

MONTEREY COUNTY PLANNING COMMISSION

Meeting: June 8, 2011	Time: 10:00 AM	Agenda Item No.: 4
Project Description: An Administrative Permit to convert an existing 2,825 square foot accessory structure into an agricultural processing facility that will process approximately 4,000 to 5,000 cases of wine a year.		
Project Location: at 32930 Sycamore Flats Road, Greenfield		APN: 419-411-023-000
Planning File Number: PLN90365		Owners: Shale Canyon Vineyards LLC Agent: John Prader
Planning Area: Central Salinas Valley Area Plan Area		Flagged and staked: No
Zoning Designation: "RG/10" or [Rural Grazing Zoning Districts]		
CEQA Action: Categorically Exempt per Section 15303 (a) CEQA Guidelines		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

- 1) Categorically exempt the project from environmental review pursuant to Section 15303 (a) of the CEQA Guidelines; and
- 2) Approve a Use Permit (PLN090365) to convert an existing 2,825 square foot accessory structure into an agricultural processing facility that will process approximately 4,000 to 5,000 cases of wine a year; based on the findings and evidence (**Exhibit C**) and subject to the conditions of approval (**Exhibit 1**).

PROJECT OVERVIEW:

The subject project is located south of Arroyo Seco Road off Sycamore Flats Road on a 202 acre parcel within the Central Salinas Valley Area Plan. The project would allow the conversion of an existing 2,825 square foot accessory structure into an agricultural processing facility to process approximately 4,000 to 5,000 cases of wine a year from grapes grown on site. The applicant proposes to develop on a graduated plan from the current 750-800 cases per year processed off-site up to 5,000 cases of wine each year on-site when in full production. Staff has determined that the proposed use would not create new physical impacts to the surrounding environment and has concluded that the proposed use may be considered categorically exempt under California Environmental Quality Act (CEQA). Staff finds the proposed use to be consistent with the intent of the 2010 General Plan and the Central Salinas Valley Area Plan and therefore is an appropriate use within the property described. Due to the current challenges to the implementation of the 2010 General Plan, specifically the allowances for the ministerial approval of Artisan Wineries as provided under the Agricultural Winery Corridor Plan (AWCP). The proposed Agricultural Processing Facility/winery have been referred to the Planning Commission with the intention of keeping the discretion over policy matters related to General Plan Goal PS-3 and the AWCP with the Planning Commission

For further discussion, see Exhibit B

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

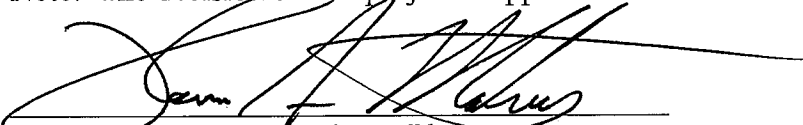
- √ RMA - Public Works Department
- √ Environmental Health Division
- √ Water Resources Agency

√ South County Fire Protection District

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the Monterey County RMA-Planning Department; the Public Works; Department; and The Environmental Health Bureau have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The project was not referred Land Use Advisory Committee (LUAC) for review because there is no LUAC for the Central Salinas Valley.

Note: The decision on this project is appealable to the Board of Supervisors.



Ramon A. Montano, Assistant Planner
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June 1, 2011

cc: Front Counter Copy; Planning Commission copies 10; South County Fire Protection District; Public Works Department; Environmental Health Bureau ; Parks Department; Water Resources Agency; Taven Kinison Brown, Planning Services Manager; Ramon Montano, Project Planner; Carol Allen, Senior Secretary; Shale Canyon Vineyards LLC, Owners; John Prader, Agent; Planning File PL1090365.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Discussion
	Exhibit C	Draft Resolution, including
		1. Conditions of Approval
		2. Site Plan, Floor Plan & Elevations
	Exhibit D	Vicinity Map

This report was reviewed by Taven Kinison Brown, Planning Services Manager 

EXHIBIT A
Project Data Sheet for PLN090365

Project Title: Shale Canyon Vineyards LLC
Location: 32930 Sycamore Flat Road,
 Greenfield **Primary APN:** 419-411-023-000

Applicable Plan: Central Salinas Valley Area Plan **Coastal Zone:** No
Permit Type: Use Permit per Section 21.32.050 M. **Zoning:** "R/G-10" or [Rural
 Grazing Zoning
 Districts]

Environmental Status: Categorically Exempt 15303a **Plan Designation:** Grazing lands
Advisory Committee: No LUAC

Project Site Data:

Lot Size: 202 acres	Coverage Allowed: 5%
	Coverage: <1%
Existing Structures (SF): Residence, garage and accessory structure	
	Height Allowed: 35 FT
Proposed Structures (SF): None	Height Proposed: 0
Total SF: 4,819	Floor Area Ratio Allowed: N/A
	Floor Area Ratio Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: None Identified in GIS	Erosion Hazard Zone: Mod
Biological Report #: N/R	Soils Report #: N/R
Forest Management Rpt. #: N/R	
Archaeological Sensitivity Zone: High	Geologic Hazard Zone: Undetermined
Archaeological Report #: File PLN090365	Geologic Report #: N/R
Fire Hazard Zone: High	Traffic Report #: File PLN090365

Other Information:

Water Source: Well	Sewage Disposal (method): Septic
Water Dist/Co: Private Well/Water System	Sewer District Name: N/A
Fire District: South County FPD	Total Grading (cubic yards.): 0 cut
Tree Removal: None	0 fill

EXHIBIT B DISCUSSION

Setting:

The proposed Agricultural processing facility is located on approximately 202 acres south of Arroyo Seco Road. The property can be accessed through Sycamore Flats Road then onto an adjacent unimproved private road for approximately 1.9 miles. The setting is rural and the nearby residential area is zoned Low Density Residential with a one acre minimum. In 2008, the applicant constructed a residential unit with an attached 2,825 square foot agricultural accessory structure. The Rural Grazing zoning designation allows for a single family residence as well as accessory structures to support agricultural activities. The existing agricultural structure presently stores materials to support the 5.5 acres of viticulture on the subject property.

The vineyards currently occupy approximately 5.5 acres of the 202 acre parcel. The area will increase to approximately 12 acres over the next two years to increase the facility's production rate to 5,000 cases a year. Because production will be moved from off site to the proposed agricultural processing facility, haul trips required to import raw product (grapes for crush) would cease. Onsite production is not expected to fully utilize grapes grown on site until 2011 to 2013.

Parking:

The project will have more than the required parking spaces. County code requires a total number of 5 spaces which includes parking for the existing single family residence that will remain on-site. The project is proposing a total number of 7 uncovered spaces, including one ADA accessible stall.

Traffic Study:

The Shale Canyon Winery facility will be a small operations facility. The entire work of the facility will be performed by family members and friends. The grapes will be transported from a distance of 9 miles by a one-ton pick up truck with a 4-ton capacity trailer caring approximately 5 tons of grapes for processing. Even with the current temporary off-site production, the vehicle trips generated by the project would have an insignificant impact on county roads. The facility will operate with offsite materials until the expected harvest in 2011 to 2013. The traffic study indicated that the 4 daily vehicle trips generated by the project would have an insignificant impact on Arroyo Seco Road and it will remain operating at Level of Service A (LOS A).

