

EXHIBIT J

MISCELLANEOUS BUILDING RECORD

ADDRESS 11002 KING W

WILLOW SPRINGS RANCH

SUMMIT

DESCRIPTION OF BUILDINGS

Bldg. No.	Structure	Size	Found.	Wall & Exterior		Roof		Floor & Interior L
						Type	Cover	
1	PH	12x12	W	SW	T&G	SHED	COMP	T&G
2	TANK	6000 GAL		CI				12 23.57
3	TANK	6000 GAL		RO				
4	GRANARY	24x20	CP	SW	B&B	GAB	CI	T&G
5	SHED	9x76	W	SW	T&G	GAB	CI	0
6	BARN	112x56	W	BOX	CP	GAB	CI	0/C
7	IMP SHED	19x40	W	BOX	T&G/CI	SHED	CI	0
8	GAR	30x18	C	BOX	T&G	GAB	COMP	ED
9	SHED	14x24	W	SW	T&G	SHED	CI	0

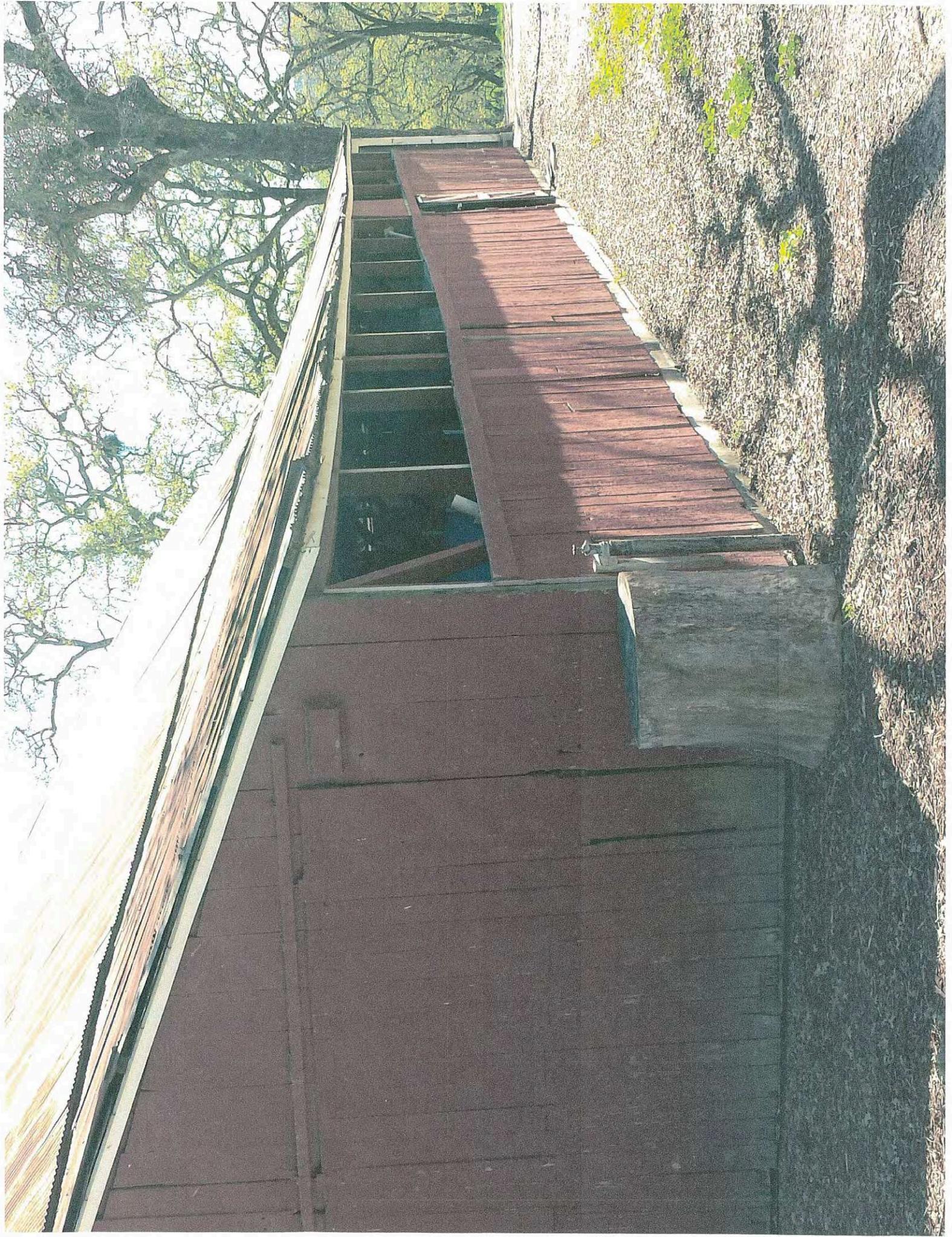
COMPUTATION

Appraiser - Date		CFD 10-6 1948				RN 12-23 1957				SLB 5-4 1966			
Bldg. No.	Area	Unit Cost	Cost	% Good	R.C.N. L.N.D.	Unit Cost	Cost	% Good	R.C.N. L.N.D.	Unit Cost	Cost	% Good	R.C.N. L.N.D.
1	216	1.10	238	40	95	1.50	324	40	130	1.70	367	40	147
2			350	40	140				PV				NV
3			350	40	140		500	SP25	125				NV
4	480	1.25	600	40	240	2.00	960	40	384	2.20	1056	40	422
5	684	.90	616	SP25	154	1.25	855	SP25	214	SALV. VAL			100
6	6272	.60	3763	40	1505	1.00	6272	SP25	1568	1.20	7526	30	2258
7	720	.75	540	40	216	1.20	864	40	346	1.20	864	40	346
8	540	1.25	675	44	297	1.25	675	40	270	1.40	756	40	302
9	336	.75	252	40	101	1.20	403	40	161	1.30	437	40	175
Total	28				2888				25% 3198				25% 940 3750

Appraiser - Date		Smith 2-26 1968				ALW 10-16 1964				PRICED 1/19/83 CP 198:			
Bldg. No.	Area	Unit Cost	Cost	% Good	R.C.N. L.N.D.	Unit Cost	Cost	% Good	R.C.N. L.N.D.	Unit Cost	Cost	% Good	R.C.N. L.N.D.
1	216	1.70	367	SP25	92	1.70	367	SP25	92	PH			100
4	480	2.20	1056	25	264	2.20	1056	25	264	GRANARY			200
5	684		SALV		106		SALV		100				100
6	6272	1.20	7526	25	1882	1.20	7526	25	1882	SHED			100
7	720	1.00	720	26	187	1.00	720	25	180	BARN			15000
8	540	1.40	756	30	227	2.00	1080	25	270	TAP SHED			200
9	336	1.30	437	25	109	1.30	437	25	109	GAR			500
										SHED			150
Total			10862		2861		11186		2897				15750

