

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

In the matter of the application of:

**TMV Lands (PLN080113)**

**RESOLUTION NO. 080113**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Categorically Exempt per Sections 15303(c) and 15061 (b) (3)
- 2) Approving Use Permit to allow the operation of a winery (agricultural processing plant) with tasting room utilizing an existing structure on-site. The winery will produce up to 5,000 cases of wine annually. The proposed project will involve converting an existing 2,500 square foot agriculture storage building into the winery and tasting room facility. The project also includes the proposal for special events occurring four times a year with a maximum capacity for 100 guests per event. The project site can accommodate 62 unpaved parking spaces. No grading or tree removal.

(PLN080113, TMV Lands, 32720 River Road,  
Soledad, Central Salinas Valley Area Plan  
(APN: 216-021-019-000)

The Use Permit application (PLN080113) came on for public hearing before the Monterey County Zoning Administrator on April 30, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

**FINDINGS**

1. **FINDING: CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the Monterey County General Plan,
- Central Salinas Valley Area Plan,
- Central Salinas Valley Area Plan Inventory and Analysis,
- Monterey County Zoning Ordinance (Title 21)

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located at 32720 River Road, Soledad, (Assessor's Parcel Number 216-021-019-000, Central Salinas Valley Area Plan. The parcel is zoned Farmlands, 40 minimum building site, which allows

agricultural processing plants (wineries), subject to the obtaining a Use Permit pursuant to section 21.30.050.N of the Monterey County Zoning Ordinance Title 21. Therefore, the project is an allowed land use for this site.

- c) The existing 2,500 square foot agricultural storage building proposed to be converted into the winery and tasting room facility meets the Site Development Standards of the Farmlands Zoning District, Section 21.30.060. The maximum site coverage for this property is 5% and the proposal is less than 1% site coverage. The subject structure meets the minimum required setbacks of 30-foot front, 20-foot side and rear and the height limit maximum of 35 feet as its setbacks are 318 foot front setback, a 167-foot and over 200-foot side setbacks, and over 200-foot on the rear setback. The height of the winery structure is approximately 30 feet in height, which is less than the maximum allowed of 35 feet.
- d) The project planner conducted a site inspection on January 12, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- e) The project meets the intent of Agricultural Goal 30 as described in the 1982 Monterey County General Plan. This goal is to protect all viable farmlands designated as Prime, of Statewide Importance, Unique or of Local Importance from conversion to and encroachment of non-agricultural uses. The project site is designated as Prime Farmlands by the U.S Department of Agriculture Soil Conservation Service. Prime Farmlands is land best suited for producing food, feed, forage, fiber and oilseed crops. The subject lot is a 90.39 acre lot devoted almost entirely to row crop farming, with the exception of a small area that houses a single family residence, a detached residential garage and two agricultural storage buildings. The Farmlands Zoning Designation allows residential structures accessory to agricultural use of the property and this is the case with the existing residence and the agricultural storage buildings. These structures support the agricultural activities of the site. The winery/tasting room proposal is considered an agricultural related venture and would use one of the existing agriculture storage structures as the facility for the use. No new construction or grading will occur on site for the use proposed. The project also proposes to hold private and public events, four times a year with a maximum capacity of 100 people per event. For this reason, 62 unpaved parking spaces are proposed on-site. The parking spaces will be accommodated on the area of non-agriculture and will not impede the agricultural truck circulation on the property. No displacement of existing agricultural is proposed by this project. The project is agricultural processing plant and therefore consistent with Agricultural Goal 30 of the 1982 Monterey County General Plan and the uses allowed will not impact the Prime soils on this property.
- f) The project site is a legal lot of record pursuant to Record of Survey, filed as Volume 17, Surveys, Page 29 with the Monterey County Recorders, dated August 20, 1991. This Survey was the result of a Lot Line Adjustment involving the subject parcel. The Lot Line Adjustment was approved by the Monterey County Minor Subdivision Committee by Resolution No. 91-038.
- g) The project was not referred to a Land Use Advisory Committee

(LUAC) for review because no LUAC exists for this area of the County.

- h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080113.

