

MONTEREY COUNTY PLANNING COMMISSION

Meeting: August 13, 2014	Agenda Item No.: 1
Project Description: Extension, for five years, to a Use Permit approved in 2005 and extended in 2006 and 2009 to allow the operation of a micro-brewery (Cottage Industry) at a production limit of 10,000 gallons of beer per annum.	
Project Location: 66 East Carmel Valley Road, Carmel Valley	APN: 197-021-005-000
Planning File Number: PLN140407	Owner: Dean C. Hatfield TR & Karolyn I. Stone TR Applicant: Hatfield & Stone
Planning Area: Carmel Valley Master Plan	Flagged and staked: No
Zoning Designation: LDR/2.5-D-S-RAZ [Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Resource Allocation Zoning District Overlays]	
CEQA Action: Consider the Negative Declaration adopted by the Board of Supervisors on July 12, 2005.	
Department: RMA-Planning	

RECOMMENDATION:

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

- 1) Consider the Negative Declaration adopted by the Board of Supervisors on July 12, 2005; and
- 2) Approve an extension, for five years, to a Use Permit approved in 2005 and extended in 2006 and 2009 to allow the operation of a micro-brewery (Cottage Industry) at a production limit of 10,000 gallons of beer per annum. (**Exhibit C**).

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

- RMA-Public Works Department
- RMA-Environmental Services
- Environmental Health Bureau
- Water Resources Agency
- Monterey County Regional Fire Protection District

This Use Permit extension was not referred to the Carmel Valley Land Use Advisory Committee, as the Permit has previously been reviewed and approved by said Committee, and no new issues have been raised since this prior Committee approval.

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



 Steve Mason, Associate Planner
 (831) 755-5228, masons@co.monterey.ca.us
 August 6, 2014

cc: Front Counter Copy; Planning Commission; Monterey County Regional Fire Protection District; RMA-Public Works Department; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; Luke Connolly, RMA Services Manager; Steve Mason, Project Planner; Dean C. Hatfield & Karolyn I. Stone, Owners; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); John H. Farrow; Janet Brennan; Planning File PLN140407

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:

- Conditions of Approval
- Site Plan and Floor Plan
- Site Photos

Exhibit D Vicinity Map
Exhibit E Conditions of Approval: Planning Commission Resolution No. 09036 (PLN090170)


This report was reviewed by Mike Novo, Director of Planning.

EXHIBIT A

Project Information for PLN140407

Application Name: Hatfield Dean C Jr Tr & Stone Karolyn I Tr
Location: 66 E Carmel Valley Rd, Carmel Valley
Applicable Plan: Carmel Valley Master Plan
Advisory Committee: Carmel Valley Advisory Committee
Permit Type: Permit Extension
Environmental Status: Negative Declaration
Zoning: LDR/2.5-D-S-RAZ(see note)

Primary APN: 197-021-005-000
Coastal Zone: No
Final Action Deadline (884): 1/17/2015
Land Use Designation: Residential - Low Density 5
- 1 Acres/Unit

Project Site Data:

Lot Size: 44
Existing Structures (sf): 6090
Proposed Structures (sf): 0
Total Sq. Ft.: 6090

Coverage Allowed: n/a
Coverage Proposed: n/a
Height Allowed: n/a
Height Proposed: n/a
FAR Allowed: n/a
FAR Proposed: n/a

Special Setbacks on Parcel:

Resource Zones and Reports:

Seismic Hazard Zone: VI|IV|UNDETERMINED
Erosion Hazard Zone: High|Moderate|Low
Fire Hazard Zone: High|Very High
Flood Hazard Zone: X (unshaded)
Archaeological Sensitivity: high
Visual Sensitivity: Sensitive

Soils Report #: n/a
Biological Report #: n/a
Forest Management Rpt. #: n/a
Geologic Report #: n/a
Archaeological Report #: n/a
Traffic Report #: LIB050059

Other Information:

Water Source: Private Well
Water Purveyor: n/a
Fire District: Monterey County Regional FPD
Tree Removal: 0

Grading (cubic yds.): 0
Sewage Disposal (method): Septic
Sewer District Name: n/a

EXHIBIT B DISCUSSION

Project Description and Background

The Carmel Valley Brewery is owned and operated by property owners and residents Dean Hatfield and Karolyn Stone. The permitting history for the subject micro-brewery, established as a "Cottage Industry" pursuant to Monterey County Inland Zoning Code, includes an establishing Use Permit (PLN030221 – Approved per PC Resolution 05021 on April 14, 2005 and BOS Reso. 05-194 on July 12, 2005) a second Use Permit (PLN060225 – PC Reso. 06039, June 21, 2006) and a third Use Permit (PLN090170 – PC Reso. 09036, July 8, 2009). The applicant is currently requesting an extension of the 2009 Use Permit, for five years, to allow for the continued operation of the micro-brewery.