EXHIBIT K

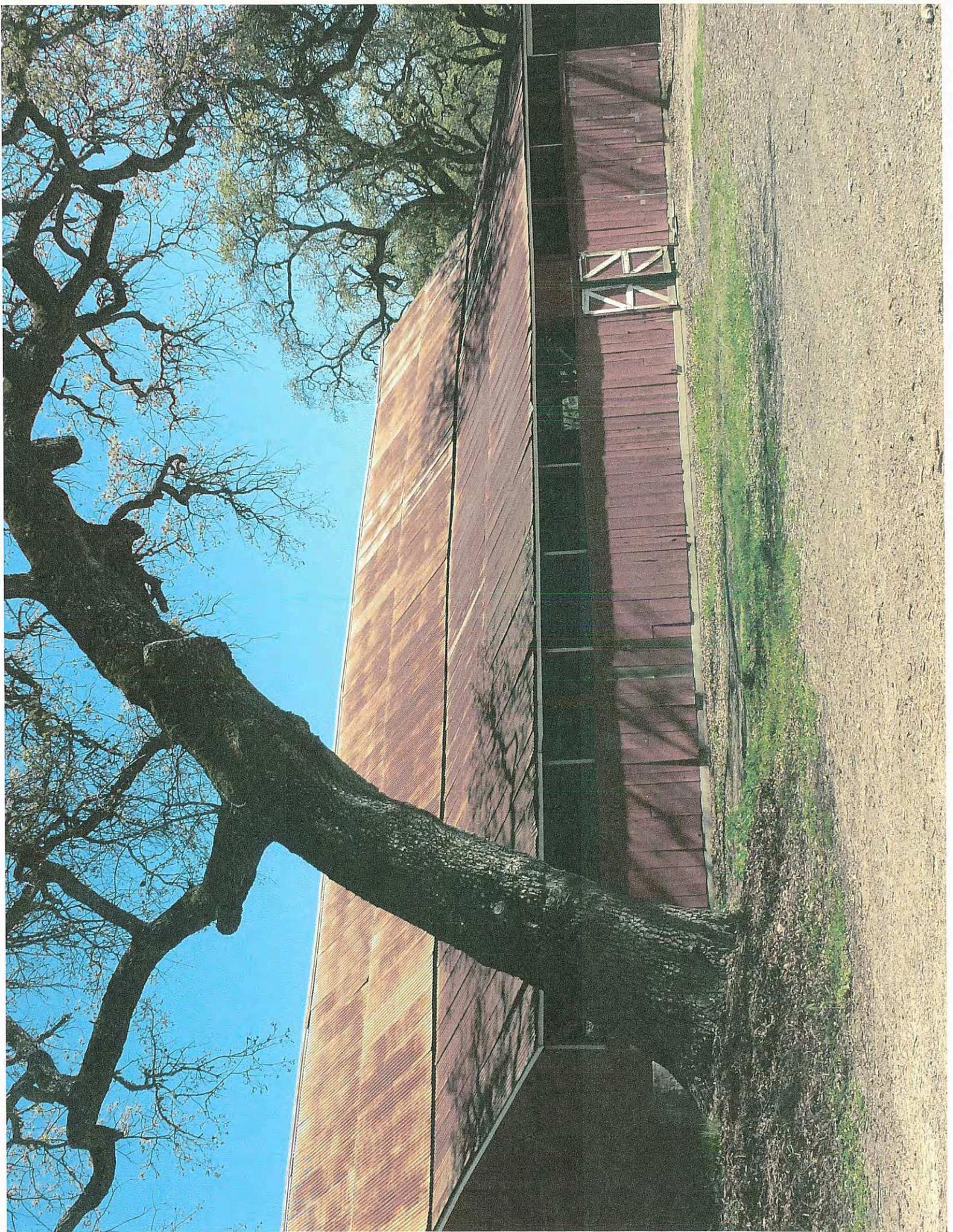












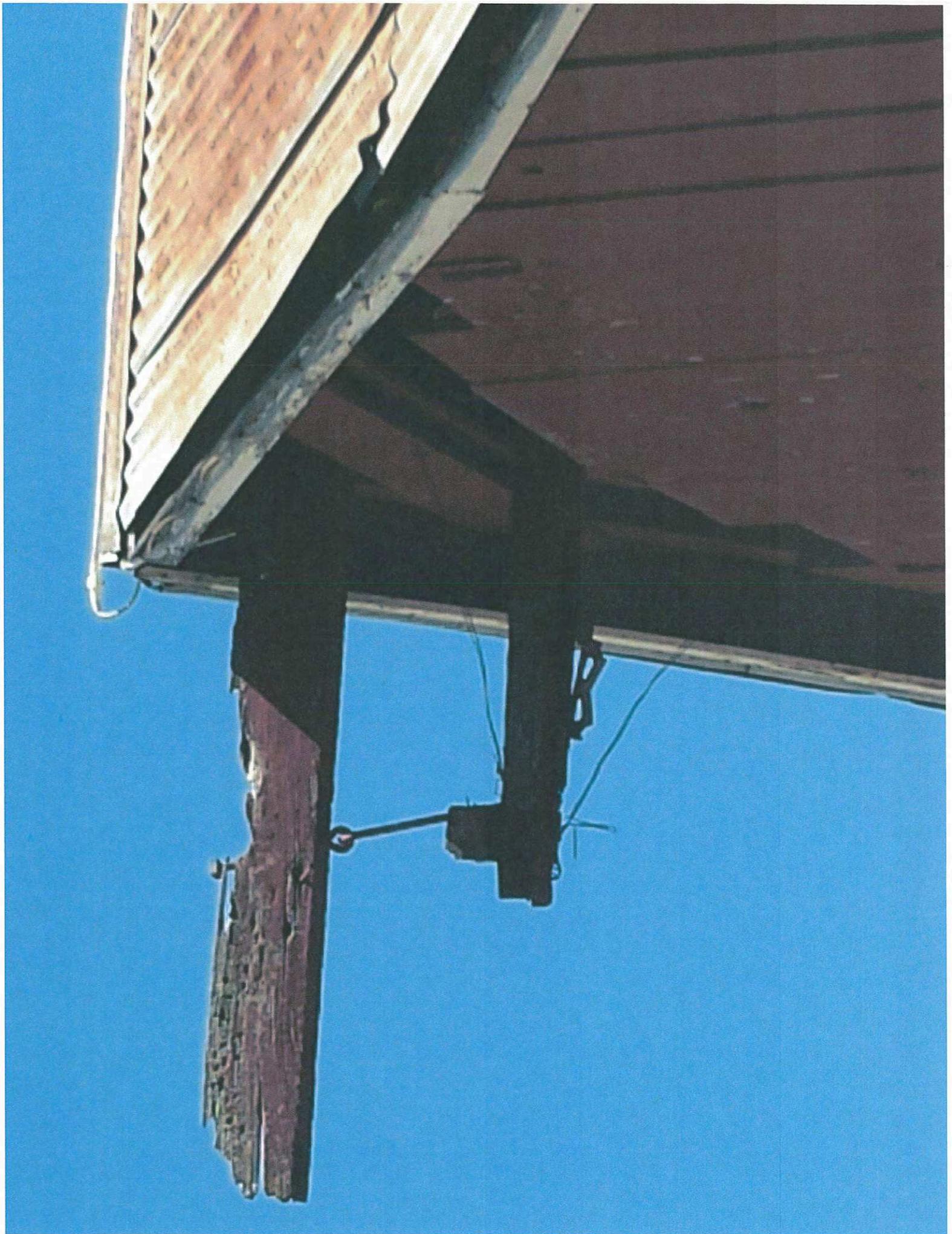


EXHIBIT L

Alison Norton

From: William Lewis Hurley <wlhurley@dososostimberworks.com>
Sent: Monday, March 16, 2015 2:54 PM
To: Alison Norton
Subject: First Look:

Alison,

On my first quick review. You need to have a set of the plans submitted to analyze to design modifications requested.

I'd hit very hard the requested modifications—that will be their weakest areas. If this goes to the board of Supervisors actions allowed here may be determined to prejudge further applications and the ordinances were written with some thought behind them.

The Barn from the Photos provided is the barn listed on the records (probably) due to it's size (112x56) as the one built I believe it says **1900**. Certain structural features tells me this is probably correct. It appears to be in decent shape.

The Documents reference the new buildings will have the same architectural features or style. Plans would be very helpful to verify this as it is very subjective from one person to another and lead into a reason to “re-purpose” the Barn to maintain the rural and agricultural history of the area.

The RWQB and Cal Fire reports might be really helpful. The Fire Sprinklers required have to have a volume and duration (commercial) to maintain the buildings integrity to allow people to exit. Response time from the closest CDF station, although one is pretty close-it may not be fully staffed all year long. The RWQB's standards might, due to the size of the area needed to be met-if they haven't designed it yet pinch the overall site plan to force alterations of their initial design.

Find the plan sets for me.

I'll keep reading.

Bill

William Lewis Hurley

Dos Osos Timberworks, Inc.
2112 9th St.
Los Osos, CA. 93402

PH. 805-528-8402
FX. 805-528-8412
wlhurley@dososostimberworks.com

EXHIBIT M

Alison Norton

From: CLAUDIA WEBSTER <claudia@claudia.com>
Sent: Monday, March 02, 2015 6:53 PM
To: Alison Norton
Subject: Fwd: barn to be demolished..

Follow Up Flag: Flag for follow up
Flag Status: Completed

Begin forwarded message:

From: "Krieger Consulting" <dan@kriegerconsulting.net>
Subject: RE: barn to be demolished..
Date: February 28, 2015 11:08:44 PM PST
To: "CLAUDIA WEBSTER"
Cc: <slohistory@gmail.com>, <slohistory2@gmail.com>
Reply-To: <dan@kriegerconsulting.net>

Claudia,

Contact The Department of Planning and Building, 976 Osos Street
Room 200
San Luis Obispo, CA 93408
Tel: (805) 781-5600
Fax: (805) 781-1242

And

District Supervisor Frank Mecham, (805) 781-4491 or 1-(800)-834-4636
The King Vidor association makes the barn a significant cultural resource for the County of San Luis Obispo. You may quote me on that in your communications with county government.

Very truly,

Dan K

Daniel E. Krieger
Professor of History Emeritus
California Polytechnic State University
San Luis Obispo, CA 94407
Past President, California Mission Studies Association

From: CLAUDIA WEBSTER
Sent: Saturday, February 28, 2015 9:16 AM

To: dkrieger@calpoly.edu

Subject: barn to be demolished....

