

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
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October 5, 2015

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PLANNING COMMISSION
HEARING OF SEPTEMBER 30, 2015

RE: Earle Appeal of the Santa Rosa Tier II Winery; 15APL-00000-00010

Hearing on the request of Debbie Earle, Sharyne Merritt, and Georgia Wiester, Appellants, to consider the Appeal of Case No. 15APL-00000-00010, [appeal filed on April 29, 2015], in compliance with Section 35.102 of the County Land Use and Development Code, of the Zoning Administrator's decision to approve a Development Plan allowing for the construction and operation of a 13,960 sq. ft. winery on property located in the AG-II-100 zone; and to adopt the Mitigated Negative Declaration (14NGD-00000-00018) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Biological Resources, Geologic Processes, Noise, Public Facilities, Transportation/Circulation, and Water Resources/Flooding. The MND and all documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara and 624 West Foster Road, Suite C, Santa Maria). The MND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 East Anapamu Street, Santa Barbara, and online at: <http://www.sbcountyplanning.org/environmental/active.cfm>. The application involves AP No. 083-170-015, located at 7290 Santa Rosa Road, Third Supervisorial District.

Dear Ms. Earle, Ms. Merritt and Ms. Wiester:

At the Planning Commission hearing of September 30, 2015, Commissioner Hartmann moved, seconded by Commissioner Cooney and carried by a vote of 5 to 0 to:

1. Deny the appeal, Case No.15APL-00000-00010;
2. Make the required findings for approval of the project, Case No. 13DVP-00000-00015, specified in Attachment A of the staff report, dated September 21, 2015, including CEQA findings;

3. Adopt the Final Mitigated Negative Declaration included as Attachment C of the staff report, dated September 21, 2015, and adopt the mitigation monitoring program contained in the conditions of approval (Attachment B of the staff report, dated September 21, 2015); and
4. Grant *de novo* approval of Case No. 13DVP-00000-00015, including a modification to the setback requirements, subject to the conditions of approval included as Attachment B of the staff report dated September 21, 2015, and revised at the Planning Commission hearing on September 30, 2015.

The following revisions to the Conditions of Approval (Attachment B) are shown in ~~strike-through~~ and underline format:

Condition No. 1 is revised as follows:

1. **Proj Des-01 Project Description.** This Final Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked A-J, dated September 30, 2015 and all conditions of approval set forth below, including mitigation measures and specified plans and agreements by reference, as well as all applicable County rules and regulations.

The project description is as follows:

Existing structural development to be demolished. The proposed project includes the demolition of approximately 3,037 sq. ft. of existing development as follows: 1) Three agricultural storage buildings (500 sq. ft., 522 sq. ft., 150 sq. ft.); 2) 720 sq. ft. of animal shelters/sheds, and 3) 237 sq. ft. agricultural storage structure. The existing 237 sq. ft. structure containing a cattle scale would be relocated to another location onsite where the existing animal pens are located.

Existing structural development to remain. The existing 800 sq. ft. Alma Rosa tasting room has been converted to an agricultural storage building. No winery activities would occur within this building, and it would not be open to the public. The existing 200 sq. ft. straw bale building would remain onsite.

The proposed development plan includes the following new structures:

Winery Structural Development		
	Square Feet (sq. ft.)	Maximum Height (feet)
Winery Production Building	10,540	29.5
Tasting Building		26.0
Tasting Room	1,160	
Kitchen	420	
Glass Washing	200	
Administration/Office	200	
Restrooms/Circulation	400	
Storage	1,040	
Total Tasting Building	3,420	
TOTAL STRUCTURAL DEVELOPMENT	13,960	

Wine Production. Wine production would be limited to a maximum of 9,500 cases annually. The wine produced onsite would come from grapes grown on the property from approximately 30

acres of existing vineyard, an additional 55 acres planned for installation in the future, and other sites in Santa Barbara and San Luis Obispo Counties. Winery operations occurring within the winery production building would include on-site crushing, fermentation, barrel storage, and bottling. Hours of operation for the winery would be 8:00 a.m. to 6:00 p.m. Monday through Friday, except during crush activities when the winery operation hours are extended to include early morning and evening hours, 7 days per week. A total of 4 full-time employees, and an additional 2 full-time employees during annual crush activities would be employed onsite for wine production.