The project will utilize approximately 1.9 miles of an unimproved private road through an existing easement granting access to the Prader parcel through the Sycamore Flats Road residential area. The property owner is currently under a private road maintenance agreement with other members of the surrounding residential area. The residents have voiced concerns about privacy and potential dust issues on the unimproved segment of road. The Prader's have offered to include watering of the roads during the harvest and crush periods, August 1 through October 31 prior to hauling in grapes. A condition of approval has been incorporated into the project requiring dust control and road watering as described in the General Development Plan (GDP).

Water usage:

Presently the vineyard irrigates from April 1 through October 31 and uses approximately **1,830,000 gallons per year**. The residence uses about **109,500 gallons per year**. The property is currently zoned Rural Grazing and is currently maintaining an agricultural use. The zoning allows two additional residences to support the agricultural use. Those two additional residences could be allowed without additional planning review under the zoning code.

Total current water usage is therefore:

- 1,830,000 gallons for irrigation +109,500 gallons for the residence equaling 1,939,500 gallons per year
- The proposed winery operation is expected to use/generate 18,000 gallons of wastewater per year. This is less than 1% of total current water use. Under the current zoning, code two additional residences would be allowed, if construct would use an additional 219,000 gallons of water.
- The wastewater will be recycled in the vineyard on non-hardscape areas in accordance with the RWQCB guidelines.

Consequently, the overall use of water, plus the proposed project would be 1,939,500 gallons per year. However, 8-10% of the 18,000 gallons or 1,440 – 1,800 gallons would ultimately provide recharge into the ground water.

Zoning Consistency:

The project is consistent with the Title 21.32.050 M in the “R/G” Rural Grazing Zoning Designation for an Agricultural Processing Plant and the Site Development Standards as required by Section 21.32.060 of the Monterey County Zoning Ordinance (Title 21):

- Height Allowed height measured from the average natural grade for a main structure is 35 feet. The existing residence measure from average natural grade is 26 feet in height.
- Setbacks The setback requirements under the “RG” site development standards for a main habitable structure are: front 30 feet, side 20 feet and rear 20 feet. The existing single family residence and attached accessory structure is located within the setback envelope for the main structure of: front 1,703 feet, sides greater than 755 feet, and rear greater than 1,000 feet.
- Building Site Coverage The maximum site coverage under the Farmlands zoning designation is 5%. The property is approximately 202 acres which would allow approximately 10 acres of structure. The project site coverage is 4,960 square foot which is within the 5% allowed maximum coverage.

General Plan consistency:

Goal AG-2 addresses Agricultural Support Facilities and is intended to “Provide opportunities to retain, develop, and expand those agriculture-related Enterprises and support uses essential to the continuing viability of the agricultural industry.” Policies 2.1 through 2.3 allows for Agricultural Support Facilities in the Rural Grazing district. Policy

Goal AG-3 addresses Routine and Ongoing agricultural operations and Policy AG-3.3 item c allows for the “preparation of product for market, and delivery of product to market.

Goal AG-4 speaks to the County’s support and policies to promote the continuation and economic viability of the agricultural industry and to achieve a balance of wine grape production with wine processing within the County.

Goal PS-3 Long Term, Sustainable Water Supply, and an Adequate Water Supply System for new development requiring a discretionary permit. Discussion: The project as proposed was reviewed by the Bureau of Environmental Health and it was determined by the Assistant Director Richard LeWaren that the proposed agricultural facility does not fall under the criteria set forth in PS3.

CSV-6.1 the project incorporates energy-efficient agricultural practices.

Agricultural Winery Corridor Plan (AWCP)

An important component of the present Prader winery application PLN090365 is that, under the 2010 Monterey County General Plan AWCP the proposed winery would be considered an Artisan Winery, located within the Central/ Arroyo Seco/River Road Segment of the designated Agricultural and Winery Corridors. The AWCP Section 3.3 includes a list of uses that can be permitted with a ministerial permit. The Prader application is consistent within the criteria and conditions of the AWCP and Zoning District overlay and therefore would not require additional zoning review.

However, presently the challenges to the implementation of the 2010 General Plan and the allowances for the ministerial approval of Artisan Wineries as provided under the Agricultural Winery Corridor Plan (AWCP) require that the project be subject to the required findings outlined in the General Plan Goal PS-3.1 & 3.2. Goal PS3.1 relates to Water Supply. Presently the agricultural property irrigates approximately 6,000 vines and maintains a residence with an existing water use of approximately 1,830,000 gallons for irrigation +109,500 gallons for the residence equaling 1,939,500 gallons per year. The use of 18,000 gallons of water for the winery proposal is negligible, representing an increase in water usage of (0.9280%) or less than 1%. Therefore, the proposed project is within the estimated water use for the AWCP. The 2010 General Plan EIR threshold expectation for artisan wineries producing 25,000 cases of wine per year would use 1.29 acre feet of water or 420,000 gallons of water. It is the determination of Environmental Health Bureau (EHB) that the project as proposed currently demonstrates the required water quality and quantity as required under PS-3.2. Furthermore, the present water system serving the uses on the property does not rise to the level that requires a water system permit under federal, state, or local regulations. The new proposed use also does not require permitting of the existing water system. EHB reviewed the use permit application just prior to the adoption of the 2010 General Plan and concluded that the additional use on the property and the resultant increase of water usage would have a minimal impact to the water system since the well currently supplies 1,939,500 gallons of water per year. The additional 18,000 gallons of water per year amounts to a water usage increase of less than 1%. The County and applicant have accommodated full public noticing and disclosures, prepared this staff report and analysis, and have provided a public hearing opportunity to consider the matter.

CEQA:

The existing 2,135 square foot residence is located within the Shale Canyon Winery 202 acre parcel. The condition of the site around the existing residence and attached 2,825 square foot accessory structure, include solar panels and vineyards clear of trees and vegetation. No biological or protected vegetation issues were identified during review of this application, or during the site visit. The existing site disturbance from the development of the single family residence and vineyards provided the environmental baseline by which the project site was analyzed. The County determined that the property with the existing residence and the converted use of the attached accessory structure, in the form of an Artisan Agricultural Processing facility will not create any significant impacts to the surrounding environment as established in the finding and evidences of this report. Therefore the County has determined that the proposed use may be considered exempt from further environmental review as provided under the CEQA Guidelines Article 19 Section 15303 (a).

Conclusion:

Based on staff's consideration of the application materials and site analysis staff determined that the proposed winery use and the conversion of the existing 2,825 square foot accessory agricultural structure conforms to the goals, policies, and objectives of the Monterey County General Plan and the Central Salinas Valley Area Plan. Therefore, staff recommends that the Planning Commission approve the project as designed and conditioned.