Dr. Krieger, I got your name from a document about the Thunder Canyon Farm. My family owns a property on Vineyard Drive, opposite the Pasolivo Olive Ranch. The new Pasolivo owners have been given permission to demolish the barn on the property and build, instead, an event center. Our family has been working feverishly to halt this development since we became aware of the plans (December, 2014). Unfortunately, we are a little behind the curve as they technically have already gotten permission to go ahead with this development. We have retained attorneys to try to at least gain us some time so that we can do some research.

There are many concerns regarding this development, but my personal concern is with the barn. A local contractor, Jack Hanauer, tried to speak out at a planning department hearing about the unique nature of the barn on the property. He said it was the only barn in the area that he knew of that was built with local oak. The posts are actual tree trunks. He also said it was unique because of its construction (the roof is level, of course, but it is 10' higher on one side than the other). He also said it was in very good shape as it has a new foundation and had repair work done in 2005. We know that it was originally a dairy barn. We know that at one time it was owned by King Vidor. I was also able to obtain a document from the county that shows it in existence in 1900. That makes it older than the Octagonal barn that has been preserved. The planning department just says it is historically insignificant.

I am wondering if you can point me in any direction for help. Is there anyone locally who takes an interest in such things? My husband and I live in Santa Cruz, but certainly drive down frequently as our folks live on the Vineyard property.

I would very much appreciate any help you could give me.

Thank you,

Claudia Webster

PS. The Webster Foundation provided the funding for the restoration of the mortice and tenon Cowell Hay Barn on the UCSC campus, so you can see they have a strong interest in historic barns!

EXHIBIT N



Property

The site is located at 8530 Vineyard Drive Paso Robles, CA (APN 014-331-073). The site totals +/-120 acres zoned Agriculture and under Williamson Act contract. The property is home to Pasolivo Olive Oil production facility, owned by Willow Creek NewCo LLC, which includes a 3,100sf production and tasting room structure; processes award winning olive oil from its onsite 45 acre olive orchard.

Pasolivo has been named a Top Ten Oil in the World and Best in Show winners from the Los Angeles International Olive Oil Competition to the San Diego Wine & Food Show. Pasolivo continues to focus on creating a handcrafted American olive oil that can be shared with people all over the country.

Existing Conditions

The site currently has an olive oil processing mill and tasting room, which processes over 45 acres of olive orchard, a large barn, and several residences. The olive orchard is over 15 years old and includes a dozen varieties, predominantly Tuscan varieties. The varieties include Frantoio, Leccino, Pendolino, Lucca, Moraiolo, Mission, Manzanillo, Sevillano and Ascolano olives.

