

MIKE NOVO
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 050625

A.P.# 419-081-055-000

In the matter of the application of
DAN H. & KATHLEEN L. KARLSEN (PLN050625)

FINDINGS & DECISION

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to convert an existing 1,500 sq. ft. prefabricated metal building into a bonded micro-winery, closed to the public, producing less than 4,800 cases annually (an agricultural processing plant). The property is located at 42875 Carmel Valley Road, Greenfield, Cachagua Area Plan, and came on regularly for hearing before the Zoning Administrator on May 25, 2006.

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

FINDINGS OF FACT

1. **FINDING:** The Project, as conditioned is consistent with applicable plans and policies, the Monterey County General Plan, Cachagua Area Plan, and the Monterey County Zoning Ordinance (Title 21) which designates this area appropriate for agricultural uses. The site is located at 42875 E. Carmel Valley Road, Greenfield (Assessor's Parcel Number 419-081-055-000).
EVIDENCE: Staff has reviewed the project as contained in the application and accompanying materials for consistency with the General Plan and the Cachagua Area Plan. The project is consistent with the Cachagua Land Use Plan policy 30.0.09(C) which allows wineries subject to a Use Permit and allows agricultural uses.
EVIDENCE: The parcel is zoned PG/160 Permanent Grazing 160-acre minimum parcel size. Subject to issuance of a Use Permit, Agricultural Processing plants are specifically allowed by Section 21.34.050 (R).
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 Project File PLN050625.
2. **FINDING:** The site is suitable for the use proposed.
EVIDENCE: The project site has been reviewed for suitability by Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health, and the Cachagua Fire District. Recommended Conditions of Approval have been incorporated into the project.
EVIDENCE: The only exterior physical additions to the 40+ acre property to accommodate the proposed micro-winery use will be the addition of less than 2000 square feet of concrete slab poured adjacent to an existing structure. No drainage or run-off issues have been identified from such an addition.
EVIDENCE: Adequate sewer and water service exists or can be provided, and adequate road and transportation facilities exist for the use.

EVIDENCE: The project was reviewed by the Public Works Department, Environmental Health Division, Water Resources Agency, and the Cachagua Fire Protection District, and appropriate conditions have been placed on the project.

3. FINDING: The project is exempt from environmental review.

EVIDENCE: CEQA Guidelines Section 15303, Class 3(c) exempts small facilities or structures; installation of equipment or facilities in small structures less than 2,500 sq. ft.

EVIDENCE: The winery will include processing and bottling and barrel storage in an existing 1,500 square foot building. 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.

EVIDENCE: Sediment wastes approximating 500 gallons maximum per year will be placed in holding tank storage, then later mixed with composted grape pomace and spread back into the vineyard - negating to minimal levels the generation of solid wastes from the production activities.

EVIDENCE: Truck delivery traffic from the proposed wine production is minimal and not environmentally significant. Two yearly truck deliveries for glass and bottling, 4 trucks delivering 1,000 cases each of finished wine, one delivery for corks (50,000 ct), one shipment of barrels and 4 semi trucks delivering a combined 55 tons of grapes. This approximates 12 trips a year for one truck per month average. Additionally, the deliveries and shipments are likely to head east on Carmel Valley Road to the Salinas Valley and Highway 101. No perceptible impacts to Carmel Valley Village or known congestion spots west of the village will result.

EVIDENCE: No visual impacts to the County will result from the conversion of the existing structure.

EVIDENCE: Grape production occurs during a minimal 10-15 day period, during daytime hours and with minimal machinery noise. The nearest sensitive receptor is a residence approximately 1,200 feet distant.

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 Project File PLN050625.

4. FINDING: 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: Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.

5. FINDING: 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: Preceding findings and supporting evidence.

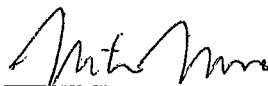
6. FINDING: The decision on this project is appealable to the Planning Commission.

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

DECISION

THEREFORE, it is the decision of said Zoning Administrator that said application for a Use Permit be granted as shown on the attached sketch, and subject to the attached conditions.