Wine Tasting. The proposed 3,420 sq. ft. tasting room building includes a public wine tasting room of approximately 1,160 sq. ft. The wine tasting room would be open to the public daily from the hours of 11:00 a.m. to 5:00 p.m. Only ambient background music would be allowed in tasting room. No outdoor amplified music would be allowed. The primary focus of the tasting room would be to market and sell the wine produced on the winery premises. Sales of souvenirs and clothing bearing the logo of the winery, as well as wine-related items and other products that reflect or enhance the character or theme of the winery may also be offered for sale in the tasting room. Food served in association with wine tasting would be prepared onsite in the proposed catering kitchen and would be limited to appetizers to compliment the wine and no remuneration shall occur. The proposed kitchen would not be used for separate food service sales (restaurant or meal service) but would be limited to food preparation associated with activities that are incidental and subordinate to the tasting of wine onsite. Two full time employees would be employed to work in the wine tasting building. The wine tasting room would be closed during special events.

Special Events. A maximum of ~~five~~ six special events per year are proposed with a maximum of 150 attendees per event (including wine industry wide events (e.g. Vintner's Festival, Harvest Festival) and associated events held at the winery). No more than one winery special event would be permitted per month. The special events would be held to promote operations at the winery. Amplified music associated with special events would not be allowed. Food associated with special events would be brought in by catering companies and prepared in the proposed catering kitchen. Special events shall end no later than 10:00 p.m.

Private Organized Gatherings. The proposed winery would host no more than ~~24~~ 32 private organized annual gatherings of between 13- ~~50~~ 79 attendees per gathering. For the purposes of this project, organized gatherings are defined as gatherings of one day or less that include but are not limited to wine-related receptions, wine club events, and private gatherings of the owner. These do not include industry-wide events (e.g., Vintner's Festival, Harvest Festival). Amplified music associated with private organized gatherings would not be allowed. Private organized gatherings shall end no later than 10:00 p.m. In addition to the limitation on special events above, only a combination of four (4) special events or organized gatherings may occur in any month.

Wastewater. The proposed treatment system will consist of two (2) independent septic systems and will utilize reuse and dry wells for disposal. Production wastewater from the winery would be directed to a proposed California Regional Water Quality Control Board (RWQCB) approved waste discharge system. The wine process waste water from the Winery Production Building will be treated and disposed of in a system consisting of a screen filter, 1200 gallon septic tank, and landscape irrigation field. Domestic wastewater would be directed to a proposed septic system in conformance with Environmental Health Services (EHS) requirements. Domestic waste water from the Wine Production Building, Tasting Room Building, and private residence will be treated and disposed of with a 4500 gallon septic tank, approximately 1600 foot sewer line, and a series of dry wells. Solid waste from wine production (leaves, stems, skins) would be composted and distributed in the vineyard as fertilizer in accordance with an EHS approved Solid Waste Management Plan.

Water. Water for the project would be provided by an existing water well (Well #2). Well #2 is located on the north side of Santa Rosa Road. Construction would include boring under Santa Rosa Road to accommodate the new 12" line. Well #2 produces water at 60 gallons per minute (gpm). Well #2 would provide domestic and fire suppression water. The project water demand is estimated to be 1.95 Acre Feet per Year (AFY). Two 20,000 gallon fire water storage cisterns would provide water for fire protection. Three new fire hydrants would be located near the production and tasting buildings. A separate well (Well #1), also located on the north side of Santa Rosa Road would provide the vineyard irrigation water.

Access. Access to the site would be directly off of Santa Rosa Road via an improved private access road of a minimum 24 foot width (2 foot wide shoulders) The access road would be approximately 2,750 feet in length, and installed in accordance with County Fire Department requirements. The access road follows the grade of the original Santa Rosa Road and is located where previous impacts from grading and usage have occurred. "No Parking" signage would be posted on both sides of the access road. Road turnouts, hydrants, and structural turnarounds would be provided consistent with County Fire Department standards.