The olive processing/tasting room structure is existing and on the interior of the lot. It is not visible from Vineyard Drive and is adjacent to the existing development on the site. The existing road that is used for the olive processing facility will be utilized for the proposed project. Vineyard Drive will provide both the primary and secondary access to the facilities.

Permit History

A Minor Use Permit (MUP) was approved in 2000 (D990187P) approving a 1,344sf olive oil production facility on the property. The 2000 approval described the use as a production facility with wholesale distribution of the end product. On-site retail sales of olive oil were not included in the 2000 MUP approval. All conditions were satisfied for this MUP and the MUP was vested in July 2002.

After approval of the 2000 MUP a subsequent building permit (PMT 2004-03307) was applied for to build a 1,258sf addition to the existing olive production facility. The Building Permit approved shifting the olive production area to the new portion of the building and then

converting the previous production area (old processing area – current olive tasting room) to non-conditioned ag storage. This building permit and re-orientation of production area was found to be in substantial conformance with the 2000 MUP and finalized in January of 2006.

A subsequent MUP was submitted to the County in 2006 (DRC 2006-00061). This MUP was a reconsideration of the 2000 MUP with a request to add a public tasting component for the olive oil production facility (in non-conditioned ag storage area) as well as the addition of a wine production component (winery), including a tasting room, and a special event program with up to 6 events a year with a maximum of 80 attendees. This use permit was approved on June 1, 2007 and all components of the MUP, with the exception of the special event program, were determined to be vested on March 2, 2012.

Proposal

The following project proposal is for a Phased Minor Use Permit to expand the existing Ag Processing and Visitor Serving uses into new buildings and reconfigure use areas within the existing structures. The proposal also includes a request for a special event program using the provisions contained in the land use ordinance relating to Temporary Events.

Phased Construction-Ag Processing and Temporary Events

PHASE ONE

New

Tasting Room located within replacement barn:

Additional Improvements to Ag Accessory Structure (Replacement Barn)

- Installation of commercial kitchen and bathrooms
- Interior improvements required for barn to meet Uniform Building Code and ADA Requirements

Existing

Olive Oil Mill: 3,100sf

Outdoor processing: 4,187sf

- Remove tasting room in existing mill when new tasting room is constructed in barn
- Limited to processing on-site olives

Other Ag Processing Improvements

- Ingress and egress improvements
- Parking upgrades
- Utilities

Temporary Events

PHASE ~~TWO~~ THREE

New

Olive Oil Tasting/Retail Building- 2,600sf (* tasting room in barn converts to storage when new tasting building is constructed)

Outdoor Terrace: 1,540sf

Creation of parking area near tasting room identified on site plan

PHASE ~~THREE~~ TWO

Conversion of an existing Ag Storage (3,000sf) building to Ag Processing Production and Storage (wine and/or olive production)

- Allow processing of off-site olives in Phase 3 building

Event Program

Temporary Events-Annual Program

25 events with up to 200 people

events

Temporary Events are proposed to occur during Phase One and will occur outside or in existing buildings. Indoor locations include the replacement ag barn and the tasting room; outdoor areas are located immediately north of the barn, and occasionally at the tasting room terrace.

Event overflow parking will be located at the existing parking area near the barn and an unimproved area beyond the ag processing structures, identified on the site plan. Secondary access is provided from the event site out to Vineyard Drive on a 20' wide access road.

Event Types- General Discussion

Pasolivo is seeking the approval for temporary events to be held onsite. The desire is to be able to showcase their product through events. Events present the ability to expand their direct to consumer marketing plan. Pasolivo olive oil can be incorporated into these events in many ways from the food to the onsite agricultural experience.

Event types (hypothetically and not limited to):

Farming symposiums, culinary and art shows, wine and food symposiums, weddings and corporate dinners, olive oil making seminars.

Non-Profit Events:

The Events and Activities listed above do not include Non-Profit Events. The Land Use Ordinance currently does not regulate Non-Profit Events. Pasolivo intends to continue to make the property available for use by local non-profits for fundraising activities. The ownership understands the important and vital services non-profit organizations provide to the local community. It is part of the ownership philosophy that the Temporary Event program at Pasolivo include a 'give-back' component and that Non-Profit events at the site are not restricted unintentionally.

Noise

An acoustical assessment was performed to evaluate potential noise impacts from proposed events with amplified music at Pasolivo. Events are proposed within the replacement barn, outside the barn and at the tasting room's small outdoor terrace. The results of the noise study suggested the following for each event scenario assuming amplified music:

1. Replacement Barn (Doors Closed) - Meets County noise standards for day and nighttime events
2. Replacement Barn (Doors Open) – Meets County noise standards for day and nighttime events with mitigation:
 - South doors must be closed
 - North doors can be open
3. Outside, North of Barn-referred to as North Outdoor Terrace-Meets County noise standards for day and nighttime events with mitigation:
 - Sound System Mitigation - Speaker location recommended to be against north facing building façade and directed to the north
4. Tasting Terrace- Meets County daytime standards with mitigation:
 - Orient sound system speakers to the north

Originally, a south side outdoor area was proposed near the barn to be utilized for events. Since this area could not meet County standards, it was removed from the project application.

Events without amplified music will not exceed County noise limit thresholds. Additional mitigation measures were suggested in the acoustical report such as rental agreement language and neighbor communication.

Cultural Resources

A Cultural Resource Assessment with a Phase I Archeological survey was conducted to examine two existing structures onsite which are proposed for demolition or replacement: the old

Barn

foreman's residence and ag barn. A Phase I Archaeological survey was conducted due to the proximity of drainage. The assessment was performed by LSA and the results came out to be that both structures were not of cultural significance as they were did not meet the criteria for a significant resource as defined by CEQA. Additionally, no cultural resources were discovered during the Phase I survey. The report and its mitigation measures are included with the application package.

Siting

The existing olive mill and tasting room is located at the interior of the lot. It is not visible from Vineyard Drive and is adjacent to the existing development on the site. The new tasting/retail building will be located near the old foreman's residence, to the north of the replacement barn. There is an outdoor wooden terrace proposed to be located in the location of the old foreman's residence. The tasting/retail building will be screened with existing oaks and new plantings as proposed on the landscape plan.

The existing entrance that is used for the olive processing facility will be utilized for the proposed project. In order to improve overall circulation on the site an additional access point in being installed along the Vineyard Drive frontage.