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

**EVIDENCE:** a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Gonzales Rural Fire Protection District, Public Works, Environmental Health Division, Water Resources Agency and Office of the Sheriff. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- b) In order to analyze potential traffic impacts caused by the proposed project and analyze the parking management, a traffic report was prepared by an outside traffic consultant. The report did not identify any physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:

- *“Franscioni Ag Processing Plant/Winery/Wine Storage Facility Trip Generation Study, Truck Turning Analysis and Parking Management Plan, Monterey County, California” (LIB090213) prepared by Hatch Mott MacDonald, Gilroy, CA, March 9, 2009.*

The report analyzed the subject project involving a Use Permit for the operation of a winery and tasting room that proposes converting an existing 2,500 square foot agriculture storage building for this purpose. The winery will have a annual production of 5,000 cases of wine and use on-site grown grapes for the wine processing. The project also includes the proposal for private and winery-related events occurring four times a year with a maximum capacity for 100 guests per event. The project site can accommodate 62 unpaved parking spaces. The traffic report found that the project would generate insignificant additions to the daily traffic volumes on River Road and that the levels of service on River Road would not be affected by the proposed project. Additionally, the project has incorporated a parking layout and two driveway approaches off of River Road (Driveway A and B) to accommodate and distinguish truck and vehicle traffic. The parking management plan identifies 62 parking spaces that can be accommodated for the special event parking occurring 4 times a year for up to 100 people each time. The study suggests that although WB-50 trucks (5-axle trucks measuring 55 feet) can come into the property, while a special event is taking place, it is the recommendation of the traffic engineers that truck deliveries be kept at a minimum by scheduling deliveries between Monday and Thursday. Along with this recommendation, the study recommended the following strategies suitable for addressing the parking management plan during a special event:

- Distribute maps indicating where parking is available,

particularly parking for the disabled located near the existing garage on the east side of the property (Garage B);

- Utilize and strategically place traffic cones to delineate the parking area to serve as a boundary and guidance for vehicle operators as they enter the premises
- Utilize parking supervisors on premises to direct traffic.

The above recommendations have been incorporated as conditions of approval. Planning and Public Works staff met diligently with the applicant and applicant's traffic engineer and found that the recommendations of the traffic report were suitable for the proposed project. With incorporation of recommended traffic conditions of approval, the project has no unresolved traffic or other significant issues.

- c) Staff conducted a site inspection on January 12, 2009 to verify that the site is suitable for this use.
- d) The site is located within an area identified as having "low" archaeological sensitivity. An archaeological reconnaissance report was not required in accordance with Sections 21.66.050.C.1.c and d. of the Monterey County Zoning Ordinance, Title 21. This section states that a report would be required only in areas where there are specific information known to exist which states that a known archaeological resources are present or that the development is within 750 feet of a known archaeological resource. In this particular case, both situations are not present. Therefore, the site is suitable for the proposed use.
- e) The project site has adequate public access for the winery and tasting room. The project site is accessed directly off River Road and a condition of approval requiring Encroachment Permits for the driveway approaches has been incorporated.
- f) The project meets the Site Development Standards of the Farmlands Zoning District, Section 21.30.060. The maximum site coverage for this property is 5% and the proposal is less than 1% site coverage. The subject winery structure meets the minimum required setbacks of 30-foot front, 20-foot side and rear and the height limit maximum of 35 feet. The 2,500 square foot existing structure to be converted into the winery/tasting facility has a 318-foot front setback, a 167-foot and over 200-foot side setbacks, and over 200 feet on the rear setback. The height of the winery structure is approximately 30 feet in height. The winery structure also meets the minimum required setbacks between structures of 6 and 10 feet.
- g) The existing septic system is adequately sized to serve the proposed tasting room. The existing single family dwelling is served by a separate septic system. According to the Environmental Health Department, adequate repair area exists for each system in case future repairs are necessary. The applicant intends to spread the winery crush wastewater onsite for dust control which the Environmental Health Department and the Water Resources Agency did not have any objections to. The Environmental Health Department also reviewed the project for water system requirements and any consumer protection requirements, relating to the wine tasting. Both areas of Environmental Health deemed the application exempt from a water system permit and a Food Facility permit.

- h) The project site is not under a Williamson Act Contract.
- i) Although the 90.39 acre parcel project site lies partially in the 100-year floodplain of the Salinas River, the proposed winery structure lies outside of this floodplain boundary.
- j) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080113.