PASSED AND ADOPTED this 25th day of May, 2006.



MIKE NOVO, ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON **JUN - 7 2006**

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

JUN 17 2006

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.

**Monterey County Planning and Building Inspection
Condition Compliance and/or Mitigation Monitoring
Reporting Plan**

Project Name: Karlsen - Chock Rock Vineyard Micro-Winery

File No: PLN060625

APNs: 419-081-055-000

Approval by: Zoning Administrator

Date: May 25, 2006

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
3.		<p>PBD029 - SPECIFIC USES ONLY This Use Permit (PLN050625) allows the conversion of an existing 1,500 sq. ft. prefabricated metal building into a bonded micro-winery, closed to the public, producing less than 4,800 cases annually (an agricultural processing plant). The property is located at 42875 E. Carmel Valley Rd. Assessor's Parcel Number: 419-081-055-000. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of 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)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

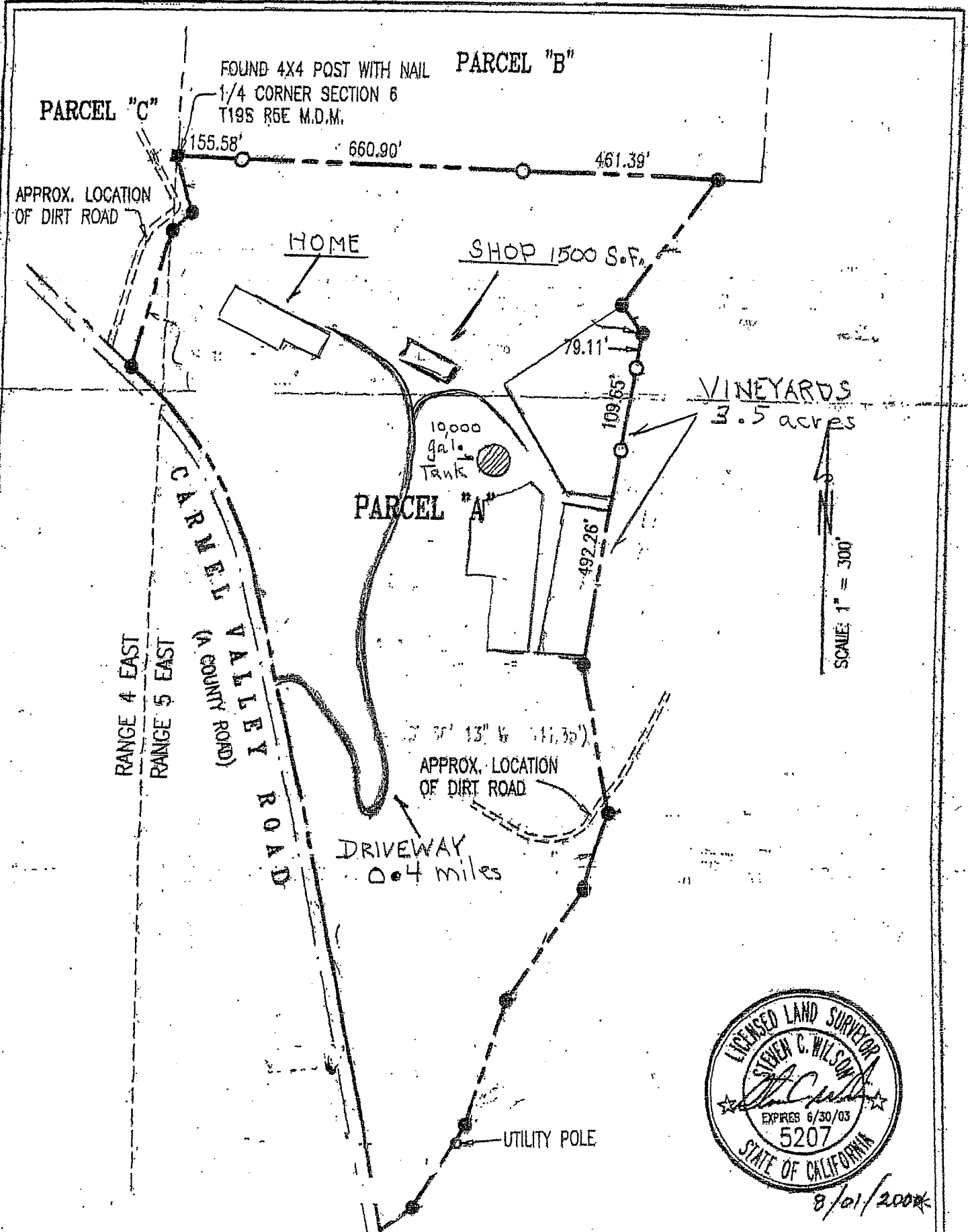
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4.		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution 050625) was approved by the Zoning Administrator for Assessor's Parcel Number 419-081-055-000 on May 25, 2006. The permit was granted subject to 15 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)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
5.		<p>PBD030 - STOP WORK - RESOURCES FOUND</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County 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)</p>	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	