Access

Pasolivo proposes to continue to utilize the existing primary entrance for visitor and production (as has been permitted previously). The existing access will be limited to ingress and will essentially be a one way circulation until it meets the new tasting room and barn vicinity. At this point, it diverts where it either branches off to a two way circulation back to the processing/overflow parking area, or branches back to Vineyard Driveway to the exit. Minimal directional signage will be provided to direct visitors to the appropriate locations. Access locations were examined by a traffic engineer and input was implemented into the project site design.

Grading, Drainage & Utilities

The total (new) project site disturbance involves a total of 3.5 acres (limits identified on preliminary grading and drainage plan). The project will utilize portions of the existing access and infrastructure.

Total Area Disturbed: 4.7 acres

Area previously disturbed with existing improvements: 1.2 acres

(New project will disturb an additional 3.5 acres)

New improvements involve:

- Access-Reconfiguration of existing access and new extension for egress
- Pedestrian circulation-pathways, ADA accessibility
- Utility upgrades-water lines
- Building Pads-Replacement Barn and Tasting Building
- Retaining walls

- New parking area at new tasting room building

The project will be adding approximately 1.3 acres of impermeable surfaces. Impacts from these impermeable surfaces are addressed through best management practices (BMP). Several vegetated swale areas have been incorporated throughout the site's existing and proposed landscape in order to implement and catch run off from those surfaces. Further BMP's are addressed in the landscape plan.

Landscape:

New landscape is planned for areas around the new tasting/retail building and the replacement barn. Plantings were chosen from the County's approved plant list and involve shrub species such as lavender, rosemary, manzanita, sage and brush. In addition to oak tree mitigation planting onsite, the palette also includes madrones, sycamores, western redbud and flannel bush. A dry hydroseed mix will be dispersed amongst disturbed areas in efforts to re-vegetate those areas back to a natural state. Vegetated swales will be comprised of natural grass species and emergency species.

Landscape accent lighting is proposed to highlight a few of the oaks onsite and occasional down shielded lighting is proposed along the access and small bollards along the pathways. Please refer to proposed lighting plan for further information on location and specifications.

Signage:

Two monument plaques are proposed at the entry and exit. These will be small metal signs attached to the entry fencing/pilasters. Minimal onsite directional signage is proposed onsite to direct visitors to appropriate parking areas and refrain from entering the orchards and production areas. The total site signage proposed will not exceed 100sf.

Water

Fire Suppression Storage

Existing fire suppression and other fire protection measures will be evaluated by Cal Fire as part of the MUP review process and for future building permits. A master fire protection plan has been designed by Collings and Associates, which is included in the application. This master plan factors in the proposed phased construction which includes commercial sprinklers for the new tasting/retail building and replacement barn since it will be occasionally utilized for public occupancy, as well as the potential future expansion for ag processing/storage building at Phase Two. Approximately 45,000 gallons worth of water storage will be provided in a stainless steel tank, upslope of the project site, near the residences and amongst oaks. The tank will be neutral color and screened by existing oak trees. The storage tank is sited at an elevation that will capture gravity flow. Access to the tank and utilities lines will be provided by and follow the residential driveway.

Water & Conservation Measures

Landscape Water Conservation Measures

- Drought tolerant landscape

- Mulch is used for more efficient maintenance-moisture retention
- Irrigation is monitored

Indoor Conservation Measures

- All High Efficiency Toilets (1.28 gallons per flush or less)
- Tankless water heaters
- Recycled wood siding
- 100% aluminum recycled siding
- Future solar photo-electrical panels
- Energy star light fixtures and appliances
- Low voc paints
- Cool roof

Biological

Spring/Summer surveys were conducted and a biologist report is being completed. No special species of concern were identified on the site. Impacts to oak trees are anticipated and will be further observed and documented by the project arborist. The arborist provided an initial site visit to observe existing oak tree conditions and safety measures. The arborist provided direction to remove and trim certain trees to improve the tree's health and to provide overall safety for the public. These removals/impacts are addressed in project design. Additional impacts are anticipated to oaks near the access in order to upgrade for full compliance with Cal Fire and County compliance. Both a biological assessment and arborist report with tree impact plan is forthcoming.

Land Use Element and Inland Land Use Ordinance Consistency:

The application involves a variety of potential uses onsite, which will all comply with the appropriate sections of the County's Land Use Ordinance. The compliance discussion will cover the following uses:

- Ag Processing –Section 22.30.070
- Ag Retail & Tasting- Section 22.30.075
- Temporary Events- 22.30.610

Ag Processing and Retail Compliance

22.30.070 - Agricultural Processing Uses

Agricultural processing activities, including but not limited to wineries, packing and processing plants, fertilizer plants, commercial composting and olive oil production without the use of solvents, are allowable subject to the following standards.

A. Permit requirements.

1. Minor Use Permit approval is required for agricultural processing activities, including but not limited to wineries, packing and processing plants, fertilizer plants, and commercial composting, unless Section 22.08.030 (Project-Based Permit Requirements) or Subsection D. would otherwise require Conditional Use Permit approval.
2. **Olive oil production.** In the Agriculture and Rural Lands land use categories the permit shall be determined by Section 22.06.030, Table 2-3 for olive oil production as allowed by this Section where the 100 percent of the raw materials being processed are grown on the site of the processing facility or on adjacent parcels. Olive oil production facilities as allowed by this Section where any of the raw materials being processed are not grown on the site of the processing facility or on adjacent parcels shall be subject to Minor Use Permit approval.) MUP

B. Application content.

1. Public notice.

- a. **Prior to application submittal.** The applicant shall submit evidence that the neighboring property owners and the applicable advisory group were notified of the request prior to the submission of the land use permit to the county. This notice shall be provided by the applicant sending a letter using the form provided by the Department of Planning and Building. The letter shall be mailed or delivered at least 10 days prior to application submittal to the applicable advisory group and to all owners of real property as shown on the latest equalized assessment roll within 1,000 feet of the subject site.
- b. **Public hearing notice.** Public notice shall be provided to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed agricultural processing site (and to all property owners fronting any local roads that serve the facility back to an arterial or collector, instead of in the manner normally required for public hearings by Section 22.70.060. Public notice may be required to be provided to properties greater than 1,000 feet away for certain applications at the discretion of the Director of Planning and Building.

2. **Description of use.** Applications for agricultural processing uses are to include a description of all processes and equipment proposed for use on the site, and a description of measures proposed to minimize the off-site effects of dust, odor or noise generated by the proposed operation. Such information is to be provided in addition to that specified in Article 6 (Land Use and Development Permit Procedures), in order to evaluate the conformity of a proposed use with the standards of Article 3 (Site Planning and General Project Design Standards).
- C. **Minimum site area.** No minimum required unless Subsection D. would otherwise require a minimum site area.