Parking. Proposed parking would consist of 25 permanent parking spaces, and 60 overflow parking spaces for special events. One oversized space would be provided at the tasting room building for limousine/bus parking. Additional oversized vehicle access would be available at in the special event overflow parking area located just south of the tasting room building. The parking statistics are as follows:

Site Use Type	Area (sq. ft.)	Space Requirement	Parking Spaces Required
ADA Parking	N/A	1 per 25 spaces	1*
Limousine/Bus Parking	12,580	1 per 20,000 sq. ft. of winery structural development	1*
Tasting Room & Reception Area	2,380	1 per 300 sq. ft. and 1 per 2 employees	9
Office, Lab, & Admin.	200	1 per 300 sq. ft.	1
Production & Storage	11,580 (10,540 + 1,040)	1 per 1,000 sq. ft.	15
Special Events	150 Attendees	1 per 2.5 people for special events	60
			Total: 85 Spaces
*Included in total parking count			

Grading. The proposed project would require the following grading quantities:

	Cut (cu. yd.)	Fill (cu. yd.)	Excess Cut
Production/Tasting Buildings, Parking, Basins	8,654	5,773	2,881

The net excess cut generated from the project would be balanced onsite through agricultural operations. No export offsite would occur. The numbers in the table above represent raw volumes and do not reflect compaction requirements.

Landscaping & Lighting. Approximately 29,492 sq. ft. of the project site is proposed to be planted with native and drought tolerant landscaping. All exterior lighting would be hooded and

directed downward and away from adjacent properties and roadways. In order to widen the access road to County Fire Department standards while keeping the existing Alma Rosa Tasting Room Building onsite, approximately three non-native redwood trees would be removed.

Request for Reduction in Setbacks. The proposed winery location was selected to minimize public views of proposed winery structures from Santa Rosa Road. The subject parcel is constrained with regards to existing topography, and the adjacent blue line creek. Therefore, the applicant requests that the decision maker allow for a reduction in the following required setbacks pursuant to LUDC Section 35.42.280.D.2.C: 1) Reduction of the 200 foot setback from the adjacent property line to 70 feet at the closest outdoor use area (winery parking lot) associated with the winery; 2) Reduction of the 400 foot setback from the nearest offsite residence under separate ownership to 200 feet at the closest outdoor use area (winery parking lot) associated with the winery.

Condition No. 4 is revised as follows:

- 4. Aest-10 Lighting:** The applicant shall ensure that any exterior night lighting installed on the project site is dark sky compliant. All lighting shall be of low intensity, low glare design, minimum height, and shall be fully shielded hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots.

PLAN REQUIREMENTS: The applicant shall develop a Lighting Plan for Permit Compliance Staff approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. **TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff and BAR shall review a Lighting Plan for compliance with this measure prior to Final Building Inspection Clearance to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

Condition No. 40 is added:

- 40. Special Condition – Special Event Notification.** No later than ten (10) days prior to each special event as described in the conditions of approval, the applicant/owner shall deliver to Permit Compliance a written notice, either using email, a letter, or a County-generated form, that includes all of the following information: proposed date of the special event, projected number of attendees, start and ending time for attendees, and (to the extent applicable) measures taken to adhere to the required Parking Management Plan.

PLAN REQUIREMENTS/TIMING: Ten (10) days prior to each special event the applicant/owner shall provide Permit Compliance with written notice of the date of the special event, number of attendees, start time and ending time of the special event, as well as, to the extent applicable, measures that would be taken to adhere to the required Parking Management Plan. The applicant shall provide the above information by letter or in a form to be developed in consultation with P&D.

MONITORING: Permit Compliance shall receive and file reports, and follow-up as necessary to ensure compliance.

The attached findings and conditions reflect the Planning Commission's actions of Hearing Date.