<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>
6.		PBD NON-STANDARD CONDITION Provide evidence in the form of copies of the bonded winery license from the Federal Bureau of Alcohol, Tobacco and Firearms (BATF) and provide evidence of licensing as appropriate from the California State Department of Alcoholic Beverage Control. (Planning and Building Inspection)	Provide a copy of the licenses and any amendments thereto as they occur, upon receipt of said license(s) from the respective regulatory agencies: Federal = BATF bonded winery license State = Department of Alcoholic Beverage Control	Owner/ Applicant	Ongoing	
7.		PBD NON-STANDARD CONDITION Provide evidence in the form of copies of the annual production report to the Federal Bureau of Alcohol, Tobacco and Firearms and a copy of the annual tax report on the winery and a copy of the ABC permit. (Planning and Building Inspection)	Provide e-mail, fax or photocopies of production documentation submitted to the Federal BATF. Once annually at the time of submittal to the federal agency	Owner/ Applicant	Ongoing	
8.		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	
9.		WR45 - 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	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
10.		<p>WR40 - 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:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
11.		<p><u>Premises Identification:</u> Address to be posted at Carmel Valley Road. Numbers to be at least 4" high with proportional stroke. Numbers to be reflective, non-combustible, and be able to be read from either direction of Carmel Valley Road. Numbers shall be mounted on non-combustible construction. (Reference Section 901.4.4., CFC) (CDF- KING CITY)</p>				
12.		<p><u>Access:</u> Access Road From Carmel Valley Road to be at least 20' wide, 13'6" vertical clearance, with surface that will support imposed loads of fire apparatus. Turnaround is required at end. Grade cannot exceed 15%; grades over 8% need to be paved. (Reference Section 902.2.1., CFC) (CDF- KING CITY)</p>				

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
13.		<p>Fire Protection Water: a) Water Supply for this commercial application needs to be in accordance with the California Fire Code. If required by the fire chief, for a 1500 square foot building, 1500 GPM for 2 hours is required, totaling 180,000 gallons. This amount of storage can be reduced if the applicant retrofits automatic fire sprinklers in the building. Contact Fire authority plan reviewer (Carmel Fire Protection Associates) for more information. b) Hydrant is required. See Monterey County Standard Condition #15 (Reference Section 902.2.1., CFC) (CDF- KING CITY)</p>				
14.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	