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

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning Department, Gonzales Rural Fire Protection District, Public Works, Environmental Health Division, Water Resources Agency and Office of the Sheriff. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (**Exhibit 1**).
  - b) Necessary public facilities are available. The existing septic system is adequately sized to serve the proposed winery/tasting room. The applicant intends to spread the winery crush wastewater onsite for dust control which the Environmental Health Department and the Water Resources Agency did not have any objections to. The project will be served by an existing well.
  - c) Preceding findings and supporting evidence for PLN080113. (See Findings 1, 2, 4 and 5).

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on January 12, 2009 and researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080113.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) The project meets two categorical exemptions pursuant to the California Environmental Quality Act: Section 15303(c) and 15061 (b) (3).
  - b) Section 15303(c) exempts a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. The subject site proposes to convert an existing 2,500 square foot agricultural storage building into the winery/tasting room facility not involving the use of significant amounts of hazardous substances. Therefore, Section 15303(c) applies as an exemption from CEQA for the proposed project.
  - c) Section 15061(b) (3) describes that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The subject project is an allowed use under its zoning designation of Farmlands. The project site is a 90.39 acre parcel devoted to row crop farming with an existing single family dwelling and farm buildings. One of these farm buildings, a 2,500 square foot structure will be converted to the winery/tasting room facility. The winery will have the potential to generate up to 5,000 cases of wine annually. No additional building construction or grading is proposed for the project. The existing septic system is adequately sized to serve the proposed tasting room. The existing single family dwelling is served by a separate septic system. According to the Environmental Health Department, adequate repair area exists for each system in case future repairs are necessary. The applicant intends to spread the winery crush wastewater onsite for dust control which the Environmental Health Department and the Water Resources Agency did not have any objections to. The Environmental Health Department also reviewed the project for water system requirements and any consumer protection requirements, relating to the wine tasting. Both areas of Environmental Health deemed the application exempt from a water system permit and a Food Facility permit. Planning and Public Works staff analyzed the traffic study prepared for the project and met many times to discuss the context of the report. Staff found that the report adequately identified the traffic generation, truck turning analysis and the parking management plan for the project. The report concluded that the project would generate insignificant additions to the daily traffic volumes on River Road. The project did not require implementation of any improvements to the street system and sufficient parking spaces (62 spaces) can be provided on-site for the special events occurring four times a year for a maximum capacity of 100 people per event. For the reasons above, Staff finds that the project did not have the potential for causing a significant effect on the environment.
  - d) No adverse environmental effects were identified during staff review of the development application during a site visit on January 12, 2009.
  - e) See preceding findings and supporting evidence.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.

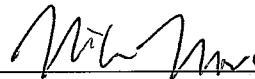
**EVIDENCE:** a) Section 21.80.040.B of the Monterey County Zoning Ordinance, Title 21.

**DECISION**

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

- A. Find the project Categorically Exempt from CEQA per Section 15303(c) and 15061(b)(3); and
- B. Approve the Use Permit, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 30th day of April, 2009.



Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON

**APR 30 2009**

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

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

**MAY 10 2009**

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

**NOTES**

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

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

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

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

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

**Project Name:** TMV Lands

**File No:** PLN080113

**APNs:** 216-021-019-000

**Approved by:** Zoning Administrator

**Date:** April 30, 2009

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)
<b>RMA – Planning Department</b>						
1.		<b>PD001 - SPECIFIC USES ONLY</b> This Use Permit (PLN080113) allows the operation of a winery (agricultural processing plant) with tasting room utilizing an existing structure on-site. The winery will produce up to 5,000 cases of wine annually. The proposed project will involve converting an existing 2,500 square foot agriculture storage building into the winery and tasting room facility. The project also includes the proposal for special events occurring four times a year with a maximum capacity for 100 guests per event. The project site can accommodate 62 unpaved parking spaces. No grading or tree removal is proposed. The property is located at 32720 River Road, Soledad (Assessor's Parcel Number 216-021-019-000), Central Salinas Valley Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. <b>(RMA - Planning Department)</b>	Adhere to conditions and uses specified in the permit.  Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.  To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.	Owner/ Applicant  RMA - Planning  WRA  RMA - Planning	Ongoing unless otherwise stated	



