

**ATTACHMENT 2
EXHIBIT B - CONDITIONS OF APPROVAL
DRC2010-00005 / HALTER**

Approved Development

1. This approval authorizes:
 - a) 25 special events with up to 200 people per year;
 - b) A second tasting room (280 sf),
 - c) A permanent farm stand (640 sf),
 - d) A commercial and agricultural processing kitchen,
 - e) Additional restrooms,
 - f) A changing room and a bridal changing room.

All proposed uses would be located within the existing structures on-site. The proposed project may result in 0.25 acres of site disturbance on a 952 acre site to allow for leach field expansion if needed.

2. A waiver modification to the ordinance standard limiting a winery to one tasting room to allow second tasting room.
3. A modification to of the ordinance standard limiting the floor area of a farm stand to 500 sf to allow 640 sf.
4. A modification to the ordinance standard limiting the floor area to 50 percent to food grown on-site, limiting the floor area to 50 percent to grown off-site, and limiting the farm stand to 50 sf for processed food to allow the entire farm stand area be dedicated to pre-packaged food not grown on-site or locally.
5. This approval authorizes the continuous use of a wine processing facility that includes a 7,500 sf tasting room, 41,622 sf wine processing facility, barrel storage/case good storage and a maximum of 25,000 cases of wine annually previously authorized under DRC2005-00234.

Conditions required to be completed at the time of application for construction permits

Site Development

6. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan and floor plan.

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.
8. **At the time of application for construction permits**, and in accordance with Streets and Highway Code Section 1480.5 & 1481 the applicant shall submit an application to the Department of Public Works for an Encroachment Permit to:
 - a. Construct or reconstruct the access driveways in accordance with County Public Improvement Standard B-1a rural driveway. Sight distance shall be verified and

shall conform to Standard A-5a. The width shall be adequate to accommodate all reasonably anticipated vehicles.

- b. Remove or relocate all existing non-permitted obstructions from within the public right-of-way along the project frontage. Known obstructions may include trees, vegetation, signage, gates, fencing, or other manmade objects.

Fees

9. (TR-1) **At the time of application for construction permit**, the applicant shall be responsible for paying to the Department of Public Works a fair share contribution towards the intersection improvement at Adelaida Road and Nacimiento Lake Drive. This fee shall be paid with the issuance of each future building permit and shall be based on the peak hour (Friday afternoon) trip generated by the project. Currently, the fee shall be \$2,051 per peak hour trip but may be adjusted annually by the Caltrans Construction Cost Index.

APCD

10. **Prior to issuance of a construction permit**, the applicant shall contact the Air Pollution Control District to obtain all necessary permits and to amend their existing operational permit.

Fire Safety

11. **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. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CAL FIRE/County Fire Department for this proposed project and dated May 27, 2014.

Visual

12. (VS-1) **At the time of application for construction permit(s)**, the applicant shall provide an exterior lighting plan. The plan 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 Adelaida Road. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

Services

13. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

14. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school, road and public facilities fees.

Cultural

15. (CS-1) **Prior to any ground disturbing activities for associated infrastructure improvements**, a monitoring plan shall be developed by a County approved archaeologist (one that is proficient in both prehistoric and historic archaeology) and shall be approved by the Environmental Coordinator. The monitoring plan shall include at a minimum:
 - a. List of personnel involved in the monitoring activities;
 - b. Description of how the monitoring shall occur;
 - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - d. Description of what resources are expected to be encountered;

- e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered “significant” archaeological resources?);
- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures.

During all ground disturbing construction activities within this area, the applicant shall retain a Native American to monitor all earth disturbing activities, per the approved monitoring plan. Upon completion of all monitoring/mitigation activities, and **prior to occupancy or final inspection** whichever occurs first, the consulting archaeologist shall submit a letter to the Department of Planning and Building confirming that all recommended mitigation measures have been met.

16. **Prior to issuance of a construction permit** for the appropriate phase, the applicant shall obtain the appropriate Health Department permits. The Health Department will require at a minimum the following information:
- a. A Hazardous Materials Questionnaire.
 - b. Evidence that there is adequate water to serve the proposal, on the site.
 - c. If plan review for a cross connection determines that a device is necessary, then an annual device test shall be provided.
 - d. The applicant shall require a health permit to function as a commercial kitchen. The applicant shall submit kitchen plans for review and approval by the Environmental Health Department.
 - e. If water is made available to 25 or more employees at any one time, or to members of the public, then the applicant shall be required to have public water supply system.
 - f. The applicant shall submit a site plan showing the location of water wells and the distance from wastewater systems.

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

Access

17. **Prior to occupancy or final inspection**, all public improvements shall be constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.

Fire Safety

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

Planning and Building

19. **Prior to occupancy of any structure associated with this approval**, 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 Lines

20. 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.

21. 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.

Gates

22. Any gate constructed on a driveway to the site shall be a minimum of 75-feet from the traveled way of Adelaida Road.

Right-of-Way

23. 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.

Notification

24. The applicant shall provide notification of special events, through an email or letter, to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed site. 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 special 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 special 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.

Amplified Music

25. This approval authorizes outdoor amplified music for special events between the hours of 10 a.m. to 5 p.m. as allowed per Section 22.30.070. No outside amplified music shall occur before 10 a.m. or after 5 p.m.

Commercial Kitchen

26. This approval does not allow the commercial kitchen to function as a restaurant (limited food service facility).