The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, October 12, 2015 at 5:00 p.m.**

If this decision is appealed, the filing fee for both non-applicant and applicant is \$648.26 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA at the same time the appeal is filed. A protest of mitigation fees imposed pursuant to Condition No. 31, and No. 32 included in Attachment B of this letter may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Sincerely,


Dianne M. Black
Secretary to the Planning Commission

cc: Applicant: John Wagner, Sierra Madre Farms, 515 S. Windsor Blvd., Los Angeles, CA 90020
Agent: Brian Schwartz, Urban Planning Concepts, 2624 Airpark Drive, Santa Maria, CA 93455
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Doreen Farr, Third District Supervisor
Joan Hartmann, Third District Commissioner
Jenna Richardson, Deputy County Counsel
Case File: 15APL-00000-00010 (to planner with attachments)
Planning Commission File

**Attachments: Attachment A – Findings
Attachment B – Conditions of Approval**

DMB/dmv

ATTACHMENT A: FINDINGS

CEQA FINDINGS

4.1. CONSIDERATION OF THE MITIGATED NEGATIVE DECLARATION AND FULL DISCLOSURE

The Planning Commission has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission and has been completed in compliance with CEQA, and is adequate for this proposal.

4.2. FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, including the Mitigated Negative Declaration and any comments received, the Planning Commission finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment.

4.3. LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

4.4. ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1. DEVELOPMENT PLAN FINDINGS

A. Findings required for all Preliminary or Final Development Plans. In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings:

2.1.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.

The subject parcel is located within the rural area of the County and contains approximately 1,000 sq. ft. of existing development consisting of the Alma Rosa tasting room building (converted to agricultural storage), and an agricultural storage building. At 101.66 gross acres, the subject parcel is adequately sized and shaped to accommodate the 13,960 sq. ft. winery. The winery will be located in a pre-disturbed area of the parcel adjacent to the existing Alma Rosa Tasting Room Building (converted to agricultural storage).

The subject parcel is constrained topographically as the majority of the parcel contains slopes exceeding 20%. The project site location was selected as it contains slopes of less than 10%, and building in this location will minimize grading activities associated with the project to the maximum extent feasible. This area of the parcel is not visible from Santa Rosa Road, and adequate access, water, and sanitary services will be available to accommodate the density and intensity of the proposed winery uses.

In addition, the physical characteristics of the project site are adequate to accommodate the density and intensity (i.e. the production of 9,500 cases of wine, five annual special events, and organized gatherings) as described in the Final Mitigated Negative Declaration, dated September 21, 2015. The Final Mitigated Negative Declaration concludes that with the incorporation of identified mitigation measures, the project will result in less than significant impacts on the environment. Therefore, this finding can be made.

2.1.2. Adverse impacts will be mitigated to the maximum extent feasible.

The Final Mitigated Negative Declaration prepared for the project, 14NGD-00000-00018 (Attachment C of the Planning Commission staff report dated September 21, 2015, incorporated herein by reference), identified potentially significant, but mitigable impacts to Aesthetics/Visual Resources, Biological Resources, Geologic Processes, Noise, Public Facilities, Transportation/Circulation, and Water Resources/Flooding. Adherence to required mitigation measures will ensure that adverse impacts are reduced to less than significant levels and mitigated to the maximum extent feasible. Therefore, the project is consistent with this finding.

2.1.3. Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

As detailed in Section 4.15 of the Final Mitigated Declaration dated September 21, 2015, and incorporated herein by reference, the traffic associated with the proposed project was evaluated in the Traffic Analysis for the Sierra Madre Tier II Winery, 7290 Santa Rosa Road, Santa Barbara County (Dennis Lammers, PTP, Senior Transportation Engineer/Planner, Penfield & Smith, dated February 13, 2014). This report was reviewed and found to be adequate by the Santa Barbara County Public Works Transportation Division.

The results of the traffic report conclude that the project will generate a net increase of 21 Average Daily Trips (ADTs) and 5 PM Peak Hour Trip (PHT) on weekdays, and 124 ADTs and 33 Midday PHTs on weekends. Winery Special Events are expected to generate up to 176 trips per event, and private organized gatherings will generate up to 80 trips per gathering. Based on the P&S traffic analysis, County Environmental Thresholds, and SYVCP policies, the additional traffic generated by the winery will not change the existing Level of Service A on Santa Rosa Road. According to the Traffic analysis report, and the Santa Barbara County Transportation Division of Public Works, Santa Rosa Road is adequately and properly designed to carry the type (cars and trucks), and quantity of traffic generated by the proposed winery. Therefore, this finding can be made.