Olive oil production. For the purposes of this section the production of olive oil is the making of edible oil obtained solely from the fruit of the olive tree (*olea europea L.*) and specifically excludes the manufacture of edible oils obtained using solvents or re-esterification processes and any oils resulting from a mixture with other oils except in the making of flavored olive oil. Olive oil processed using solvents is included under "Food and Beverage Products".

- a. **Solid waste disposal.** Pomace may be used as fertilizer or soil amendment, provided that such use or other disposal shall occur in accordance with applicable Health Department standards.
- b. **Liquid waste disposal.** Standards shall be set, where applicable, through Regional Water Quality Control Board discharge requirements developed in compliance with Section 22.10.180 (Water Quality).
- c. **Setbacks.**
 - (1) **Rural areas.** All structures and outdoor use areas shall be a minimum of 200 feet from each property line and no closer than 500 feet to any existing residence outside of the ownership of the applicant.

This application includes the continuation of olive oil production of on-site olives and storage. Olive oil production will continue to be processed at the existing mill. The existing mill is 100' from the property line and is an approved olive oil processing facility for onsite olives only. Future production storage may occur at Phase Two in a converted ag storage building. The converted structure would be over 200' from the nearest property line and almost 600' feet away from the exiting neighboring residence outside of ownership, which meets setback qualifications to produce/store offsite olives in addition to onsite olives.

- d. **Parking.** None, provided that sufficient usable area is available to permanently accommodate all employee and visitor parking needs entirely on-site.

The site provides existing and future adequate parking for its olive oil production facilities.

- e. **Design standards.** In the Agriculture, Rural Lands or Residential Rural land use categories, all structures associated with olive oil production shall have an exterior design style that is agricultural or residential in nature. Structures shall not use an exterior design style typically associated with large industrial facilities unless the facility is proposed in the Commercial Service or Industrial land use category.

The exterior for the mill has a residential farmhouse character and will remain as is. The Phase Two future conversion of ag storage to ag production storage is agriculture in nature, prefabricated metal exterior, which is indicative of the agricultural industry.

- f. **Lighting.** All lighting fixtures shall be shielded so that neither the lamp nor the related reflector or interior surface is visible from any location off the project site. All lighting poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed or operated in a manner that would emit light, either reflected or directly, in an upward direction.

Lighting fixtures proposed to light access ways and pathways will be down lit or small bollards that will be non-reflective. Small accent lighting will highlight the majestic oaks onsite and all lighting will adhere to the provisions of this code. Please refer to the landscape and lighting plan included with this submittal package.

- g. **Tasting rooms and retail sales.** Tasting rooms and retail sales shall be clearly incidental, related and subordinate to the primary operation of olive oil production facility. On-site tasting rooms and retail sales of olive oil are subject to Section 22.30.075 (Agricultural Retail Sales - Farm Stands).

At Phase One, the tasting/retail building and outdoor terrace total 4,140sf of visitor area which is incidental to the 7,287sf ag processing use areas onsite. This demonstrates that the visitor area is clearly subordinate to the ag processing use onsite. Additional ag processing areas may be added during the proposed conversion of the 3,000sf ag storage building to ag processing and storage at Phase Two. The new tasting room will abide by Section 22.30.075, compliance discussed below.

22.30.075 - Agricultural Retail Sales

These standards apply to the retail sale of agricultural products in structures, or a portion of a structure, constructed or converted for agricultural product merchandising. Hay, grain and feed sales are subject to Section 22.30.210 (Farm Equipment and Supplies). Sales from vehicles and seasonal sales are subject to the applicable provisions of Section 22.30.330 (Outdoor Retail Sales). Sales in the field not involving a structure that requires a building permit, including U-Pick operations, are considered Crop Production and Grazing. The standards of this Section apply in addition to all applicable permit requirements and standards of the County Health Department, and any other applicable Federal and State statutes or regulations. It is recommended that applicants contact the County Health Department as early as possible to determine if any additional standards apply.

A. Limitation on use.

1. **Field Stand.** Field Stands allowed under this section are defined as an open or fully enclosed structure, where 100 percent of the fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey offered for sale are grown or produced by the operator and the stand is located on the site where the products offered for sale are grown or produced or on another site controlled by the grower. Does not include packaging, processing, sampling or tasting or the sales of any packaged or processed produce or products.
2. **Farm Stand.** Farm Stands allowed under this section are defined as a structure or portion thereof, where at least 50 percent of the floor area of the stand is dedicated to selling fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey that is grown or produced by the operator and the stand is located on the site where the products offered for sale are grown or produced or the sale of prepackaged non-potentially hazardous food, including olive oil, from a state approved source grown or produced on-site. The remaining 50 percent of the floor area of the stand may be used for the selling of fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey that is grown off site. The sale of prepackaged non-potentially hazardous food from a state approved source not grown or produced on site and other non-food ancillary items is limited to 50 square feet of storage and sales area and may include bottled water and soft drinks. Food preparation is prohibited except for food sampling or tasting.

B. Design Standards.

1. **Sales Area Limitation.** The floor area of the structure, portion of a structure and/or any outdoor display area shall be limited to a total of 500 square feet unless otherwise authorized by Minor Use Permit approval.

The project proposal includes a modification of the sales area to allow up to 1,900sf of sales area (outdoor/indoor).

2. **Use of Structures.** Agricultural Retail Sales located in a structure shall be permitted as required by applicable building codes.

The proposed olive oil and tasting building will comply with current building code when the building permit is filed for this structure.

- 3. Location.** The principal access driveway to a site with a Field Stand or Farm Stand in a residential land use category shall be located on or within one mile of an arterial or collector. The driveway approach shall conform with current county standards for construction and sight distance.

Not applicable

Setbacks

- 4. Setbacks.** Agricultural Retail Sales shall be located a minimum of 50 feet from the front property line, 30 feet from side and rear property lines, but no closer than 400 feet to any existing residence outside the ownership of the applicant. If it is not possible to maintain 400 feet from a residence outside of the ownership of the applicant, the setback can be modified through a Minor Use Permit.

The retail/tasting room will be beyond 50' from the front property line (94' for phase I and 373' at phase II), beyond 30' on side and rear property lines (322', +/-1,100' sides and +2,000 to the rear). The nearest residence outside of ownership is located 307' away at phase I, which requires a setback modification request through a Minor Use Permit. This setback modification request is being made with this MUP request.

- 5. Parking.** One parking space is required per 250 square feet of structure or outdoor display area. Parking shall be provided as follows, with such parking consisting at a minimum of an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material, on areas of the site that are not Class I soils as defined by the Natural Resource Conservation Service (NRCS), and outside of the public road right-of-way. Parking areas shall be located in an off-street area accessed by a driveway which conforms to local fire agency standards. The parking area shall be surfaced with crushed rock, Class II aggregate base or similar semi-permanent all weather surface.

