

**ACHEVE'E VINEYARDS, LLC / MINOR USE PERMIT
EXHIBIT B - CONDITIONS OF APPROVAL**

Approved Development

1. This approval authorizes the phased construction of a winery facility with a public tasting room. At build-out the winery would total 9,200 square feet (sf) of indoor use areas and 4,065 sf of outdoor use areas. The project will result in the disturbance of approximately 43,170 sf (0.99 acres) on a 70.53 acre parcel.
 - a. Phase I -The construction of a 7,640 sf winery/tasting room to include the following:
 - Fermentation - 2,915 sf,
 - Barrel room – 1,140 sf,
 - Case goods storage room – 1,405 sf,
 - Employee break room, commercial kitchen, conference, offices – 445 sf,
 - Employee restroom, maintenance room and lab – 340 sf,
 - Tasting room – 1,128 sf and,
 - Restrooms – 267 sf
 - Outdoor crush pad – 2,565 sf and,
 - Patio/pergola – 1,500 sf.
 - b. Phase II – The construction of a 1,560 sf addition onto the Phase I building to include:
 - Barrel room – 790 sf and,
 - Case goods storage room – 770 sf (this building would total 9,200 sf).
2. This approval authorizes a maximum of six special events per year with no more than 80 guests.
3. This approval authorizes amplified music for special events between the hours of 10 a.m. to 5 p.m. as allowed per Section 22.30.070.di.(3). No outside amplified music shall occur before 10 a.m. or after 5 p.m.
4. This approval authorizes an annual production of 10,000 cases of wine from on-site and off-site grapes.

Conditions to be completed at the time of application for construction permits or prior to issuance of construction permits

Development

5. All development shall be consistent with the approved site plan, preliminary-grading plans, floor plans, elevations and landscape plans.
6. The applicant shall obtain the following permits in addition to any and all other permits required by ordinance or code. Plans shall be prepared or certified by the licensed architect or engineer of record.
 - a. A building permit to construct the winery building;
 - b. A grading permit.

Access

7. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

Drainage

8. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with the Source Control BMP's as identified for project incorporation in the applicant's *Stormwater Quality Plan Application for Priority Projects*.

Stormwater Pollution Prevention

9. **At the time of application for construction permits**, the applicant shall submit the following to the County for review and approval: Stormwater Quality Plan; Conservation of natural areas narrative; Stormwater pollutant of concerns narrative; Drainage Plan; Erosion and Sedimentation Control Plan; Mechanism in place for long-term maintenance of BMPs; and Calculations for treatment control BMPs
10. **At the time of application for construction permits**, if the applicant proposes post construction structural water quality treatment devices to treat the project's stormwater runoff, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.
11. **At the time of application for construction permits**, the applicant shall demonstrate the project has incorporated at least Two County approved LID structural practices into the project. Refer to the brochure *Interim Low Impact Development Guidelines* for further information and references for LID design.

Environmental Health Department

12. **Prior to issuance of a construction permit**, the applicant shall obtain the appropriate Health Department permits. The Health Department will require at a minimum the following information:
 - a. If water is made available to 25 or more employees at any one time, or to members of the public, or if the kitchen will be used as a commercial kitchen, then the applicant shall be required to have domestic water supply system.
 - b. The applicant shall obtain appropriate health permits.
 - c. A Hazardous Materials Questionnaire.
13. (W-1) **At the time of application for construction permits**, a pump test should be performed to ensure that there will be sufficient water available to serve the proposed project. The applicant shall contact the Environmental Health Department for specific pump requirements.
14. (W-2) **At the time of application for construction permits**, the applicant shall submit to the Environmental Health Department for review and approval a water quality test.

Water

15. (W-3) **At the time of application for construction permits**, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. For example roof runoff should be directed to drainage swales and not to impervious surfaces, rain barrels, stormwater ponds, bio-retention systems, or other methods as approved by Public Works. At least two designer selected LID measures shall be applied to the project.