**EXHIBIT C
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

**Prader/Shale Canyon Winery LLC (PLN090365)
RESOLUTION NO.**

Resolution by the Monterey County Planning
Commission:

1. Categorically exempt the project from environmental review pursuant to Section 15303 (a) of the CEQA Guidelines; and
- 2) Approve the Use Permit to establish an Agricultural Support facility for the processing of grapes grown on site into wine consisting of a Use Permit to convert existing 2,825 square foot accessory structure into an agricultural processing facility that will process approximately 4,000 to 5,000 cases of wine a year for (PLN090365) based on the findings and evidence and subject to the conditions of approval (**Exhibit 1**). PLN090365, Prader/Shale Canyon Winery LLC is located at 32930 Sycamore Flat Road Greenfield, Central Salinas Valley Area Plan (Assessor's Parcel Number: 419-411-023-000).

The Prader/Shale Canyon Winery LLC application (PLN090365) came on for public hearing before the Monterey County Planning Commission on June 8, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission 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 2010 Monterey County General Plan
 - The Central Salinas Valley Area Plan
 - 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 32930 Sycamore Flat Road, Greenfield within the Central Salinas Valley Area Plan. The parcels are zoned “R/G-10” or [(Rural Grazing Zoning District) with a 10 acre minimum], which allows the development and use of agricultural processing facilities. The project site is currently utilized and zoned for agricultural land uses.
- c) The current zoning for Assessor’s Parcel Number 419-411-023-000 “R/G-10” or [(Rural Grazing Zoning District) with a 10 acre minimum].
- d) The project is consistent with the following 2010 Monterey County General Plan Land Use Designation for Rural Grazing Lands
 - o Goal AG-2 addresses Agricultural Support Facilities and is intended to “Provide opportunities to retain, develop, and expand those agriculture-related Enterprises and support uses essential to the continuing viability of the agricultural industry.” Policies 2.1 through 2.3 allows for Agricultural Support Facilities in the Rural Grazing district. Policy
 - o Goal AG-3 addresses Routine and Ongoing agricultural operations and Policy AG-3.3 item c allows for the “preparation of product for market, and delivery of product to market.
 - o Goal AG-4 speaks to the County’s support and policies to promote the continuation and economic viability of the agricultural industry and to achieve a balance of wine grape production with wine processing within the County.
 - o CSV-6.1 the project incorporates energy-efficient agricultural practices.
 - o Goal PS3.1.and PS- 3.2. Water Supply.
 - o Presently the agricultural property irrigates approximately 6,000 vines and maintains a residence.
 - o Existing water use is approximately 1,830,000 gallons for irrigation +109,500 gallons for the residence equaling 1,939,500 gallons per year.
 - o The use of 18,000 gallons of water for the winery proposal is negligible, representing (0.9280%) or an increase of a less than 1% in water usage.
 - o The 2010 General Plan EIR threshold expectation for artisan wineries producing 25,000 cases of wine per year would use 1.29 acre feet of water or 420,000 gallons of water. Therefore, the proposed project is within the estimated water use for the AWCP.
- e) The project is consistent with Title 21 per Section 21.32.050 M and Section 21.32.060 site development standards.
- f) The project planner conducted a site inspection on November 1, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- g) The project was not referred Land Use Advisory Committee (LUAC) for review because there is no LUAC for the Central Salinas Valley.
- 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 PLN090365.

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, Mission Soledad Fire Protection District; Public Works Department; Environmental Health Bureau and the Water Resources Agency. 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) The project site is suitable for this use allowed with a use permit as provided under Section 21.32.050 M of the Monterey Zoning Ordinance Title 21.
 - c) The project planner conducted a site inspection on November 1, 2010 to verify that the site is suitable for this use.
 - d) 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 PLN090365.

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 South County Fire Protection District, Public Works Department, the Environmental Health Bureau, and the Water Resources Agency. 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.
 - b) Technical reports by outside traffic consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
 - i. *Archeological Report*” (LIB080480) prepared by Mary Doane & Gary Breschini, Salinas, CA, August 15, 2008.
 - ii. *“Shale Canyon Vineyard Winery Traffic Study”* (LIB070159) prepared by Hatch Mott McDonald, PE and Traffic Engineers, Hollister, CA, August 17, 2010.
 - c) The site is located within an area identified as having “High” archaeological sensitivity. Therefore, an archaeological reconnaissance report was required in 2008 when the property owner developed the residence and attached accessory structure. The report was negative and concludes that there was no evidence of significant archaeological resources present at the building site. The County GIS indicated that the

project site where the structure is located is not within 750 feet of a known archaeological resource.

- d) The site is located in a relatively stable Seismic zone with Undetermined Hazard. A geotechnical report was required for the building permit (BP081327) that constructed the residence and accessory structure. Furthermore, because the project uses existing structures no additional geotechnical or geological reports because the original report did not identify additional hazards nor have any been documented.
- e) The project will not be a visual impact when viewed from Arroyo Seco Road. The winery agricultural processing facility will utilize existing structures, located to the west and down sloped from Arroyo Seco Road, causing no visual impacts.
- f) The project will have sufficient parking. The required number of parking spaces for this project is 7, which includes the requirement for the existing single family residence that will remain on-site. The project is proposing a total number of 7 spaces, including one ADA accessible stall.
- g) The project will not change the current Level Of Service (LOS) for both Arroyo Seco Road or Sycamore Flat Road. The traffic report prepared for the project indicates that Arroyo Seco Road would continue to operate in a LOS A and Sycamore Flat Road will also continue to operate in a LOS C. Implementation of the project will not cause Arroyo Seco Road or Sycamore Flat Road to degrade to lower levels of service nor would it cause a significant addition to the daily traffic volumes on these two roads. Therefore, traffic impacts generated by this project, 4 annual average daily trips will have an insignificant impact on the roads.
- h) Staff conducted a site inspection on November 1, 2010 to verify that the site is suitable for this use.
- i) Preceding findings and supporting evidence for PLN090365

4. **FINDING:** **NO VIOLATIONS** - The subject property complies 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 records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on November 1, 2010 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 PLN090365.

5. 1 **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) California Environmental Quality Act (CEQA) Guidelines Section 15303 a categorically exempts the conversion of small structure from on use to another use.
- b) No biological issues were identified or protected plant vegetation due to the existing site disturbance on the subject property

- c) No adverse environmental effects were identified during staff review of the development application during a site visit on November 1, 2010.
- d) See preceding findings 2, 3, 4 and supporting evidence.

6. **FINDING:** The decision on this project is appealable to the Board of Supervisors.

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

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- a) Exempt the project from environmental review pursuant to Section 15303 (a) of the CEQA Guidelines; and
- b) Approve the Use Permit to establish an Agricultural Support facility for the processing of grapes grown on site into wine consisting of a Use Permit to convert existing 2,825 square foot accessory structure into an agricultural processing facility that will process approximately 4,000 to 5,000 cases of wine a year. 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 June 8, 2011 upon motion of _____, seconded by _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mike Novo, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD 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 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.