The retail and tasting room combined totals 2,600sf which equates to 10 parking spaces. The site plan provides for 12 parking spaces which meets the required parking amount. A small 1,200sf portion of the parking area is located on Class II soils (188); this portion was previously disturbed and occupied by the foreman residence, its landscape, and ag access to the olive orchard.

Signage

2. **Office and Recreation categories.** The following signs are allowed in the Office and Professional and Recreation land use categories, with a maximum aggregate area of 100 square feet of signing per site:
 - a. Wall signs for each business or tenant, with the number of such signs allowed being equivalent to the number of building faces having a public entrance to the business. The allowed area for the wall signs shall be 10 percent of the building face, up to a maximum of 50 square feet. Such wall signs may be located on building faces other than those with public entrances.
 - b. One suspended sign with a maximum area of 10 square feet for each business or tenant.
 - c. One monument sign for each business or tenant with a maximum area of 40 square feet and a maximum height of five feet.
3. **Commercial or public assembly uses in other categories.** Where commercial or public assembly uses (churches, sports facilities, etc.) are located in the Agriculture, Rural Lands or Residential land use categories, signing is allowed as set forth in Subsection A.2 for the Office and Professional category.

Proposed signage will comply with the maximum total site signage of 100sf. A total of 96sf of site signage is proposed, which involves two, 40sf monument metal plaques fastened to pilasters, and four, 4sf directional signage markers which aid with onsite circulation to keep visitors out of olive orchards and ag processing areas and direct to appropriate locations.

23. **Exterior wall murals.** Wall murals are allowed on exterior walls and building faces that do not contain any commercial signage. A wall mural includes images or pictorial elements and does not include trademarks, logos, or text; has no commercial context; does not represent any product for sale and is consistent with community character. The applicant shall provide an illustration of the proposed mural to the community advisory group and mural society where such group(s) exist for review and comment, and to the Director prior to a determination that the mural is exempt. If the mural is deemed to not be exempt by the Director, the applicant shall meet all standards and obtain a sign permit (Zoning Clearance) as required by Chapter 22.20.

A painted exterior wall mural is proposed along the northwest facing building façade which depicts an olive branch. The mural meets the definition of an exterior wall mural since it does not have text and is a form of artwork.

Temporary Event Compliance

Temporary Events are a Recreation, Education and Public Assembly Use defined by Table 2-2 of the County LUO that is an allowable use in a Agriculture land use category, subject to specific use standards set forth in Section 22.30.610.

County Land Use Ordinance Compliance:

The application is to hold temporary events onsite in compliance with County Land Use Ordinance Section 22.30.610.

22.30.610 - Temporary Events

Where allowed by Section 22.06.030, temporary events are subject to the standards of this Section. (Swap meets are subject to the standards of Section 22.30.530 - Sales Lots and Swap Meets.)

A. Permit requirements. Minor Use Permit approval, except as follows.

B. Time limit. A temporary event shall be held in a single location for no longer than 12 consecutive days, or four successive weekends, except where a different time limit is established by other applicable provisions of the County Code or through Minor Use Permit approval.

This application includes a temporary event program. Temporary events that occur onsite will adhere to the time limit set forth in LUO Section 22.30.610B as stated above.

C. Location. The site of any temporary event other than public events and parades shall be located no closer than 1000 feet to any Residential Single-Family land use category.

The site is surrounded by properties zoned Agriculture.

D. Site design standards. All temporary events are subject to the following standards, regardless of whether a land use permit is required, except where alternate standards are established by Chapters 6.56 or 8.64 of the County Code.

1. Access. Outdoor temporary events shall be provided a minimum of two unobstructed access points, each a minimum of 18 feet wide, from the event site to a publicly maintained road.

2. Parking. Off-street parking shall be provided private events as follows with such parking consisting at minimum, of an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material.

a. Seated spectator events. One parking space for each 12 square feet of seating area.

b. Exhibit event. One parking space for each 75 square feet of exhibit area.

3. Fire protection. Facilities to be provided as required by the County Fire Department.

4. Water supply and sanitation. Facilities to be provided as required by the Health Department.

Two unobstructed access points are available from the event site to a publicly maintained road (Vineyard Drive). One access is existing and serves as the existing access to the olive oil processing and tasting room facilities. The other access point includes improvements to an existing ag road which currently serves as the connection between the olive orchard and

processing facility. The road is proposed to be widened to provide two-way circulation for the olive oil production facility and tasting room. A small extension will be constructed off the ag road to complete the access road out to Vineyard Drive. These improvements will serve as the visitor egress, agriculture service road and emergency access. Both of these access points were previously approved for commercial activity and events (DRC2006-00061). Both existing access points comply with County and Cal Fire access standards for temporary events. Overflow event parking areas are identified on the site plan; which are unimproved and under 10% slope.

Existing fire suppression and other fire protection measures will be evaluated by Cal Fire as part of the MUP review process and for future building permits. A master fire protection plan has been designed by Collings and Associates, which is included in the application. This master plan factors in the proposed phased construction which includes commercial sprinklers for the new tasting/retail building and replacement barn since it will be occasionally utilized for public occupancy, as well as the potential future expansion for ag processing/storage building at Phase Two. Additional 45,000 gallons worth of water storage will be provided in a stainless steel tank, upslope of the project site, near the residences and amongst oaks. The tank will be neutral color and screened by existing oak trees. The storage tank is sited at an elevation that will capture gravity flow. Access to the tank and utilities lines will be provided by and follow the residential driveway.

Ag Policy Compliance

The proposed project is consistent with surrounding uses. The site's primary use is and will continue to be agricultural – olive orchards and olive oil production. All temporary events will be held within the replacement barn and surrounding outdoor area on previously disturbed portions of the property. Only existing structures and roads will be used for events purposes; no new disturbance is proposed. Therefore, the proposed temporary event program will result in no impacts to the existing on site agricultural operations.

The proposed project is consistent with the Land Use Element of the County of San Luis Obispo's General Plan and Agricultural Department policies. Temporary Events are an allowed use in an Agriculture land use category, subject to County of San Luis Obispo Land Use Ordinance Section 22.30.610 as discussed in a previous section.

In addition, the project is consistent with the County's Agriculture Department policies because this project is utilizing existing disturbed area and will not interfere with the ongoing vineyard operations.

AGP6: Visitor Serving and Retail Commercial Use and Facilities.