Agriculture

16. (AG-1) **At the time of application for construction permits**, the applicant shall submit a final landscape plan prepared by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), incorporating the use of drought-tolerant, low-water use species consistent with the surrounding natural vegetation that will use of drip irrigation or better water saving techniques. The Landscape plan shall preclude lawn/turf areas associated with the winery.
17. (AG-2) **At the time of application for construction permits**, the applicant shall submit plans incorporating pervious and semi-pervious areas along with Low Impact Designs to promote groundwater recharge.

Exterior Lighting

18. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

19. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

Fees

20. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities and road fees.
21. **Prior to issuance of any construction permit**, the applicant shall pay the housing impact fee as required by Section 22.12.080.F.1.

Biological

22. (BIO-1) **Prior to issuance of construction and/or grading permits** for the winery avoidance measures shall be implemented. A preconstruction survey for the western pond turtle shall be conducted in proposed work areas. The survey shall be conducted on foot by a qualified biologist with approval from California Department of Fish and Wildlife to relocate these species out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:
- a. Western pond turtle shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
 - b. Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential habitat. Construction monitors shall capture and relocate said species as specified above.
 - c. A letter report shall be submitted to the County and CDFW within 30 days of Western spadefoot toad and western pond turtle relocation, or as directed by CDFW.
 - d. **Prior to issuance of grading and/or construction permit** and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program regarding protected and special status species.

Stormwater Pollution Prevention

23. **Prior to issuance of construction permits** (if required), the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Access

24. **Prior to occupancy or final inspection**, the Vineyard Drive driveway approach shall be reconstructed in accordance with County Public Improvement Standard B-1e. All driveway approaches constructed on County roads shall require an encroachment permit.

Wastewater

25. Liquid waste generated by the winery operations must be discharged to a waste water system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use. Prior to discharge of winery wastewater, the applicant shall obtain approval/permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water.

Fire Safety

26. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE of all required fire/life safety measures.

Exterior Lighting

27. **Prior to occupancy or final inspection**, any lighting located or installed on the outside of the winery building shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Planning and Building Inspection

28. **Prior to occupancy of any structure**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

Time Limits

29. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
30. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have

occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

Access

31. In accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.
32. Any gate constructed on a driveway where off-site grapes are delivered and/or product is exported from the site shall be a minimum of 75-feet from the traveled way of any road open to public traffic.

Fees

33. In accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the Department of Public Works the Templeton Area B Road Improvement Fee for each future building permit in the amount prevailing at the time of payment.

Drainage

34. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Outdoor Storage

35. Long term outdoor winery storage areas shall be screened by solid fencing or landscaping and shall not be higher than the associated solid fence screening or landscaping, unless the storage area is not visible from any public road or adjacent properties.
36. Any water tanks associated with the project shall be a neutral, non-contrasting color, and landscape screening shall be provided so that the water tanks are not visible from any public road.

Pomace

37. Solid vegetable waste from the winery (pomace) shall be removed from the site to an approved composting/green waste facility or composted on the site and used as a soil amendment. In no case shall pomace be treated, stored, or disposed of in a manner that could result in runoff into any surface stream.

Recycling

38. The applicants shall provide recycling opportunities to all facility users at all events in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

Air Quality

39. As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

Notification

40. The applicant shall provide notification to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed site, through an email or letter. If a letter is used, it shall be delivered within 30 days prior to but not less than 3 days before each event occurrence. The following information shall be provided:
- a. A complete listing of all scheduled events including dates, times and number of attendees;
 - b. 24-hour contact information for the on-site operator (cell phone), including e-mail and phone number, to be used to notify the operator of issues with the operation;
 - c. Contact information for County Code Enforcement to be used if members of the public have complaints about the operation;
 - d. Any identified problems shall be responded to and addressed as soon as possible.

As an alternative to providing the annual listing of the events in a letter, a website may be used. If a web-site is used, notification shall first be provided by mail and contain the website address, the 24 hour local contact information and the approved number of events and attendee numbers. The website shall be maintained and kept current at all times.

Commercial Kitchen

41. This approval does not allow the commercial kitchen to function as a restaurant.