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

Project Name: Prader/Shale Canyon Winery LLC
File No: PLN090365 **APNs:** 419-411-023-000
Approved by: Planning Commission **Date:** June 8, 2011

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

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)
RMA – Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Use Permit (PLN090365) will establish an Agricultural Support facility for the processing of grapes grown on site into wine consisting of a Use Permit to convert existing 2,825 square foot accessory structure into an agricultural processing facility that will process approximately 4,000 to 5,000 cases of wine a year. The project is located at 32930 Sycamore Flats Road, Greenfield, (Assessors Parcel Number 419-411-023-000) south of the intersection of Arroyo Seco Road and Sycamore Flats Road in the Central Salinas Area Plan. 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 the RMA - Planning Department. 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. To the</p>	<p>Adhere to conditions and uses specified in the permit.</p>	<p>Owner/ Applicant</p>	<p>Ongoing unless otherwise stated</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)
		<p>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. (RMA - Planning Department)</p>				
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for (Assessor's Parcel Number: 419-411-023-000. The permit was granted subject to 10 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)</p>	<p>Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	Owner/ Applicant RMA- Planning	Prior to the recordation of Record of Survey	
3.		<p>PD032(A) - PERMIT EXPIRATION The permit shall be granted for a period of 3 years, to expire on May 12, 2014 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)</p>	<p>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.</p>	Owner/ Applicant	As stated in the conditions of approval	

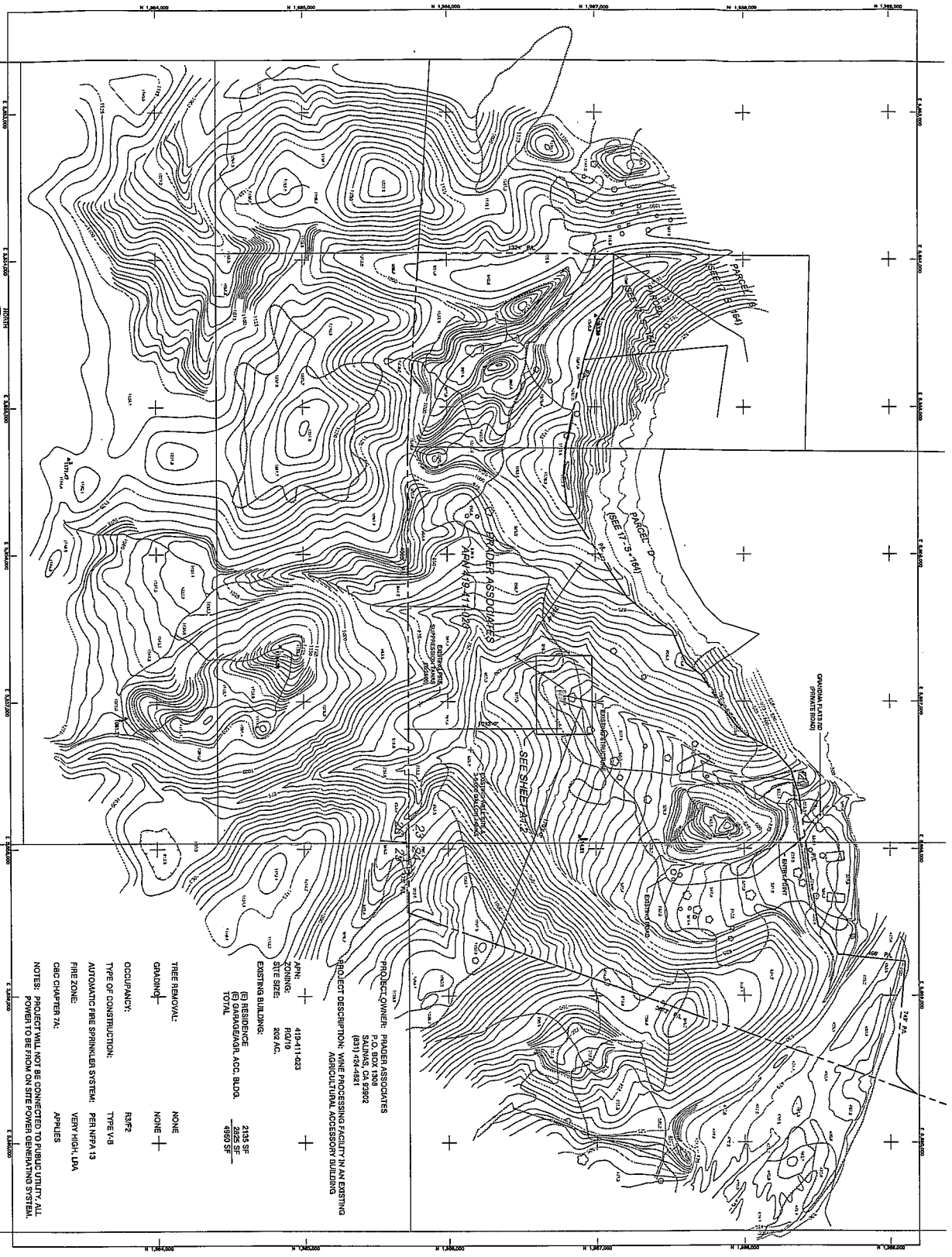
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
4.		<p>PD004 - INDEMNIFICATION AGREEMENT</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. (RMA - Planning Department)</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, filing of the <u>final/parcel</u> map, whichever occurs first and as applicable	

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)
5.		<p>PDSP001 –NUMBER OF EMPLOYEES FOR WINE PRODUCTION (NON-STANDARD) The winery operation shall only employ one (1) full-time employee and a maximum of two (2) part-time employees to assist with harvest duties. (RMA – Planning Department)</p>	Adhere to conditions and uses specified in the permit	Owner/ Applicant	Ongoing	
6.		<p>PDSP002 –NO PRIVATE EVENTS (NON-STANDARD) There shall be no private winery events and no form of entertainment shall be permitted at the site. Only winery-related events shall be allowed during permitted operating hours. (RMA - Planning Department)</p>	Adhere to conditions and uses specified in the permit	Owner/ Applicant	Ongoing	
7.		<p>PDSP003- SIGNS (NON-STANDARD) Any signs shall conform to Monterey County Code Section 21.60 <i>Regulations for Signs</i> related to location, size, color and design. The signs shall be unobtrusive and attractive. (RMA - Planning Department)</p>	<p>Submit two copies of signage program and incorporate signs onto the building plans for the review and approval of the RMA - Planning Department.</p> <p>The signs shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	<p>Prior to the commencement of use.</p> <p>Ongoing</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)
8.		<p>PDSP004 – WATERING OF UNIMPROVED ROAD DURING THE HARVEST AND CRUSH PERIODS (NON-STANDARD)</p> <p>The property owner or operator of the agricultural processing facility will insure the watering of the roads during the harvest and crush periods, August 1 through October 31 prior to hauling in grapes. (RMA - Planning Department)</p>	Adhere to conditions and uses specified in the permit and General Development Plan	Owner/ Applicant	Ongoing	
RMA – Public Works Department						
9.		<p>PW0043 – REGIONAL DEVELOPMENT IMPACT FEE</p> <p>Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)</p>	Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.	Owner/ Applicant	Prior to issuance of 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)
RMA – Division of Environmental Health						
10.		<p>EHSPD01 – ONSITE WASTEWATER Winery CRUSH WASTEWATER COLLECTION SYSTEM (NON STANDARD) Upon completion of the winery crush wastewater collection and holding system, submit an As-Built drawing to the Environmental Health Bureau.</p> <p>All Shale Canyon Winery operations and reuse of crush water must comply with the Small Winery Waiver pursuant to General Waste Discharge Requirements for Wineries, Order No. R3-2008-0018 by the Regional Water Quality Control Board (RWQCB).</p> <p>Maintain an active waiver from the RWQCB for the winery operations. (Environmental Health)</p>	<ol style="list-style-type: none"> 1. Submit an as-built drawing of the winery crush wastewater collection and holding system to the Environmental Health Bureau. 2. All Shale Canyon Winery operations and reuse of crush water must comply with the Small Winery Waiver from the RWQCB. 3. Maintain an active waiver from the RWQCB for the winery operations. 		<ol style="list-style-type: none"> 1. At time of completion of the system installation. 2. Continuous (a) Continuous 	