2.1.4. There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.

Water for the winery, including fire suppression, will be provided by an existing water well (Well #2) located on the north side of Santa Rosa Road. A separate well (Well #1), also located on the north side of Santa Rosa Road provides the vineyard irrigation water. Santa Barbara County Environmental Health Services reviewed the existing water well #2, and determined that it is adequate to support the project's projected water demand of 1.95 Acre Feet per Year (AFY). The water wells obtain water from the Santa Ynez River Alluvial Basin. According to the County of Santa Barbara Groundwater Basins Status Report (Public Works Department Water Resources Division, October 14, 2014), the Santa Ynez River Alluvial Basin is not in a state of overdraft. Therefore, adequate water is available for the proposed project.

The proposed wastewater treatment system will consist of two (2) independent septic systems and will utilize reuse and dry wells for disposal. Production wastewater from the winery will be directed to a proposed California Regional Water Quality Control Board (RWQCB) approved waste discharge system. The wine process wastewater from the winery production building will be treated and disposed of in a system consisting of a screen filter, 1200 gallon septic tank, and landscape irrigation field. Domestic wastewater will be directed to a proposed septic system in conformance with Environmental Health Services (EHS) requirements. Domestic wastewater from the wine production building, tasting building, and future main residence will be treated and disposed of with a 4500 gallon septic tank, approximately 1600 foot sewer line, and a series of dry wells. Solid waste from wine production (leaves, stems, skins) will be composted and distributed in the vineyard as fertilizer in accordance with an EHS approved Solid Waste Management Plan.

Access to the winery will be provided by an existing 24 foot wide private driveway of approximately 2,750 feet in length accessed from Santa Rosa Road. Fire Protection will be provided by the Santa Barbara County Fire Department Station #31 located at 168 W. Hwy 246 in Buellton. Police protection will be provided by the Santa Barbara County Sheriff's Department. All necessary services are adequate or available to serve the proposed project. Therefore, this finding can be made.

2.1.5. The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.

The project site is located in an agricultural zone district (AG-II-100) that allows wineries subject to the discretionary approval of a Final Development Plan. The project conforms to County policies to promote agricultural uses and support agricultural expansion and intensification in appropriate locations. The winery development is located adjacent to agriculturally zoned parcels containing agricultural uses (vineyards, grazing, equestrian uses), and low intensity residential uses.

The applicant has requested a setback reduction pursuant to LUDC Section 35.42.280.C. This provision allows the Review Authority to grant reduced setbacks if findings are made to the effect that potentially significant environmental impacts or significant topography or native vegetation would be avoided.

The subject parcel is constrained topographically as the majority of the parcel contains slopes exceeding 20%. The proposed project would be constructed in a pre-

disturbed area of the parcel adjacent to the existing Alma Rosa tasting room building (converted to agricultural storage). This area of the parcel is not visible from Santa Rosa Road. The site has historically been used as a dairy and more recently for wine tasting activities associated with the Alma Rosa tasting room.

Building the winery in this location would minimize grading activities to the maximum extent feasible, and would allow the project to be setback from the adjacent blue line creek and outside of the existing 40 foot wide ingress and egress easement which is located along the existing access road to the west of the project site. Other areas on the parcel where the winery could be constructed would require excessive grading, would be highly visible from Santa Rosa Road and/or would require the removal of existing vineyards planted on the parcel.

In order to minimize potential impacts to neighboring properties, no amplified music would be allowed in conjunction with winery special events and private organized gatherings, and no outdoor amplified music would be allowed in conjunction with public wine tasting. Proposed winery special events and gatherings would be primarily conducted on the wine tasting building outdoor patio, which is located approximately 320 ft. from the nearest offsite residence. The patio area is visually and largely acoustically shielded from the nearest offsite residence by the production and tasting buildings.