The brewery activities take place entirely within a 1,800 square foot detached barn which is located in the center of the 44 acre parcel, over 700' distance from the nearest neighboring residence. No complaints relating to the operation of the brewery have been received. Brewery production is limited to 10,000 gallons annually, although actual annual production is usually somewhat less than this cap figure. The owner and sole proprietor, Dean Hatfield, will continue to procure all supplies and perform all brewing, bottling and distribution functions. Distribution of beer is limited to Monterey County outlets (liquor/food stores and restaurants), typically in bottled and keg format.

Project Issues

Cottage industries, such as micro-breweries, may be allowed in unincorporated areas of Monterey County by way of an approved Use Permit. Pursuant to Monterey County Zoning Ordinance (Title 21), Section 21.64.095. D:

D. All Use Permits issued for Cottage Industry shall be subject to the following time limits:

1. The initial Use Permit shall not be issued for more than one year,
2. The second Use Permit shall not be issued for more than three years; and
3. The third and subsequent Use Permits shall not be issued for more than five years.

The purpose of these time limits is to provide adequate on-going review of the Cottage Industry to assure that the use continues to meet the standards of this Section, that the nature of the area has not changed sufficiently to cause the use to be detrimental to the area, and to review the conditions of the prior Use Permit to determine their continuing adequacy.

No changes as implemented by the 2010 General Plan have affected the property.

Environmental Review

The Board of Supervisors adopted a Negative Declaration for the project on July 12, 2005. There are no proposed changes in the project as analyzed pursuant to the 2005 Negative Declaration and no substantial changes in circumstances or new information that involves new significant environmental effects or substantial increase in the severity of previously identified effects.

Recommendation

Research by County Staff has indicated that no public complaints or issues have been raised by any members of the public regarding the operation of the Carmel Valley Brewery since it began operations in 2005. Staff is recommending approval, for five years, of the Use Permit.

**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:

Dean C. Hatfield TR & Karolyn I. Stone TR (PLN140407)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Considering the Negative Declaration adopted by the Board of Supervisors on July 12, 2005; and,
- 2) Approving the extension, for five years, to a Use Permit approved in 2005 and extended in 2006 and 2009 to allow the operation of a micro-brewery (Cottage Industry) at a production limit of 10,000 gallons of beer per annum.

[PLN140407, Dean C. Hatfield TR & Karolyn I. Stone TR, 66 East Carmel Valley Road, Carmel Valley, Carmel Valley Master Plan (APN: 197-021-005-000)]

The Hatfield/Stone application (PLN140407) came on for public hearing before the Monterey County Planning Commission on August 13, 2014. 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:** **PROJECT DESCRIPTION** – The proposed project is an extension to a previously approved and previously extended Use Permit to renew, for five years, a cottage industry (micro brewery) which operates under the label of “Carmel Valley Brewery”. No changes to the parameters of the Use Permit as previously approved and extended are proposed. The permitting history for the subject micro-brewery includes an establishing Use Permit (PLN030221 – Approved per PC Resolution 05021 on April 14, 2005 and BOS Reso. 05-194 on July 12, 2005) a second Use Permit (PLN060225 – PC Reso. 06039, June 21, 2006) and a third Use Permit (PLN090170 – PC Reso. 09036, July 8, 2009).
EVIDENCE: The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN030221, PLN060225, PLN090170 and PLN140407.