2.		<p><b>PD002 - NOTICE-PERMIT APPROVAL</b>  The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 216-021-019-000 on April 30, 2009. The permit was granted subject to 23 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." <b>(RMA - Planning Department)</b></p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p> <p>RMA- Planning</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	
3.		<p><b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</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 RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b></p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

4.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b></p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, whichever occurs first and as applicable	
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5.		<b>PD005a – NOTICE OF EXEMPTION</b> Pursuant to CEQA Guidelines § 15062, a Notice of Exemption shall be filed for this project. The filing fee shall be submitted prior to filing the Notice of Exemption.	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	After project approval.	
6.		<b>PD007 - 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 RMA - Building Services Department. <b>(RMA – Planning Department and Building Services Department)</b>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
7.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. 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 lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
8.		<b>PD016 – NOTICE OF REPORT</b> Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Traffic Report has been prepared for this parcel by Hatch Mott MacDonald, dated March 9, 2009 and is on record in the Monterey County RMA - Planning Department, Library No. 090213. All development shall be in accordance with this report." <b>(RMA – Planning Department)</b>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	

9.		<b>PD026 - BANNERS, FLAGS, PENNANTS</b> There shall be no flags, banners, pennants, or other attention getting devices, other than approved signs, on the property. <b>(RMA – Planning Department)</b>	Submit evidence which demonstrates that there are no flags, banners, pennants, or other attention getting devices, other than approved signs, on the property.	Owner/ Applicant	Prior to use/ Ongoing	
10.		<b>PDSP001 - HOURS OF OPERATION FOR TASTING ROOM (NON-STANDARD)</b> Hours of operation for the tasting room shall be 11am to 7pm on Friday, Saturday and Sunday. <b>(RMA – Planning Department)</b>	Demonstrate compliance with the hours of operation to the Director of RMA – Planning Department.	Owner/ Applicant	Prior to use/ Ongoing	
11.		<b>PDSP002-CUSTOM CRUSH (NON-STANDARD)</b> Custom Crush by others may be allowed on the subject property subject to the limit of the annual production of 5,000 cases of wine as described in Condition No. 1. <b>(RMA – Planning Department)</b>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	
12.		<b>PDSP003- SIGNS (NON-STANDARD)</b> Any signs shall conform to Monterey County Code Section 21.60 <i>Regulations for Signs</i> . The signs shall be unobtrusive and attractive. <b>(RMA - Planning Department)</b>	Submit plan designs to the RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to the installation of sign(s)	

13.	<p><b>PDSP004 –WINERY-RELATED EVENTS AND PRIVATE WINERY EVENTS AND AMPLIFIED MUSIC (NON-STANDARD)</b></p> <p>The approval of this project includes private and public related events, four times a year maximum, with capacity for 100 people at each event during the weekend (Friday to Sunday). This includes:</p> <ol style="list-style-type: none"> <li>1) Advertised fund raising events;</li> <li>2) Winemaker Dinners open to the general public;</li> <li>3) Weddings;</li> <li>4) Company Holiday Party;</li> <li>5) Employee-Related Private Parties (e.g. harvest celebrations);</li> <li>6) Festivals, tours or celebrations.</li> </ol> <p>All outdoor amplified music at these events shall be limited on weekends between the hours of 10 am to 10 pm. No outside amplified sound shall occur before 10 am or after 10 pm.</p> <p><b>(RMA - Planning Department)</b></p>	Adhere to conditions and uses specified in the permit	Owner/ Applicant	Ongoing	
14.	<p><b>PDSP005-PARKING MANAGEMENT PLAN (NON-STANDARD)</b></p> <p>The site accommodates 62 unpaved parking spaces for special events, occurring 4 times a year maximum with a capacity for 100 people per event. In order to manage parking during these events, the following shall followed:</p> <ol style="list-style-type: none"> <li>1. Distribute maps indicating where parking is available, particularly parking for the disabled located near the existing garage on the east side of the property (Garage B). Signs shall be installed for handicap parking;</li> <li>2. Utilize and strategically place traffic cones to delineate the parking area to serve as a boundary and guidance for vehicle operators as they enter the premises</li> <li>3. Utilize parking supervisors on premises to direct traffic.</li> </ol> <p><b>(RMA - Planning Department and Public Works)</b></p>	Adhere to conditions and uses specified in the permit	Owner/ Applicant	Ongoing	