The Final Mitigated Negative declaration dated September 21, 2015 concludes that with identified mitigation measures and implementation of the required mitigation monitoring program, project impacts on the environment are less than significant. Structural designs, project siting, and appropriate conditions of approval have been incorporated into the project in order to avoid any detrimental effect to the neighborhood, and incompatibility with the surrounding areas. Therefore, this finding can be made.

2.1.6. The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.

As discussed in Section 6.4 of the Planning Commission staff report dated September 10, 2015, incorporated herein by reference, with the approval of the request for a modification allowing for a reduction in the winery setback requirements, the project complies with the requirements of the Land Use and Development Code (LUDC), including height limits and setbacks. As discussed in Section 6.3 of the Planning Commission staff report dated September 10, 2015, incorporated herein by reference, the project, as conditioned, is consistent with the applicable policies and development standards of the Comprehensive Plan. Therefore this finding can be made.

2.1.7. Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.

The project site is located within the rural area as designated on the Comprehensive Plan maps. Adjacent parcels are located within the rural area, and are zoned AG-II-100. These parcels contain land uses consisting of vineyards, agriculture, and low intensity rural residential development.

The winery will be located within a 0.5 acre pre-disturbed area of the 101.66 gross acre parcel. This area is located outside of the view-shed of Santa Rosa Road. The

winery is designed with a maximum height of 29.5 feet and is designed with rural/agrarian architectural elements including low roof lines, wooden and stone siding, wooden barn doors, and a corrugated metal roof. The project is conditioned (condition no. 4) to require that any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. No amplified music is allowed in conjunction with winery special events and gatherings, and no outdoor amplified music is allowed in conjunction with the wine tasting use.

In order to intensify and support the existing vineyard operation on the subject parcel, the winery is proposing to produce up to 9,500 cases of wine annually within the proposed 10,540 sq. ft. wine production facility. The wine produced at the facility would come from grapes grown on the property (30 acres of existing vineyard plus an additional 55 acres planned for installation in the future), as well as other agricultural lands in Santa Barbara and San Luis Obispo Counties. The area of the winery proposed for wine production (10,540 sq. ft.) is equivalent to 75.5% of the total winery structural development proposed (13,960 sq. ft.). In addition, the construction of the proposed project would not hinder or diminish the agricultural capabilities or potential of the project site or take any land out of agricultural production. Therefore, as conditioned, the proposed project will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural area, and this finding can be made.

2.1.8. The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.

No public easements are located on the subject parcel. A private 40 foot ingress and egress easement in favor of APN's 083-170-014, and 083-170-017 is located on the existing 24 foot wide access road to the winery. The project is designed so as to not conflict with this easement, and it will remain available for private access through the property.

A. Additional finding required for Final Development Plans. In compliance with Subsection 35.82.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Final Development Plan the review authority shall first find that the plan is in substantial conformity with any previously approved Preliminary Development Plan except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan. In this case, the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan.

The project consists of a Final Development Plan, and does not involve a previously approved Preliminary Development Plan; therefore, this finding is not applicable.

B. Additional finding required for a modification to the winery setback requirements per LUDC Section 35.42.280.D.2.c which states: The setbacks may be reduced by the review authority provided any of the following findings are made. However, the setbacks shall not be reduced to below that which is normally required by the applicable zones or Article 35.2 (Zones and Allowable Land Uses).

- (1) There is not a feasible way to meet the required setbacks without creating a significant environmental impact or impacting prime agricultural land (i.e., Soil Conservation Service Class I and II).

- (2) **The setback distances are not practical or feasible due to existing topographic conditions or onsite vegetation.**
- (3) **The setback reduction is proposed for a legally constructed existing structure, and as indicated below.**
 - (a) **It can be clearly demonstrated that the structure was intended to be used for a legitimate agricultural or residential use, and**
 - (b) **The use of the structure as part of a winery operation shall not adversely affect neighboring properties.**
- (4) **The setback reduction is proposed for a structure that is part of an existing nonconforming winery operation and proposed additions to the structure are located no closer to the closest property line than the existing structure is located.**

The applicant is requesting modifications to the winery setback requirements as follows: 1) Reduction of the 200 foot setback from the adjacent property line to 70 feet at the closest outdoor use area associated with the winery (winery parking lot); 2) Reduction of the 400 foot setback from the nearest offsite residence under separate ownership to 200 feet at the closest outdoor use area (winery parking lot) associated with the winery.