2. **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:

- Monterey County General Plan,
- Carmel Valley Master 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 at 66 E. Carmel Valley Rd (Assessor's Parcel Number APN 197-021-005-000, Carmel Valley Master Plan Area. The parcel is zoned LDR 2.5 D-S, which allows Cottage Industries with an approved Use Permit, therefore, the project is an allowed land use for this site according to Monterey County Zoning Ordinance 21.14.050.V.
- c) The proposed project entails the extension, for five years, of a Use Permit (PLN090170) to allow the continued operation of an established cottage industry (micro-brewery). Brewing would continue to take place exclusively within a 130 square foot portion of an approximately 1,800 square foot barn. The micro-brewery is limited to an annual production of 10,000 gallons.
- d) All of the Conditions of Approval as required of the most-recent Permit extension (PLN090170) pursuant to Planning Commission Resolution 09036 (July 8, 2009) shall remain in effect.
- e) The project planner conducted a site inspection on June 18, 2014, to verify that the project on the subject parcel conforms to the plans listed above.
- f) This Use Permit extension was not referred to the Carmel Valley Land Use Advisory Committee, as the Permit has previously been reviewed and approved by said Committee, and no new issues have been raised since this Committee approval.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140407.

3. **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, Monterey County Regional Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and 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) Due to the small size of the operation, no additional employees aside from the single owner-operator will be required or permitted. The owner will also continue to solely procure all supplies and perform all distribution functions.
 - c) No on-site sales are permitted.
 - d) Staff conducted a site inspection on June 18, 2014, to verify that the site is suitable for this use.
 - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the

proposed development found in Project File PLN140407.

4. **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, Monterey County Regional Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective 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) Necessary public facilities are available.
 - c) Documentation from the Central Coast Regional Water Quality Control Board ("RWQCB") has concluded that if the Hatfield micro-brewery were to operate at maximum production of 10,000 gallons of beer per year, up to 2,000 gallons of processed wastewater per year would result. The majority of said wastewater is generated from the equipment cleaning process. Almost all of this is captured in a common facility drain and dispensed to an underground leachfield to irrigate the adjacent fruit orchard. A tiny portion (~1%) involved with spillage and floor cleaning is captured in a floor drain and discharged to a gravel-filled trench adjacent to the barn. No wastewater enters the septic system. The solid waste material (i.e., spent mash) is composted for reuse in the orchard and onsite garden area.
 - d) Staff conducted a site inspection on June 18, 2014, to verify that the site is suitable for this use.
 - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN140407.

5. **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 and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on June 18, 2014, 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 Monterey County RMA-Planning for the proposed development are found in Project File PLN140407.

6. **FINDING:** **CEQA (Negative Declaration):** - The Board of Supervisors adopted a Negative Declaration for the project on July 12, 2005. There are no

proposed changes in the project as analyzed pursuant to the 2005 Negative Declaration and no substantial changes in circumstances or new information that involves new significant environmental effects or substantial increase in the severity of previously identified effects.

- EVIDENCE:**
- a) This Use Permit (PLN140407) grants an extension of use but entails no physical changes to the project or its impact.
 - b) No adverse environmental effects were identified during staff review of the development application during a site visit on June 18, 2014.
 - c) The project will not have a significant adverse impact on the environment. An initial study was prepared and it was determined that the project would have no significant impact and a Negative Declaration was filed with the County Clerk on March 9, 2005 and noticed for public review. The Board of Supervisor's considered public testimony and adopted a Negative Declaration on July 12, 2005.
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN030221 and PLN140407.

7. **FINDING:** **ACCESS ROAD** - Adequate road and transportation facilities exist for the use.

- EVIDENCE:**
- a) The property is located on Carmel Valley Road, which is the main access road to the site. All operation-related vehicle trips to and from the site, consisting primarily of supply acquisition and product delivery, are performed solely by the owner/operator.
 - b) The Public Works Department reviewed the proposed project, and determined the access road to the property is adequate.

8. **FINDING:** **TRAFFIC IMPACT** - That the proposed Micro-brewery will not adversely impact traffic conditions in the area.

- EVIDENCE:**
- a) A Traffic Analysis (Library No. LIB050059) was prepared by Larry D. Hail, P.E. of Pinnacle Traffic Engineering, dated November 29, 2004. The Analysis indicated that no adverse traffic impacts will result from the permitted use.
 - b) The Public Works Department has reviewed the proposed project, and has found that no adverse traffic impacts will occur beyond those identified in the Traffic Analysis.

9. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Monterey County Board of Supervisors.

EVIDENCE: Section 21.80.040.D of the Monterey County Non-Coastal Zoning Ordinance (Title 21).

DECISION

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

- A. Consider the Negative Declaration which was adopted by the Board of Supervisors for the project on July 12, 2005. There are no proposed changes in the project and no substantial changes in circumstances or new information that involves new significant

environmental effects or substantial increase in the severity of previously identified effects.