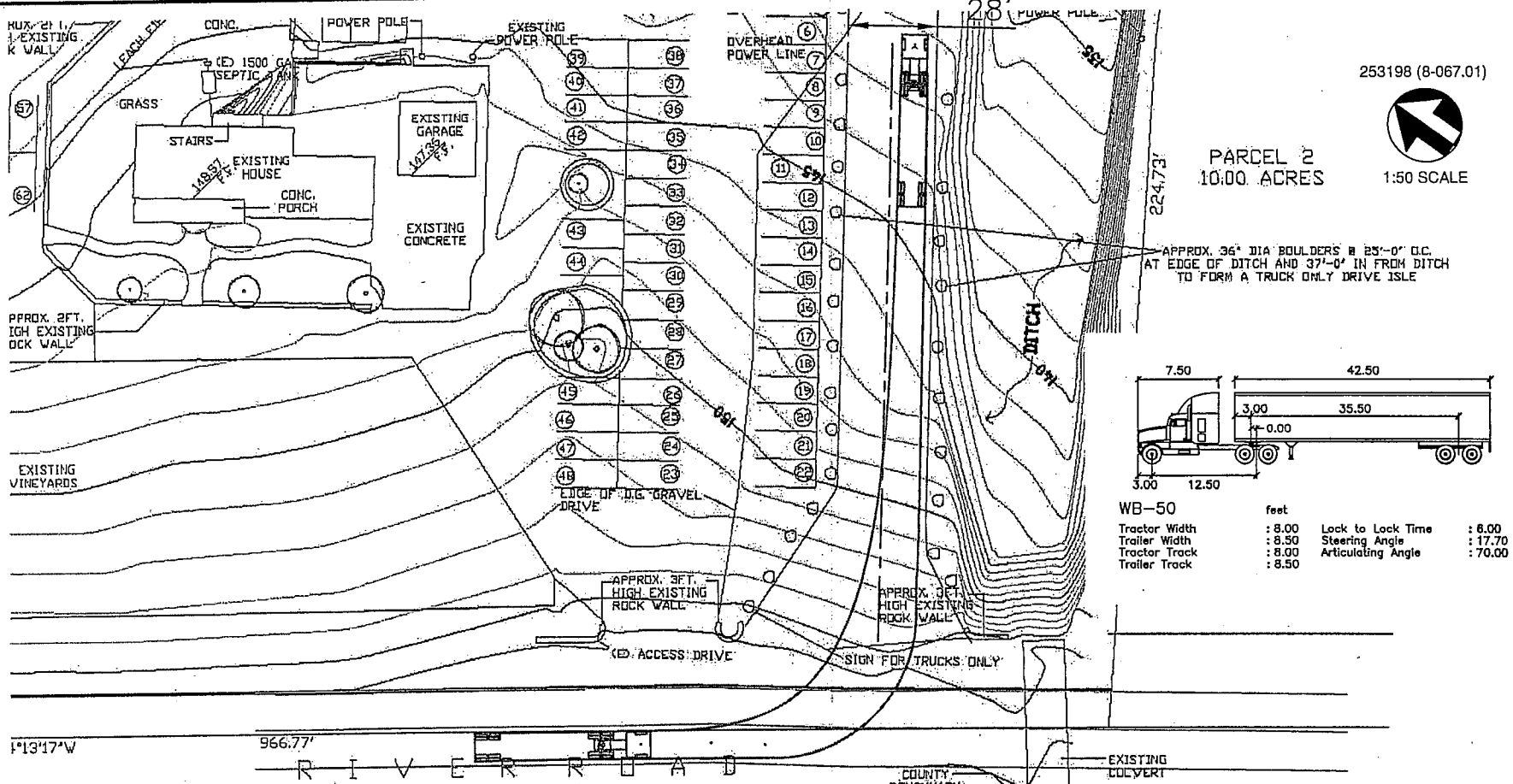
15.		<p><b>PDSP006-TRUCK DELIVERIES WHILE SPECIAL EVENTS ARE UNDERWAY (NON-STANDARD)</b></p> <p>Although WB-50 and smaller trucks can be accommodated while a special event is underway, the traffic report recommends that truck deliveries be kept at a minimum, by scheduling deliveries between Monday and Thursday. If this cannot be accommodated, WB-50 or smaller truck traffic shall utilize Driveway B, as shown in Exhibit B of the Traffic Study prepared by Hatch Mott MacDonald, dated March 9, 2009, on file with the Monterey County Planning Department under Library File No. 090213.</p> <p><b>(RMA - Planning Department and Public Works)</b></p>	Adhere to the recommendations of the traffic study prepared by Hatch Mott MacDonald, dated March 9, 2009, on file with the Monterey County Planning Department under Library File No. 090213.	Owner/ Applicant	Ongoing	
<b>RMA – Public Works Department</b>						
16.		<p><b>PW0005 – ENCROACHMENT (STD DRIVEWAY)</b></p> <p>Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to River Road. <b>(Public Works)</b></p>	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
17.		<p><b>PW0007 – PARKING STD</b></p> <p>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></p>	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	