END OF CONDITIONS



ASAPL PHOTOGRAMMETRIC SERVICES
 NORTH
 SITE PLAN
 SCALE 1" = 200'-0"

APN: 419-411-023
 ZONING: R470
 SITE SIZE: 262 AC.
 EXISTING BUILDING:
 (B) RESIDENCE 2113 SF
 (B) GARAGE/SHR. AOC. BLDG. 2925 SF
 TOTAL 4938 SF

PROJECT OWNER: PRADER ASSOCIATES
 P.O. BOX 1348
 GREENFIELD, OH 43022
 (631) 424-4851

PROJECT DESCRIPTION: WINE PROCESSING FACILITY IN AN EXISTING AGRICULTURAL ACCESSORY BUILDING

TREE REMOVAL: NONE
 GRADING: NONE
 OCCUPANCY: RAFFI
 TYPE OF CONSTRUCTION: TYPE V-3
 AUTOMATIC FIRE SPRINKLER SYSTEM: PER NFPA 13
 FIRE ZONE: VERY HIGH-LHA
 CBC CHAPTER 7A: APPLIES

NOTES: PROJECT WILL NOT BE CONNECTED TO PUBLIC UTILITY. ALL POINTS TO BE FOUND ON SITE OWNER'S SURVEYING SYSTEM.

Paul Davis Partnership, LPA
 3825 Greenfield Road
 Greenfield, OH 43022
 (631) 424-4851
 pauldavis.com

THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS

Drawn By: OA
 Drawing Date: 2/2/10
 Project Number: 0808

Paul Davis
 3825 Greenfield Road
 Greenfield, OH 43022
 (631) 424-4851
 pauldavis.com

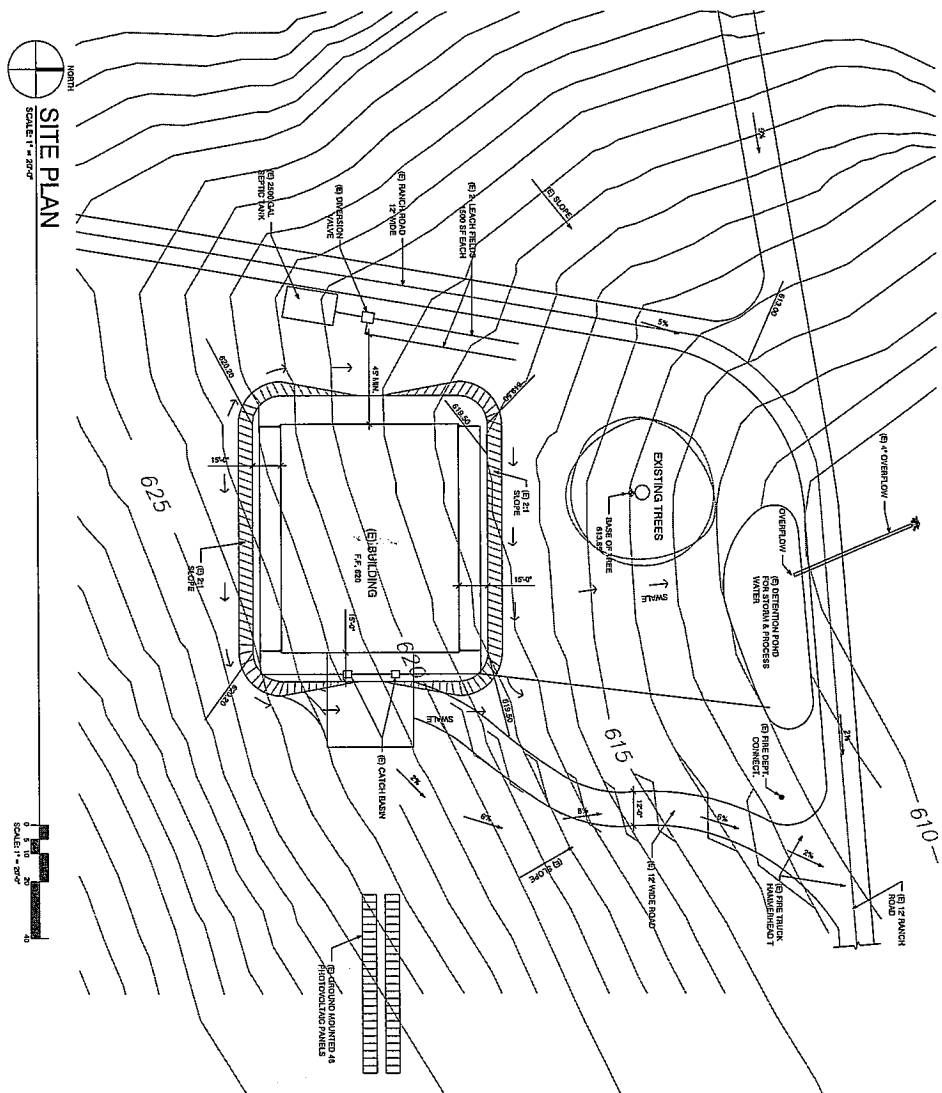
WINERY PROCESSING FACILITY IN AN EXISTING BUILDING
 3825 SCAMBER FLATS RD.
 GREENFIELD, OH 43022
 APN 419-411-023

Small Text:
 This drawing is the property of Paul Davis Partnership, LPA. It is to be used only for the project and site described herein. It is not to be used for any other purpose without the written consent of Paul Davis Partnership, LPA. The user of this drawing assumes all liability for any errors or omissions. The user of this drawing also assumes all liability for any damage or injury resulting from the use of this drawing.

