION 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. (Planning and Building Inspection)		Owner/ Applicant	Ongoing	
WATER RESOURCES AGENCY						
13.		NON-STANDARD CONDITION DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall also include oil-grease/water separator for the paved parking areas. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources	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

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		Agency. (Water Resources Agency)				
14.		WR0044 – WATER USE INFORMATION The applicant shall provide the Water Resources a copy of the Water Use & Nitrate Impact Questionnaire describing the pre-development and post-development water use on the property.	Submit Water Use & Nitrate Impact Questionnaire to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to filing the final map.	
15.		WR0045 - WELL INFORMATION The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
16.		WR0040 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: 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. 2. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads,				

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		bubblers, drip irrigation systems, and timing devices. (Water Resources Agency)				
ENVIRONMENTAL HEALTH DEPARTMENT						
17.		EH1 - WATER SYSTEM PERMIT Obtain a new or amended water system permit from the Division of Environmental Health. (Environmental Health)	Submit necessary application, reports, and testing results to EH for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading and building permits.	
18.		EH2 - WATER SYSTEM IMPROVEMENTS (CO. PERMITTED SYSTEM) Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. (Environmental Health)	Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to EH for review and approval prior to installing (or bonding) the improvements.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/ building permit or Prior to filing final map	
19.		EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading and building permits.	

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20.		EH19 - WINERY WASTEWATER Winery wastewater discharge shall comply with the Prohibitions, Recommendations, and Specifications of the General Waste Discharge Requirements (WDRs) for Discharges of Winery Wastes set forth by the Regional Water Quality Control (CRWQCB). Apply for Waste Discharge Requirements from the Regional Water Quality Control Board. (Environmental Health)	Submit application to CRWQCB for review and issuance of Waste Discharge Requirements or a waiver of Waste Discharge Requirements. Submit verification of complete application from RWQCB to EH.	Owner/ Applicant	Prior to the issuance of building permits	
21.		EH30 - HAZARDOUS WASTE CONTROL 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. (Environmental Health)	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Ongoing	
22.		EH31 - HAZ MAT R.M.P. 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. (Environmental Health)	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to operation.	
23.		EH34 - HAZ MAT SPCC 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). (Environmental Health)	Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to operation.	

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24.		EH59 – COMPOSTING OPERATIONS 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. (Environmental Health)	Contact the Solid Waste Program of the Division of Environmental Health.	Owner/ Applicant	Continuous	
PUBLIC WORKS DEPARTMENT						
25.		PW0001 – ENCROACHMENT (COM) Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to River Road including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permit Issuance.	
26.		PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	This shall be demonstrated on Building and Grading Permit plans submitted for review.	Owner/ Applicant	Ongoing	
27.		PW - NONSTANDARD CONDITION Applicant shall enter into an agreement with the county to pay an annual pavement maintenance fee in the following amounts: Phase I – \$1,058.27 Phase II - \$1,522.11 Phase III - \$4,387.85 The above fees are based upon 2005 dollars and shall be updated annually based on the Engineering News Record Construction Cost Index. (Public Works)	Proof of payment shall be provided to the Planning and Building Inspection Department.	Owner/ Applicant	Fees shall be paid prior to issuance of building permits for each phase.	

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28.		PW - NONSTANDARD CONDITION Applicant shall contribute toward future improvements to River Road in the following amounts: Phase I - \$2,181 Phase II - \$2,181 Phase III – 8,724 The above fees are based on 2005 dollars and shall be updated at the time of payment based on the Engineering News Record Construction Cost Index. (Public Works)	Proof of payment shall be provided to the Planning and Building Inspection Department.	Owner/ Applicant	Fees shall be paid prior to issuance of building permits for each phase.	
29.		PW - NONSTANDARD CONDITION Applicant shall pay the transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. (Public Works)	Proof of payment shall be provided to the Planning and Building Inspection Department.	Owner/ Applicant	Fees shall be paid prior to issuance of building permits for each phase.	
FIRE DEPARTMENT Gonzales Rural Fire Department						
30.		Storage in wooden barrels or casks only. (CFC 7902.5.1.1)	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	

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31.		Approved portable fire extinguishers required (NFPA standard 10-1)				
32.		Water supply sufficient to deliver specified fire protection demand, including at least 500 GPM for inside/outside hose lines.(CFC 7902.1.2.2)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
33.		Tanks and containers when emptied shall have covers or plugs replaced in openings. (CFC 7902.5.3)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
34.		Class I, II, III-A liquids including stock for sale, shall not be stored near exit-access doorways, stairways or in a location that would impede egress. (CFC 7902.5.5)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
35.		Shelving shall be of substantial construction, adequately braced and anchored. (CFC 7902.5.6.1)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
36.		Shelves shall be of sufficient depth and provided with a lip or guard to prevent individual containers from being easily displaced. (CFC 7902.5.6.2)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	