18.		<b>PWSP001-WB-50 TRUCKS MAXIMUM ALLOWED (NON-STANDARD)</b> Facility shall not use trucks larger than WB-50 for pick up and delivery. Trucks must not back onto River Road at anytime. <b>(Public Works)</b>	Adhere to conditions and uses specified in the permit	Owner/ Applicant	Ongoing	
19.		<b>PWSP002- TAMC FEES (NON-STANDARD)</b> Prior to issuance of building permits, applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. <b>(Public Works)</b>	Applicant shall pay DPW required TAMC fees.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
<b>Fire Agency (Gonzales Rural Fire Protection District)</b>						
20.		<b>FIRE001 - ROAD ACCESS</b> Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. <b>(Gonzales Rural Fire Protection District)</b>	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	

21.		<b>FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)</b> For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. <b>(Gonzales Rural Fire Protection District)</b>	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	
22.		<b>FIRE022 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. <b>(Gonzales Rural Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	



23.	<p><b>FIRES001-INSTALLATION OF MAN DOOR AND OCCUPANCY TYPE CHANGE REQUIRED (NON STANDARD)</b></p> <p>At the time of building permit submittal, plans shall reflect the installation of a “man door” at the winery/wine tasting structure and the change of occupancy shall be applied for at the same time.  <b>(Gonzales Rural Fire Protection District)</b></p>	Secure a building permit for the installation of a man door and the change in occupancy.	Applicant or owner	Prior to issuance of building permit.	
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#### NOTES

1. THE FRANCIONI AG PROCESSING PLANT/WINERY/WINE STORAGE FACILITY OPERATIONS INCLUDES WINE PRODUCTION, A WINE BAR, AND STORAGE SPACE FOR 500 BARRELS AND 5,000 CASES OF WINE. THE PROJECT IS EXPECTED TO BE OPEN YEAR ROUND FROM 8 AM TO 5 PM. THE WINE BAR WILL INITIALLY OPEN FRIDAY THROUGH SUNDAY FROM 11 AM TO 5 PM.
2. THE PROJECT SITE INCLUDES A 2,500 SQUARE FOOT WINE STORAGE BUILDING WHERE WINE PRODUCTION EQUIPMENT WILL BE ASSEMBLED INSIDE FOR PROCESSING GRAPES DURING HARVEST. A SECTION OF THE FACILITY WILL ALSO BE USED AS THE WINE BAR. IN ADDITION, SPECIAL EVENTS WILL TAKE PLACE ON THE PREMISES BY APPOINTMENT ONLY ACCOMMODATING A MAXIMUM OCCUPANCY OF 100 GUESTS.
3. BOTTLING OF THE WINE WILL BE CONDUCTED BY A MOBILE BOTTLING COMPANY ON SITE AT MOST TWICE A YEAR, AND WILL BE STORED TEMPORARILY ON SITE UNTIL IT IS HAULED TO AN OFF SITE WAREHOUSE.
4. AN ASSESSMENT OF THE GEOMETRIC ADEQUACY OF THE PROJECT DRIVEWAY SHOWS TRUCK TURNING MANUEVERS BY USING A WB-50 5-AXLE TRUCK WITH A TOTAL LENGTH OF 55 FEET. IT IS ASSUMED THAT A WB-50 TRUCK WOULD BE REPRESENTATIVE OF A TRUCK FOR WINE BOTTLING, SHIPPING OF BOTTLED WINE AND TRANSPORTING OF WINE BARRELS OFF-SITE.