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A1.1



Project / Owner:
WINERY
PROCESSING
FACILITY
IN AN EXISTING
BUILDING
3999 SYCAMORE PLAINS RD.
GREENFIELD, CA 95627
APN 419-411-023

THE
PAUL DAVIS
PARTNERSHIP
ARCHITECTS & PLANNERS

The Paul Davis Partnership, LP
1400 North Main Street
Napa, CA 94930
415.253.4419
E-MAIL: info@pauldavis.com

Drawn By: OA
Drawing Date: 2/2/10
Project Number: 0808

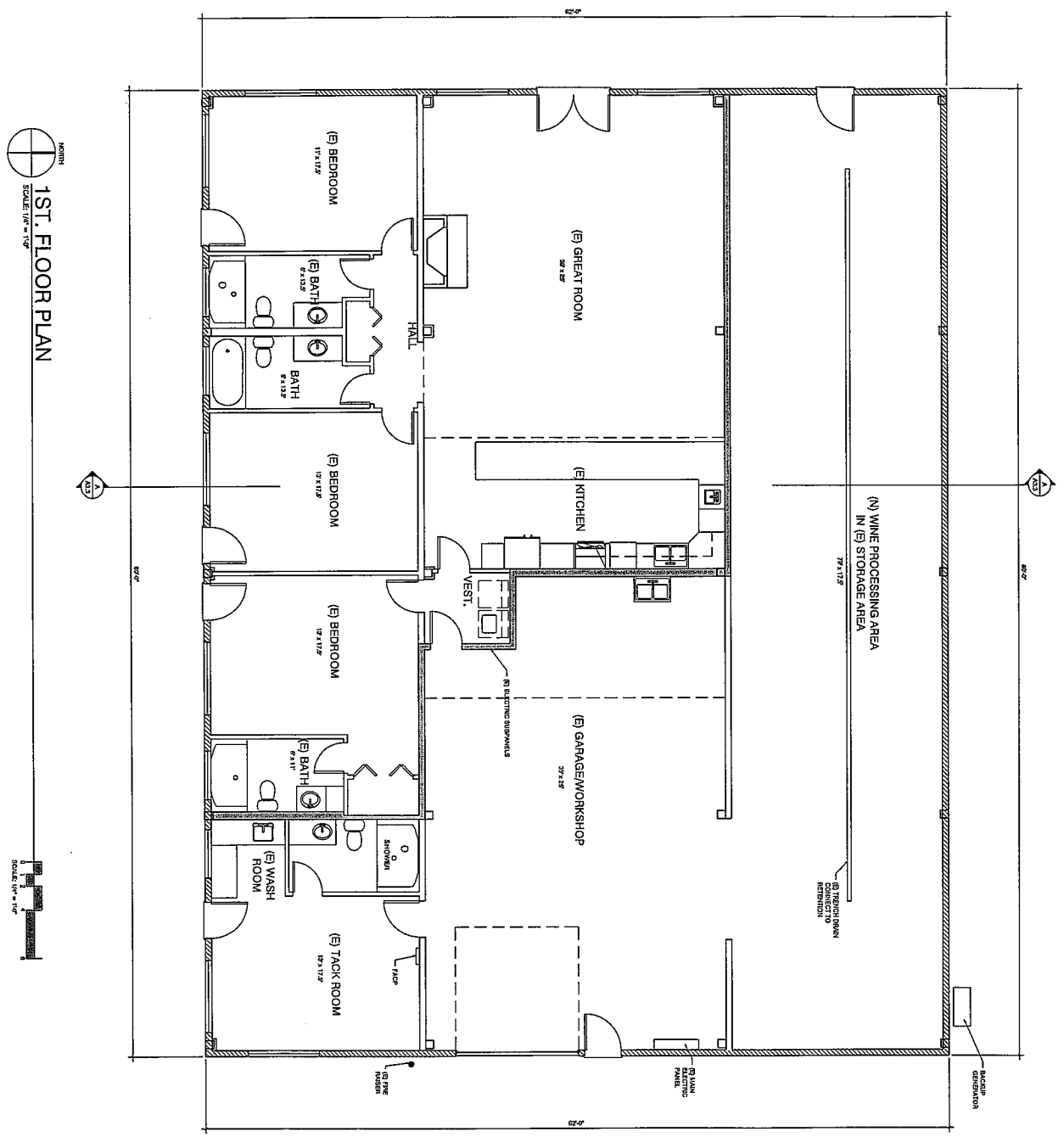
Reviewed:

This drawing was prepared by the Architect/Engineer for the Client. It is the Client's responsibility to ensure that the information provided to the Architect/Engineer is accurate and complete. The Architect/Engineer is not responsible for any errors or omissions in this drawing.

Site Title
SITE PLAN

Sheet Number:

A1.2



1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"



Project / Date:
WINERY
PROCESSING
FACILITY
IN AN EXISTING
BUILDING
2880 SISKIYOU PLAZA RD.
GRANDFIELD, CA 95927
APN 419-411-023

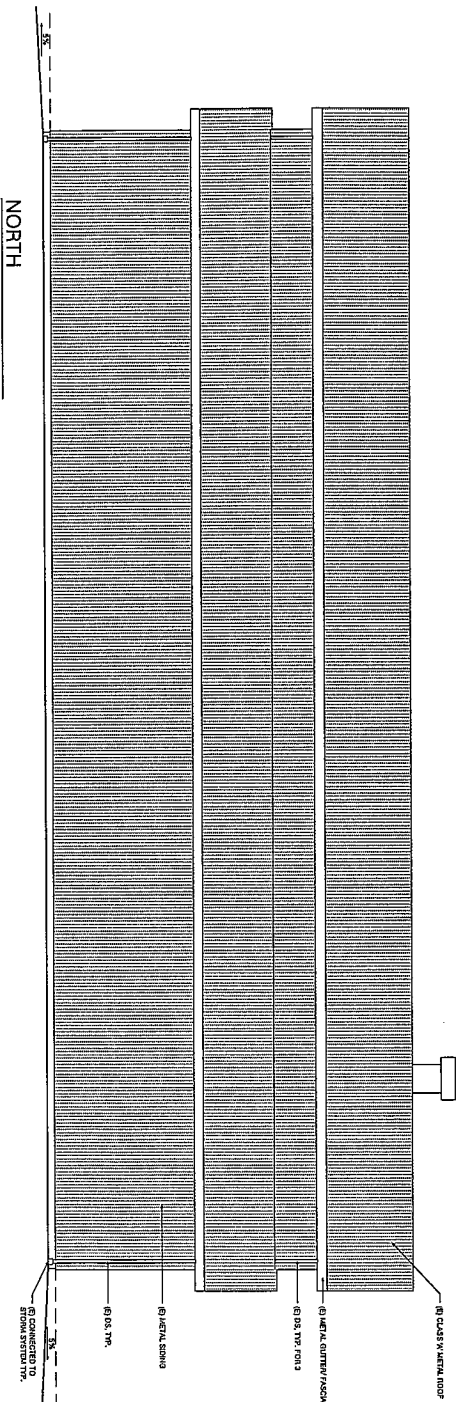
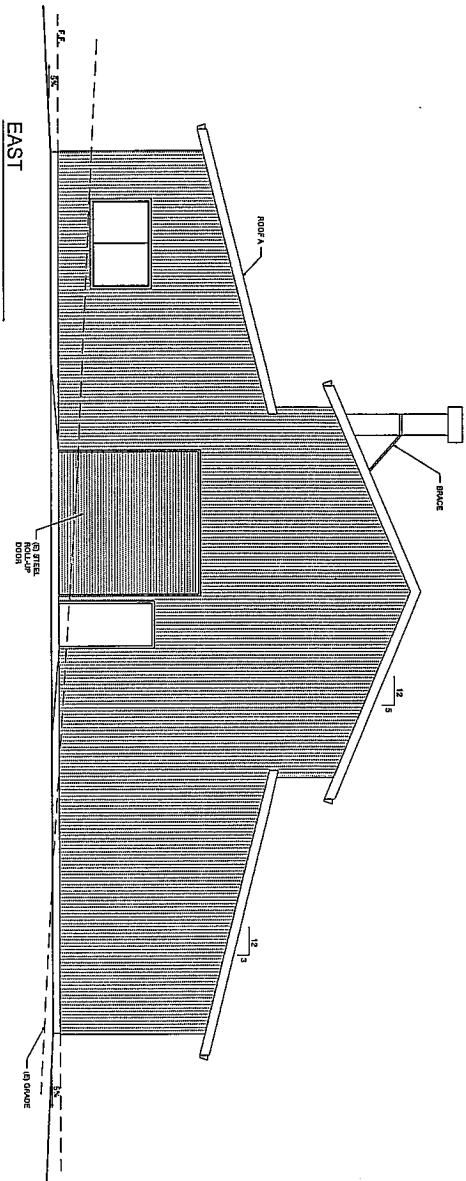
THE
PAUL DAVIS
PARTNERSHIP
ARCHITECTS & PLANNERS