- B. Approve the Hatfield Use Permit (PLN140407), in general conformance with the attached sketch and subject to the conditions, both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 13th day of August, 2014, upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 [DATE]

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 Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN140407

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Use Permit extension (PLN140407) allows the operation, for five years, of a micro-brewery (Cottage Industry) at a production limit of 10,000 gallons of beer per annum. The property is located at 66 East Carmel Valley Road, Carmel Valley (Assessor's Parcel Number 197-021-005-000), Carmel Valley Master Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 RMA - Planning. 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 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)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Use Permit extension (Resolution Number ***) was approved by Planning Commission for Assessor's Parcel Number 197-021-005-000 on August 13, 2014. The permit was granted subject to 6 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Within 60 days of project approval, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

3. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

4. PD032(A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 5 years, to expire on August 13, 2019. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

5. PDSP01 - ONGOING CONDITIONS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All of the Conditions of Approval as required of PLN090170 pursuant to Planning Commission Resolution 09036 (July 8, 2009) shall remain in effect.

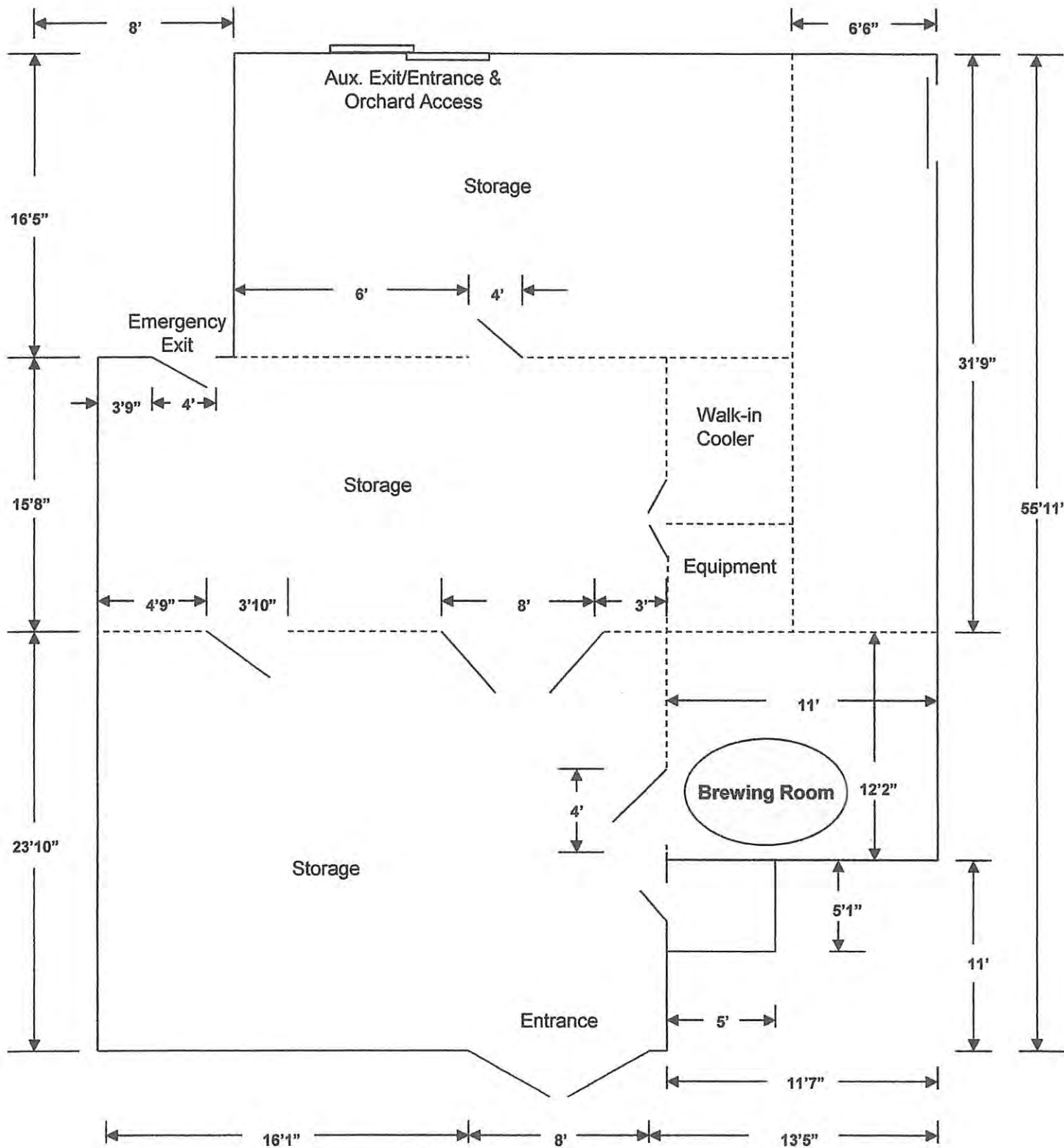
Compliance or Monitoring Action to be Performed: As stated in Condition PDSP01 in the Resolution for project PLN140407.