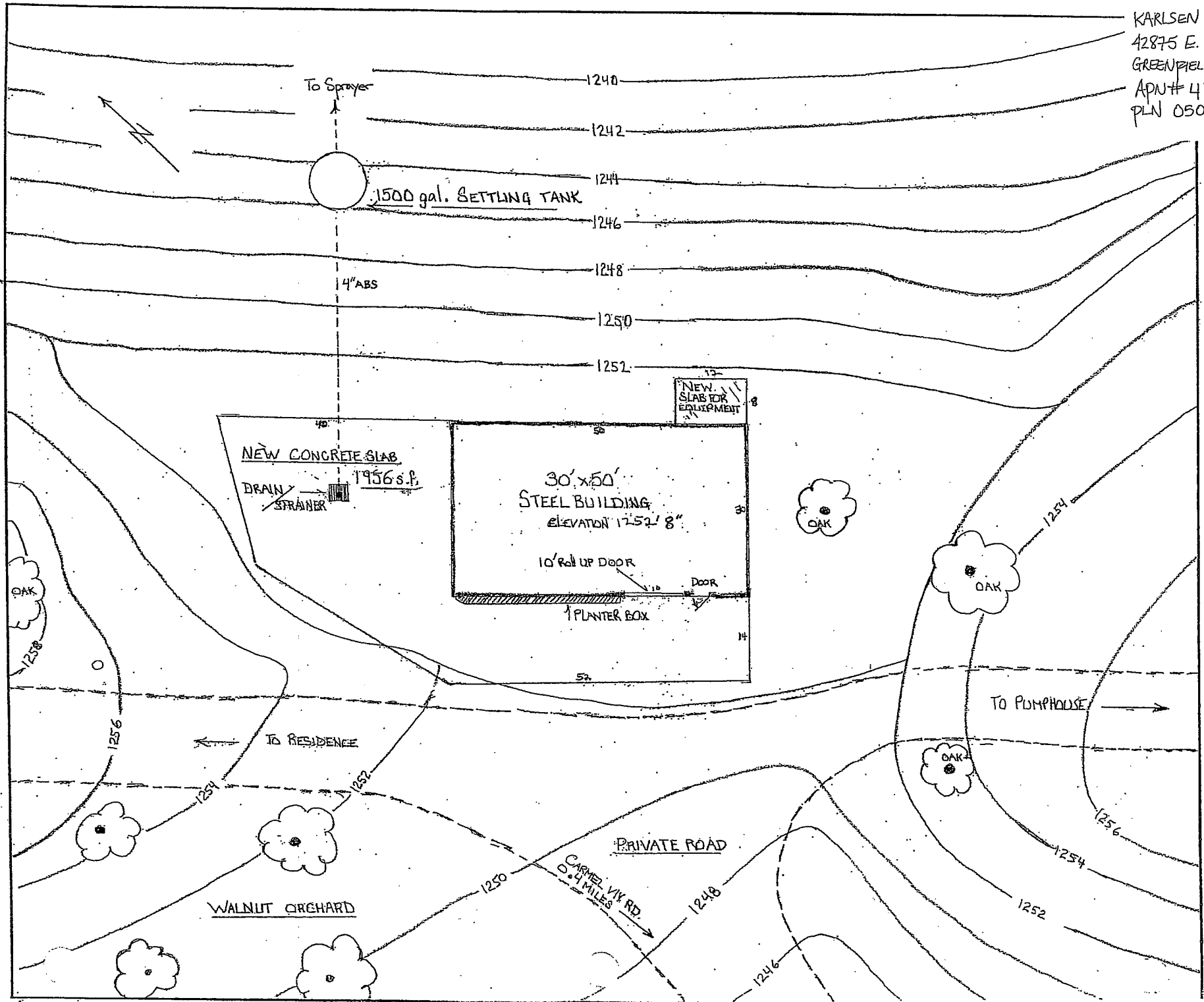
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (CDF- KING CITY)				
15.		<u>Portable Fire Extinguishers</u> : Provide two (2) portable fire extinguishers rated 2-A: 10-BC Mounted in accordance with NFPA 10. Contact Carmel Fire Protection Associates for recommendations on mounting locations. (CDF- KING CITY)				
NOTE		The Environmental Health Department and Public Works Department have reviewed the proposal and have no Conditions to recommend				



8/01/200*

LEGEND & NOTES:

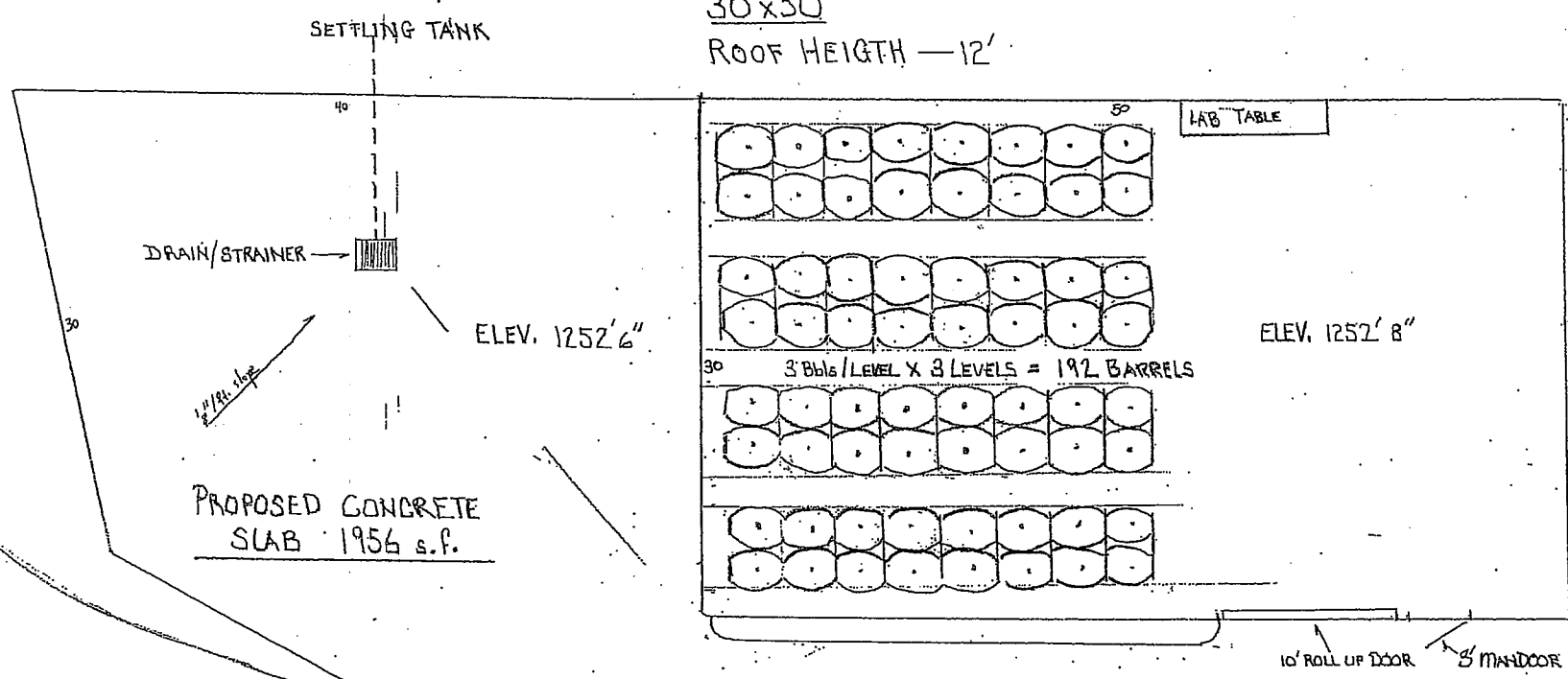
KARLSEN Project
42875 E. CARMEL V
GREENFIELD, CA 938
APN# 419-081-06
PLN 050349



Date	11-11-0
Scale	1" = 10'
Drawn	Dan Ky
Job	11-11-0
Sheet	
Of 1	Sheet

EXHIBIT E

EXISTING METAL BUILDING (1500 s.f.)
30'x50'
ROOF HEIGHT - 12'