The Paul Davis Partnership, LLP
2825 Lakeside Drive
Oakland, CA 94612
(415) 763-2200 FAX (415) 763-4148
DAPLE@pauldavispartnership.com

Drawn By: GA
Review Date: 2/20/10
Project Number: 0888

1ST FLOOR
FLOOR PLAN

Sheet Number:
A2.1



ELEVATIONS

SCALE: 1/8" = 1'-0"



A3.1

Project / Date:
WINERY
PROCESSING
FACILITY
IN AN EXISTING
BUILDING
3280 SINGAPORE PLAZA RD.
GREENFIELD, CA 95627
APN 419-411-023

THE
PAUL DAVIS
PARTNERSHIP
ARCHITECTS & PLANNERS

1007 Third Street, Suite 112
361 Broadway Street
Oakland, CA 94612-3119
EMAIL: info@pauldavis.com

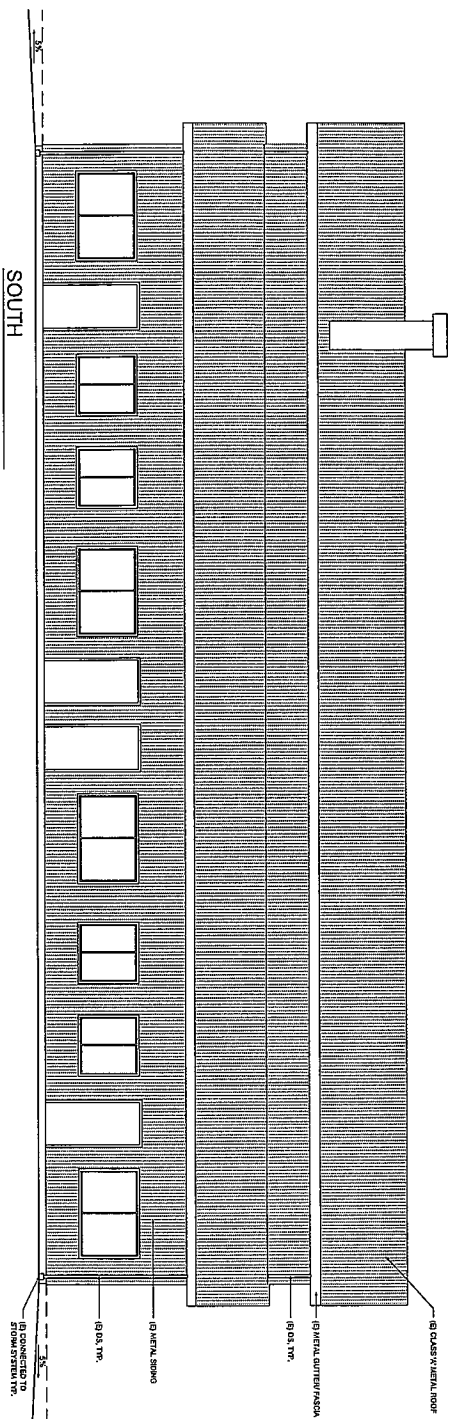
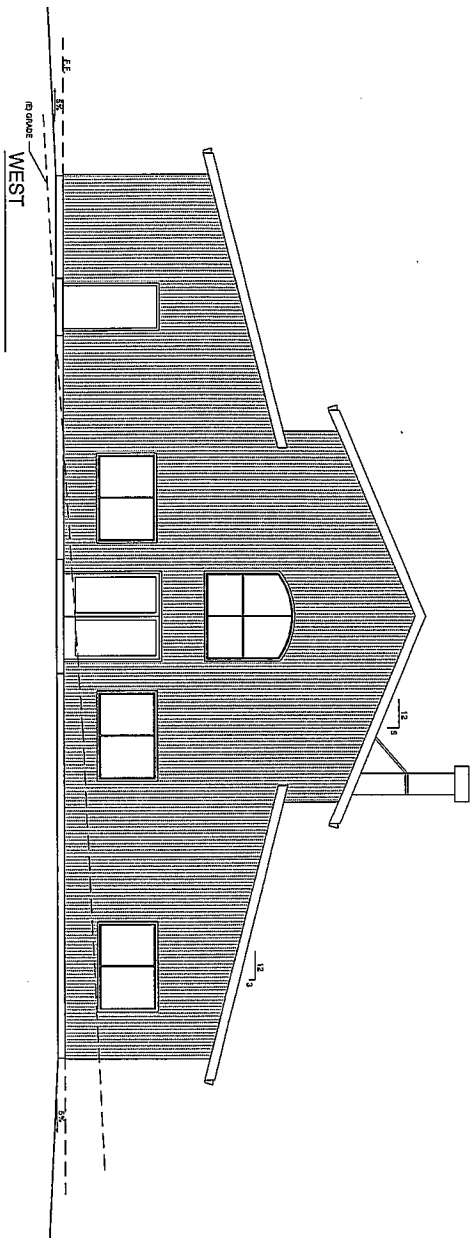
Drawn By: CA
Drawing Date: 2/2/09
Project Number: 0038

Reviewed:

Scale: 1/8" = 1'-0"

ELEVATIONS

Sheet Number:



ELEVATIONS
SCALE: 1/4" = 1'-0"



Project / Owner:
WINERY
PROCESSING
FACILITY
IN AN EXISTING
BUILDING
2828 SYCAMORE PLAINS RD.
GREENWELD, OK, 73047
APN 419-411-023

THE
PAUL DAVIS
PARTNERSHIP
ARCHITECTS & PLANNERS

241 East 1st Street, Suite 102
241 East 1st Street
16430 28th Ave. N. Suite 200
Olathe, KS 66061-2749
Olathe, KS 66061-2749

Owner: DA
Drawing Date: 2/20/10
Project Number: 0688

Reviewed:
△ SITTING PLAN CHECK
△ 2/20/10

This set of plans was prepared by the Architect under contract to the Owner. It is the responsibility of the Owner to provide all necessary information and to verify the accuracy of the information provided. The Architect is not responsible for any errors or omissions in the plans, or for any consequences arising therefrom.