6. PWSP001 - NON STANDARD CONDITIONS

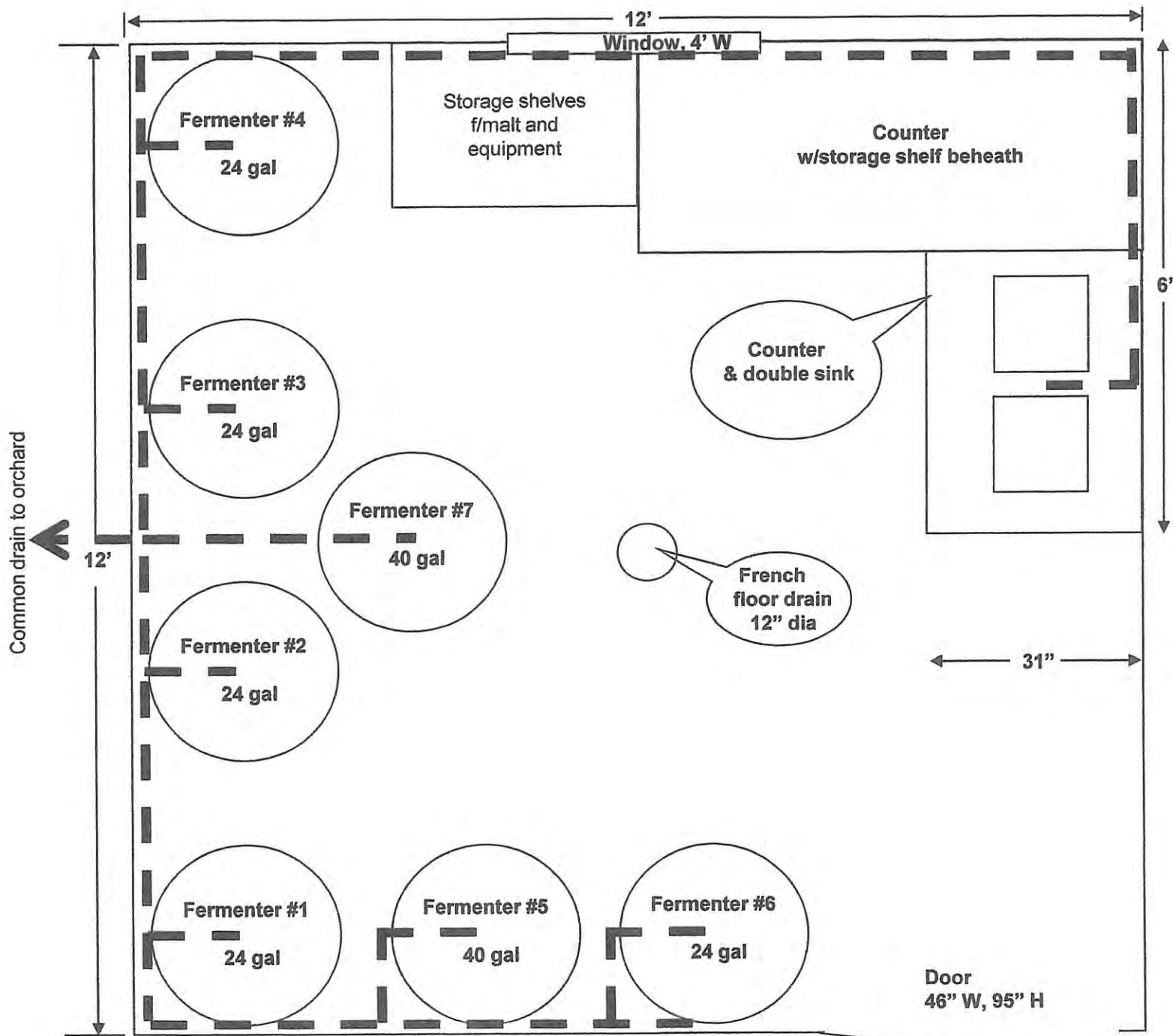
Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Trucks used in the operation of the micro brewery be limited to a maximum weight of 3 tons.