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37.		Provide rated maintained all weather access road. (CFC 902.2.2.2)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
38.		The required width of the fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. (CFC 902.2.4.1)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
39.		Install approved access walkways leading from fire apparatus access roads to exterior openings as required. (CFC 902.3.1)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
40.		When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, a required key box, (KNOXBOX) shall be installed in an accessible location. The key box, (KNOXBOX) shall be of an approved type and shall contain keys to gain necessary access as required. (CFC 902.4)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
41.		An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from water on a fire access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided. (CFC	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	

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		903.2)				
42.		Water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains, or other fixed systems capable of providing the required fire flow. (CFC 903.3)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
43.		Fire hydrant systems shall be subject to periodic testing, (annually). Fire hydrant systems shall be maintained in an operable condition at all times and shall be repaired where defective. Additions, repairs, alterations, and servicing shall be in accordance with approved standards. (CFC 903.4.1.2)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
44.		The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved. (CFC903.4.2)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
45.		Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with §8001.11.3, for marking §901.4.3, for obstructions §1001.7. (CFC 903.4.3) (required hydrants as per appendix II-A, must supply 1500 GPM for 2 hours @ 20 PSI. minimum) MINIMUM REQUIRED HYDRANTS 2, MAXIMUM DISTANCE FROM FIRE ACCESS ROAD TO HYDRANT SHALL NOT EXCEED 250 FEET.	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	

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46.		Water supply and storage tank to be designed with fire flow engineering requirements to maintain fire protection system, to include approved fire department connection at water storage system. (CFC 1001.3)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
47.		Auxiliary power system shall be installed to prevent failure to fire protection, or fire suppression system. This system shall be maintained and tested for compliance on a regular basis. (CFC1001.5.1)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
48.		Sprinkler design and calculations shall be submitted and approved prior to installation. Design shall include automatic monitoring system, and central alarm monitoring station designation, under constant attendance.	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
49.		An alarm-signaling device shall be mounted on the exterior of the building. (CFC1007.3.3.3.1)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
50.		Visual signaling devices shall be installed for the hearing impaired. (CFC1007.3.3.3.4)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	

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51.		A visible street address must be posted at the entrance to the property. (CFC901.4.4)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
52.		A current copy of the business operations response plan shall be maintained and a copy with the most current telephone numbers and personnel shall be located in the KNOXBOX, prior to the conveyance of a certificate of occupancy.	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
53.		Fire access road shall be identified with approved signage.	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
MONTEREY BAY UNIFIED AIRPOLLUTION CONTROL DISTRICT						
54.		Obtain MBUAPCD permits if required for any stationary sources such as emergency generators, diesel pumping equipment, or other apparatus that may be fueled with hydrocarbon fuels such as sweeping or forklift equipment.	If necessary, Applicant's contractor shall obtain required permits from staff of MBUAPCD. Provide copies of permits to planning staff, or secure e-mail to Planning staff from staff of MBUAPCD confirming compliance.	Applicant or owner	Prior to installation of any such facilities or on site.	
MITIGATION MEASURES						

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55.		AIR QUALITY Emissions from the fermentation process for Phase III or when production reaches 800,000 cases per year.	Obtain the appropriate permit from the Monterey Bay Unified Air Pollution Control District (MBUAPCD)	Applicant	When production reaches 800,000 cases/year, or Phase III begins	Issuance of permit from MBUAPCD
		Emissions from stationary sources such as back-up generators 50 hp or greater or boilers 2MMbtu/hr or greater.	Obtain the appropriate permit(s) from MBUAPCD.	Applicant	Before putting the equipment into operation	Issuance of permit(s)
56.	MM#1	MITIGATION MEASURE #1 - (Air Quality) a) 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 mitigation measure shall also be included in the General Notes on the Proposed Grading Plans and the Building Plans. b) “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: c) All unpaved construction areas shall be sprinkled with water (at least twice per day in dry weather during grading activities.) d) Apply non-toxic tackifier, or other suitable	Include the notes on Grading Plans as described. Ongoing during construction	Applicant or owner	Prior to issuance of Grading Permits Ongoing	

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		<p>cover (such as jute netting, erosion control fabric, mulch, etc.), to exposed areas immediately after cut-and-fill operations are complete.</p> <p>e) Trucks hauling dirt and debris must be covered.</p> <p>f) 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.</p> <p>g) Immediately sweep up spilled dirt or debris onto paved surfaces. construction-related soils on public roads whenever soils are visible.”</p> <p>h) Cover on-site stockpiles of excavated materials.</p> <p>i) Vacuum (e.g. road sweeper/vacuum) construction-related soils on public roads whenever soils are visible.”</p>				