PAUL DAVIS
ELEVATIONS

Sheet Number

A3.2

Project / Owner
**WINERY
 PROCESSING
 FACILITY
 IN AN EXISTING
 BUILDING**
 2888 SWANSONE PLATS RD.
 GREENFIELD, CA 95927
 APN 419-411-023

**THE
 PAUL DAVIS
 PARTNERSHIP**
 ARCHITECTS & PLANNERS

The Paul Davis Partnership, LLP
 3815 Alameda Street
 Room 202001 Oakland, CA 94612-3749
 DMALC: p.davis@pauldavispartnership.com

Drawn By: GA
 Drawing Date: 2/22/19
 Project Number: 0808

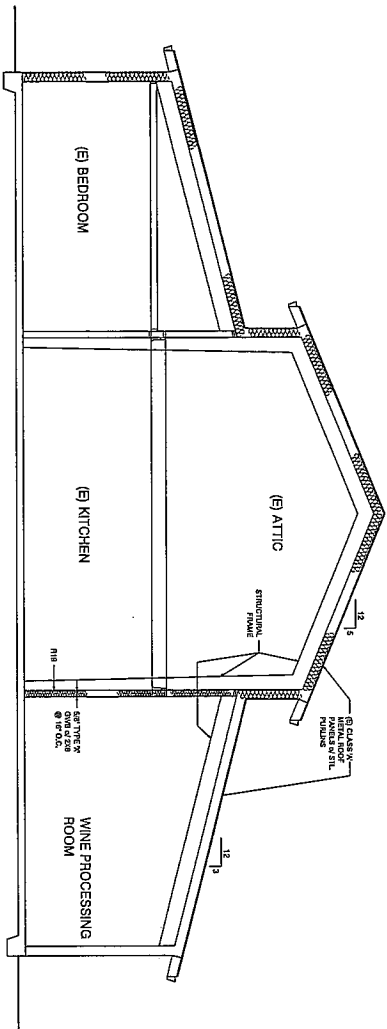
Revisions:

For the use of this drawing, the user agrees to indemnify and hold the architect harmless from all claims, damages, and expenses, including reasonable attorneys' fees, arising from the use of this drawing for any purpose other than that for which it was prepared. This agreement shall be binding on all users of this drawing, whether or not they are signatories to this agreement.

Sheet Title:
SECTION

Sheet Number:

A3.3

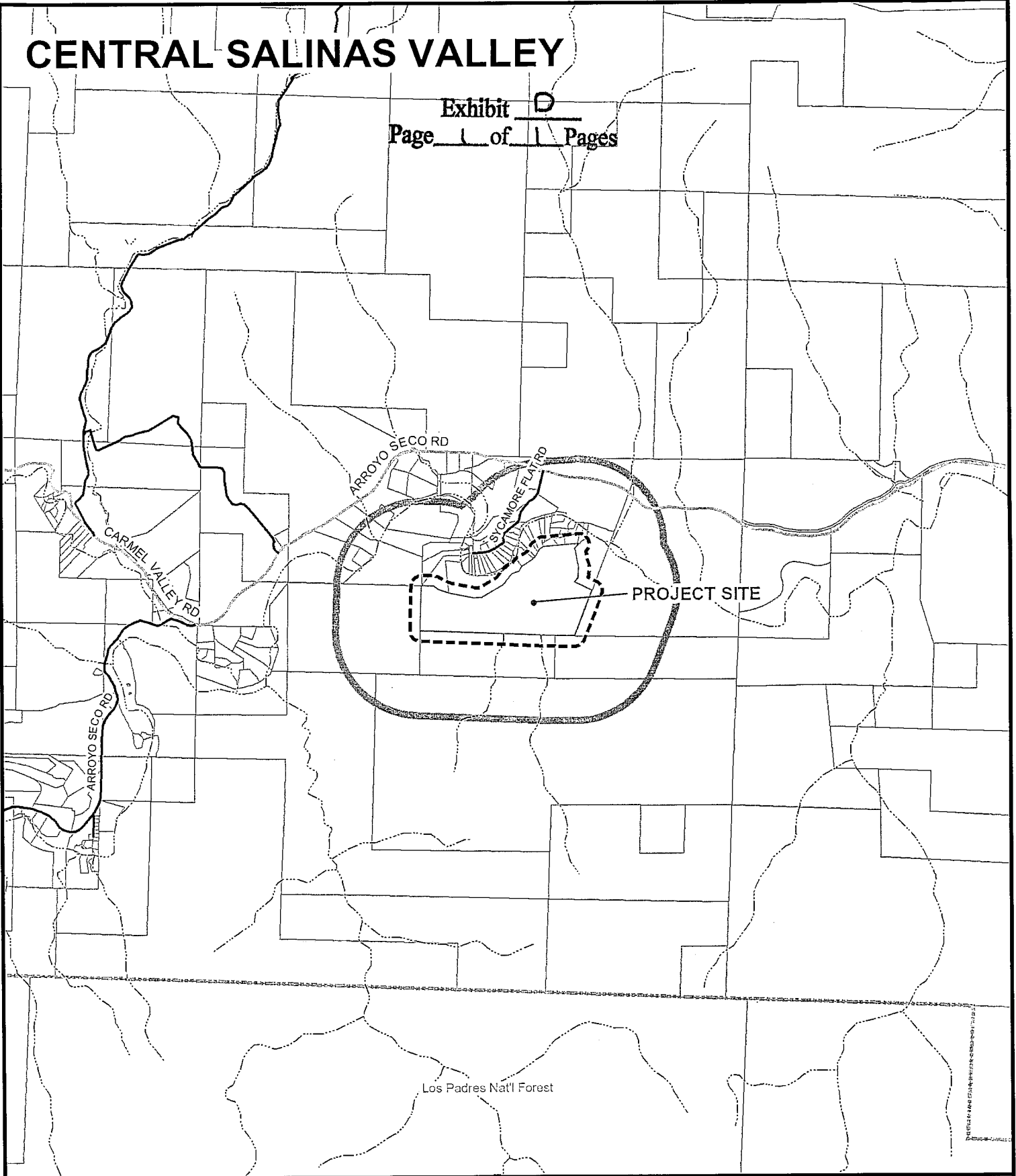


A SECTION
 SCALE: 1/4" = 1'-0"



CENTRAL SALINAS VALLEY

Exhibit D
Page 1 of 1 Pages

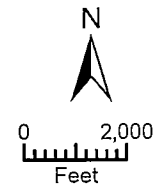


APPLICANT: PRADER ASSOCIATES

APN: 419-411-023-000

FILE # PLN090365

Water 2500' Limit 300' Limit City Limits



PLANNER: MONTANO