Compliance or Monitoring Action to be Performed: As stated in Condition PWSP001 in the Resolution for project PLN140407.



Barn/Microbrewery Layout



B R E W E R Y L A Y O U T

Project Site
↓





BARN/MICRO-BREWERY

06/18/2014 13:59



BREWING ROOM

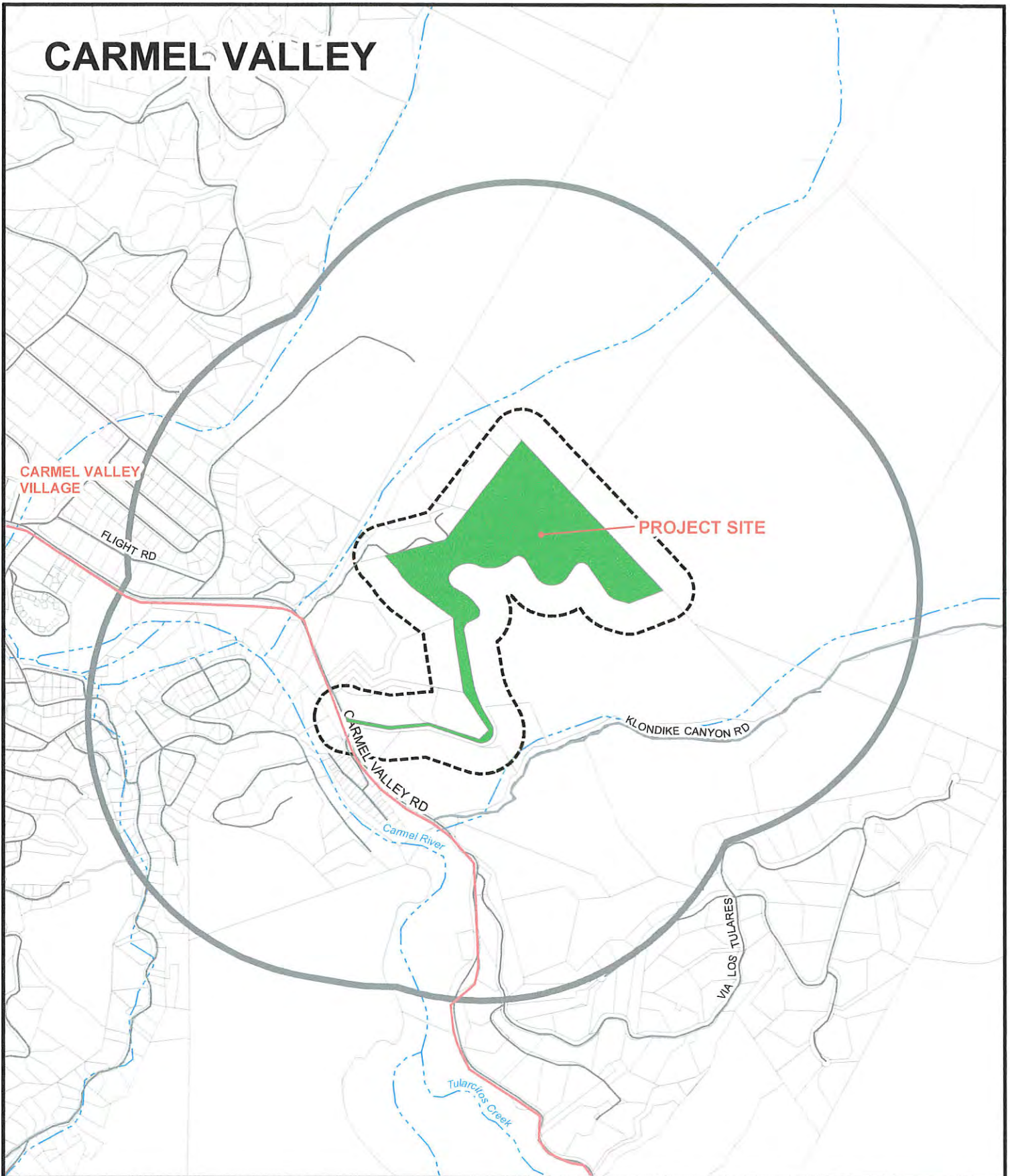
06/18/2014 14:02



WATER TREATMENT SYSTEM

06/18/2014 14:03




CARMEL VALLEY



APPLICANT: HATFIELD & STONE

APN: 197-021-005-000

FILE # PLN140407

 2500' Limit  300' Limit  Water

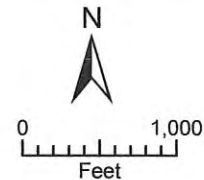


EXHIBIT D

PLANNER: MASON

EXHIBIT C (1) Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Hatfield/Stone File No. PLN090170 APN: 197-021-005-000 Approval by: Planning Commission Date: July 8, 2009
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**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>
1.		PBD029 - SPECIFIC USES ONLY This Use Permit allows the continued operation, for five years, of an established Cottage Industry (Micro-brewery) for the processing and making of beer in a 130 square foot portion of an existing approximately 1,800 square foot barn. The Micro-brewery produces between 5,000 and 10,000 gallons of beer per year (100 to 200 gallons per week). The property is located at 66 East Carmel Valley Road, Carmel Valley (Assessor's Parcel Number 197-021-005-000). 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. [Resource Management Agency (RMA) - Planning Department]	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Use Permit for the Micro-brewery will expire July 12, 2014	

EXHIBIT E

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)
2.		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A Use Permit (Resolution 09036) was approved by the Planning Commission for Assessor's Parcel Number 197-021-005-000 on July 8, 2009. The permit was granted subject to 13 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. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	30 days from approval of the Use Permit (PLN09 0170) August 7, 2009.	
3.		NON-STANDARD CONDITION In accordance with the Road and Water Agreement, recorded at the Monterey County Recorders office April, 05, 1991 (Reel 2626, Page. 431-441) specifically Section III. Numbers 23 and 24, the applicant has "the right to use the existing road... for ingress and egress to any portion of Lot 2 from Carmel Valley Road..., and past that point along the existing road." All activities on Assessor's Parcel Number 197-021-005-000 (Lot 2) shall be in accordance with the binding Road and Water Agreement. (RMA - Planning Department)		Owner/ Applicant	Ongoing	
4.		NON-STANDARD CONDITION That trucks used in connection with the Micro-brewery be limited to a maximum weight of 3 tons. (Public Works)		Owner/ Applicant	Ongoing	