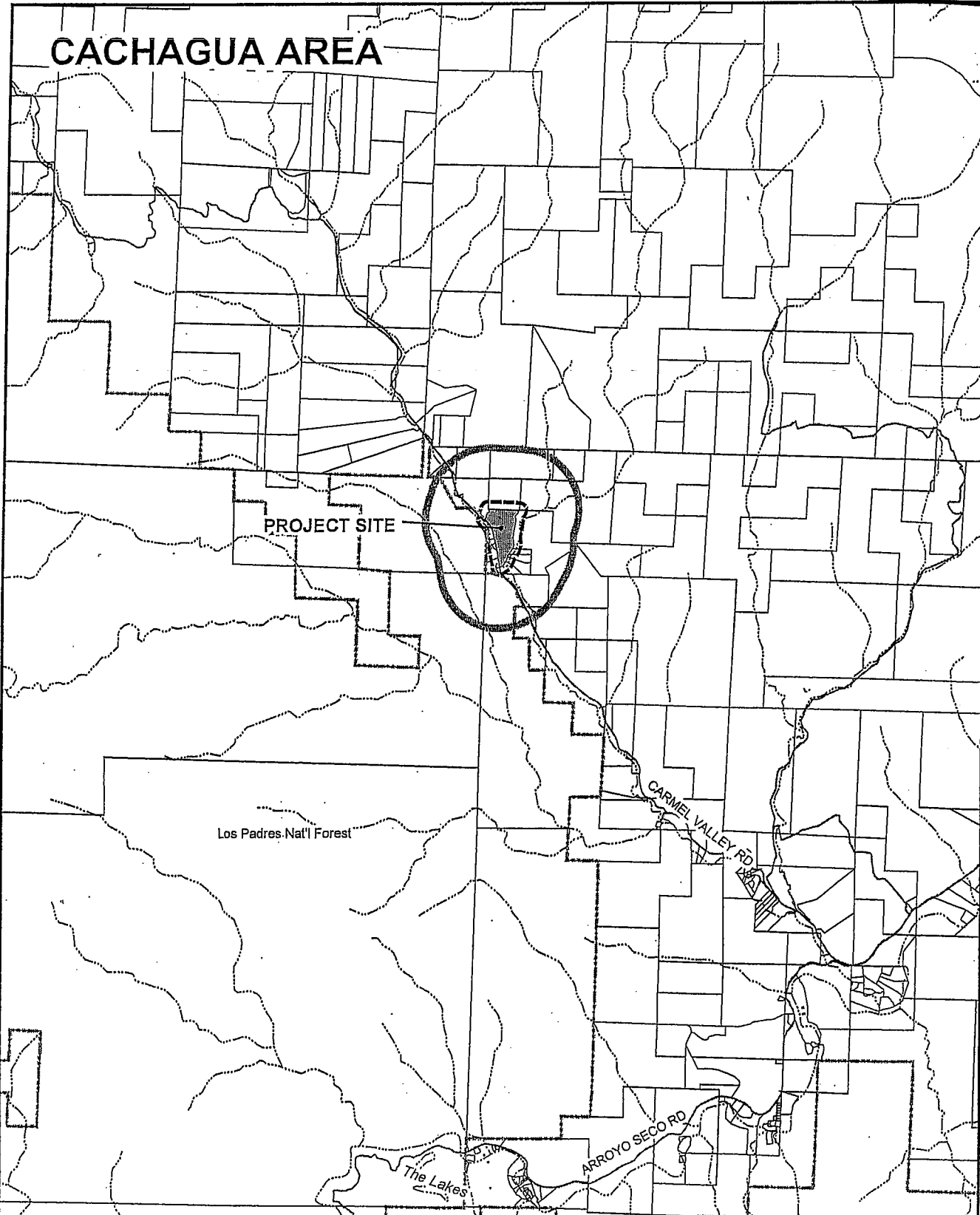
REVISIONS	BY

PLN 050625

KARLSEN Project
 42875 E. CARMEL VLY RD
 GREENFIELD, CA 93927
 APN # 419-081-055
 PLN 050349

Date 11-11-05
Scale 2" = 10'
Drawn DAN KARLSEN
Job
Sheet

CACHAGUA AREA



APPLICANT: KARLSEN

APN: 419-081-055-000

FILE # PLN050625



300' Limit



2500' Limit



City Limits