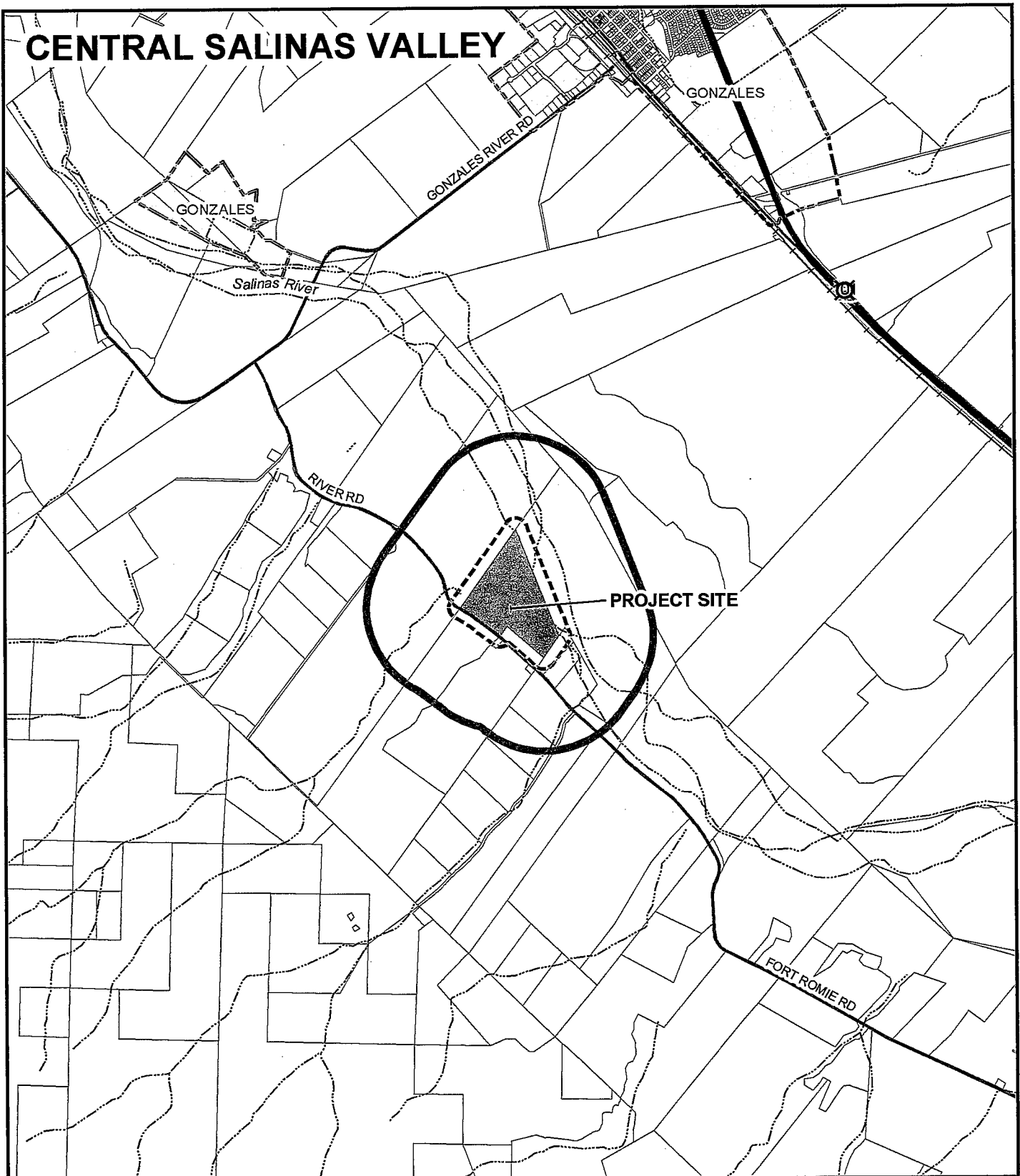
### EXHIBIT 3 WB-50 TRUCK TURNING TEMPLATE SB RIVER ROAD INTO PROJECT DRIVEWAY







# CENTRAL SALINAS VALLEY



APPLICANT: TMV LANDS

APN: 216-021-019-000

FILE # PLN080113



300' Limit



2500' Limit



City Limits



0 2,000  
Feet



PLANNER: AMADOR