- a. **Allow limited visitor serving and incidental retail use and facilities in agricultural areas that are beneficial to the agricultural industry and farm operators and are compatible with long-term agricultural use of the land. Such uses shall be clearly incidental and secondary to the primary agricultural use of the site and shall comply with the performance standards in the LUO.**
- b. **Locate the visitor serving and incidental retail use off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses.**

As stated in the Ag and Open Space element, this policy recognizes the need for farmers and ranchers to diversify their on-site activities from production through the marketing of their agriculture products. The on-site promotion and marketing of local agriculture products is vital to the County's agri-tourism efforts. Olive oil is a growing agricultural industry and its ability to thrive in this county relies heavily on direct to consumer marketing, through sales and events.

This project includes the continued capability to provide an olive oil tasting room to its visitors. The tasting room and outdoor visitor use areas will remain incidental to the existing mill operation onsite. The project also includes a second phase, which will add an additional ag processing/storage area. Part of the Pasolivo's direct to consumer marketing plan includes temporary events. Events will be held onsite which will present a rural and agrarian experience and interaction with agriculture onsite. Visitors will be exposed to the surrounding orchards and other nearby agriculture and will have the ability to taste and purchase the ag product grown onsite at any of the events. A majority of the events will involve a culinary experience incorporating the olive oil into its recipes which can be enjoyed by visitors.

are they going to sell ~~the~~ oil during wedding?

The tasting room and area which events will take place, are located in previous disturbed areas where the existing barn and residence were located. The visitor areas will not hinder or interfere with the existing ag operation, but will promote and enhance existing operations. Existing circulation will be utilized for ag and visitor use.

AGP18: Location of Improvements.

- a. **Locate new buildings, access roads, and structures so as to protect agricultural land.**

Discussion: This policy is intended to ensure that new facilities will be sited so that the most productive agricultural land will be kept available for agricultural production. On such land, allowable uses should generally be limited to those that are most directly related to agricultural production. Such limitations are found in existing inland LUE planning area standards that limit uses in the Arroyo Grande, Nipomo and Oso Flaco Valleys.

The intent of Ag Policy 18 is to maintain suitable agriculture land and keep new facilities from interfering with the existing and suitable ag production areas. The new structure is devoted to tasting and ag retail. Its location is at the old foreman's residence, a previous utilized area. The tasting/retail building will be accessed by an existing road. Phase two includes a conversion of an existing ag storage building to be used for future ag processing storage. All other structures are existing and or a replacement to existing structures and are all within a small portion of the site which has already been disturbed with previous projects and away from the olive orchards.

AGP24: Conversion of Agricultural Land.

- a. **Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:**
 1. **Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.**
 2. **Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.**
 3. **Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.**
 4. **Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.**

The intent of Ag Policy 24 is to protect agricultural lands from conversion to non-agricultural uses through avenues of subdivision, land use re-designation and public facilities. The proposal is to explain an existing ag processing facility in areas that are not currently intensified in olive orchards.

The proposal does not change the zoning, proposes any subdivisions, or propose a public facility that is non-agricultural related. The project is consistent with the Ag 24 Policy because the project is related to agricultural (ag processing and retail), and will not hinder the current ag processing/production and Agriculture zoning onsite.

AG Policy 31

Ag Policy 31- Recreational Use of Agriculture Lands is an additional ag policy that is referred to when referencing recreational uses on Agriculture land. Temporary Events are defined in Table 2-2 as a Recreational Use therefore it is intuitive that AGP 31 is the primary policy in which to evaluate Temporary Events. AGP 31's intention is to promote recreational uses on privately owned land on a case-by-case basis, where such uses are compatible with the on-site and off-site agriculture and environmental resources.

Temporary events on this property will take place in and around existing structures and landscape. The area is nestled amongst agriculture which will provide the opportunity for guests to observe and therefore appreciate rural olive / olive oil production. The proposed events will not affect the ag use onsite and will utilize existing access and structures. The limited number of events occurring on the site will be compatible with the on-site agricultural operations and the larger agricultural neighborhood.

Temporary Events BOS Interpretation Discussion

In 2009, the County of San Luis Obispo's Board of Supervisors provided an interpretation on Temporary Events definition, time limits and relation to Agriculture and Ag Policy 6. The following information is a summary of the Board's interpretation and how this project meets the adopted interpretation.

2. The Board of Supervisors makes the following interpretation regarding the application of Section 22.30.610 of the Land Use Ordinance, Title 22 of the County Code:

a. That a single Minor Use Permit can authorize multiple temporary events per site and the Review Authority will set a finite time limit for the life of the permit as part the action taken on the permit.

b. That Temporary Events are defined as "any use of a structure or land for an event for a limited period of time where the site is not to be permanently altered by grading or construction". That the use of existing structures temporarily during events, and grading not requiring a grading permit, does not constitute permanent alteration of the site. Also, that the interior remodeling of an existing structure that is limited to that needed to meet building occupancy and ADA requirements without expanding the building footprint, is not permanent alteration of the site.

c. That the applicable Review Authority shall continue to make a determination of what constitutes primary agricultural use and allowable secondary and incidental uses on a case by case basis in consultation with the Agriculture Department pursuant to existing Agriculture and Open Space Policy 6.

This proposal is consistent with the Board of Supervisor's resolution for the Temporary Events Section 22. 30.610 interpretations:

- a. The proposal is requesting 25 events be held onsite per year. This request is in the form of a Minor Use Permit application, which is at the discretion of the Review Authority. Since the events are associated with, and supportive of, an on-going commercial agricultural operation, we would request that the temporary event permit run with the land. A condition could be added that the temporary event permit would lapse if the ag processing uses ceased to operate on the site
- b. Temporary Events are proposed for a limited period of time and no permanent alteration (grading or construction) of the site is proposed. Improvements were understood to be necessary in order to provide for the general health and safety of the general public and would not include any footprint expansion.

In order to ensure these safety measures it was understood that certain fire safety measures and accessibility would be required. The project includes improvements to a replacement barn structure that will provide for the safety for the general public (ADA and sprinklers). The current barn is not structurally sound for employees and public and is not efficient for ag equipment storage. The barn will be rebuilt and will enclose its walls to appropriate fire rated material, install fire sprinklers, provide proper sanitary facility, structural upgrades and ADA accessibility. Its primary purpose is to shelter tractors, ag attachments and trailers, necessary to tend to the olive orchard operation. It is proposed that 25 days of the year it may be used for temporary events. The other 340 days of the year it will be used as ag equipment storage. The barn's building footprint will not expand and is actually planned to reduce the footprint from 6,500sf to 5,450sf. The building will be re-oriented from a north-south direction to a north west/southeast direction to avoid current tree hazards and so it can better be utilized for ag access.

- c. The Review Authority will evaluate this proposal, in conjunction with the Agriculture Department to determine its primary agricultural use onsite and evaluate, on a case by case basis, whether the secondary use proposed is an allowable use in relation to Ag Policy 6.