

ATTACHMENT 2
EXHIBIT B - CONDITIONS OF APPROVAL
NINER - WINE ESTATES, LLC / DRC2013-00117

Approved Development

1. This approval authorizes:
 - a. The use of a portion of the existing hospitality building as a 3,400 sf restaurant (limited food service facility).
 - b. A modification of the ordinance standard limiting a restaurant to 800 sf to allow 3,400 sf.
 - c. A modification of the ordinance standard to allow the restaurant to operate beyond the tasting room hours, to 9 p.m., 7 days per week.
 - d. The continuous use of an approximate 60,000 sf production winery, 4,926 sf boutique winery, and an 8,840 sf hospitality building. A maximum annual production capacity of 50,000 cases.
 - e. The continuation of 30 special events per year in addition to industry wide events to include the following: 2 events are limited to no more than 500 people, 4 events are limited to no more than 200 people, 6 events are limited to no more than 100 people, and 18 events are limited to no more than 75 people. Amplified music at events (from 10:00 a.m. to 5:00 p.m.) is permitted. Events shall be limited to wine and agricultural industry events only (e.g. no weddings, concerts, general parties, non-agricultural trade shows / conventions, etc.

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

Time Limits

2. 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 the restaurant use has been established.
3. 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.

Continuing Operational Conditions

Special Events

4. During operation of the facility, winery processing and storage facilities shall be limited to agricultural activities. The Production Winery shall not be used for special event purposes. The Boutique Winery may be utilized for limited special event gatherings related to the Agricultural use on the site, such as wine industry- related occasions like open houses during wine festival weekends or winemaker dinners.

Wastewater

5. 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 or result in objectionable odors.

Outdoor Storage

6. Winery related materials stored out of doors shall be screened by solid fencing and shall not be higher than the associated solid fence screening, unless the storage area is not visible from Highway 46, Anderson Road, or adjacent properties.
7. Long-term outdoor winery storage areas shall be screened by solid fencing and shall not be higher than the associated solid fence screening, unless the storage area is not visible from Highway 46, Anderson Road, or adjacent properties.