5.		PBD016 - INDEMNIFICATION AGREEMENT 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	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.	Owner/ Applicant	30 days from approval of the Use Permit (PLN09 0170)	

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)
		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)			August 7, 2009.	
6.		NON-STANDARD CONDITION The applicant shall provide, annually, proof to the Department of Planning and Building Inspection that all requisite permits have been obtained from the Department of Treasury Alcohol and Tobacco Tax and Trade Bureau (TTB) (RMA - Planning Department)		Owner/ Applicant	Ongoing	
7.		FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17	Applicant shall incorporate specification into design and enumerates as "Fire Dept. Notes" on plans.	Owner/ Applicant	Ongoing	

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>feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Responsible Land Use Department: Carmel Valley Fire Protection District.)</p>	<p>Applicant shall schedule fire dept clearance inspection.</p>			
8.		<p>FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for</p>	<p>Applicant shall incorporate specification into design and enumerates as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept clearance inspection.</p>	Owner/ Applicant	Ongoing	

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)
		addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Responsible Land Use Department: Carmel Valley Fire Protection District)				
9.		FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) 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	Applicant shall incorporate specification into design and enumerates as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept clearance inspection	Owner/ Applicant	Ongoing	

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)
		the domestic demand and shall be permanently and immediately available. (Responsible Land Use Department: Carmel Valley Fire Protection District)				
10.		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 to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Responsible Land Use Department: Carmel Valley Fire Protection District)	Applicant shall incorporate specification into design and enumerates as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept clearance inspection	Owner/ Applicant	Ongoing	
11.		FIRE030 –NON-STANDARD CONDITIONS – EMERGENCY ACCESS KEYBOX – Emergency access keybox shall be installed and maintained, if required by the Carmel Valley Fire District. The type and location shall be approved by the fire department.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	On-going.	