The subject parcel is constrained topographically as the majority of the parcel contains slopes exceeding 20%. The project will be constructed in a pre-disturbed area of the parcel adjacent to the existing Alma Rosa tasting room building (converted to agricultural storage). This area of the parcel is not visible from Santa Rosa Road and has historically been used as a dairy and more recently for wine tasting activities. Building the winery in this location will minimize grading activities to the maximum extent feasible, and will allow the project to be setback from the adjacent blue line creek and outside of the existing 40 foot wide ingress and egress easement which is located along the existing access road to the west of the project site. Other areas on the parcel where the winery could be constructed would be highly visible from Santa Rosa Road, would require the removal of existing vineyards planted on the parcel which could impact prime agricultural land, and/or would require extensive grading activities which has the potential to create a significant environmental impact.

One residential unit is located within the required 400' setback. The next closest offsite residences are located at a distance of approximately 580 ft. and 2,100 ft., which is in conformance with the winery setback requirements. Proposed special events and gatherings would be primarily conducted on the wine tasting building outdoor patio, which is located approximately 320 ft. from the nearest offsite residence. The patio area is visually and largely acoustically shielded from the nearest offsite residence by the production and tasting buildings. In order to minimize potential impacts to neighboring properties, no amplified music is allowed in conjunction with winery special events and private organized gatherings, and no outdoor amplified music is allowed in conjunction with public wine tasting.

The AG-II-100 zone district requires that new development and uses conform to the following setback requirements: Front - 50 feet from the road centerline and

20 feet from the edge of right-of-way; Side – 20 feet; Rear - 20 feet. The winery complies with the AG-II-100 setback requirements as it will be setback 70 feet from the adjacent property line to the west (side), 1,200 feet from the existing property lines to the south and east (rear, side), and 2,000 feet south of the edge of the Santa Rosa Road right-of-way (front). Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

**Santa Rosa Road Winery Development Plan
Case No. 13DVP-00000-00015**

September 30, 2015

I. PROJECT DESCRIPTION

1. **Proj Des-01 Project Description.** This Final Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked A-J, dated September 30, 2015 and all conditions of approval set forth below, including mitigation measures and specified plans and agreements by reference, as well as all applicable County rules and regulations.

The project description is as follows:

Existing structural development to be demolished. The proposed project includes the demolition of approximately 3,037 sq. ft. of existing development as follows: 1) Three agricultural storage buildings (500 sq. ft., 522 sq. ft., 150 sq. ft.); 2) 720 sq. ft. of animal shelters/sheds, and 3) 237 sq. ft. agricultural storage structure. The existing 237 sq. ft. structure containing a cattle scale would be relocated to another location onsite where the existing animal pens are located.

Existing structural development to remain. The existing 800 sq. ft. Alma Rosa tasting room has been converted to an agricultural storage building. No winery activities would occur within this building, and it would not be open to the public. The existing 200 sq. ft. straw bale building would remain onsite.

The proposed development plan includes the following new structures:

Winery Structural Development		
	Square Feet (sq. ft.)	Maximum Height (feet)
Winery Production Building	10,540	29.5
Tasting Building		26.0
Tasting Room	1,160	
Kitchen	420	
Glass Washing	200	
Administration/Office	200	
Restrooms/Circulation	400	
Storage	1,040	
Total Tasting Building	3,420	
TOTAL STRUCTURAL DEVELOPMENT	13,960	

Wine Production. Wine production would be limited to a maximum of 9,500 cases annually. The wine produced onsite would come from grapes grown on the property from approximately 30 acres of existing vineyard, an additional 55 acres planned for installation in the future, and other sites in Santa Barbara and San Luis Obispo Counties. Winery operations occurring within the winery production building would include on-site crushing, fermentation, barrel storage, and bottling. Hours of operation for the winery would be

8:00 a.m. to 6:00 p.m. Monday through Friday, except during crush activities when the winery operation hours are extended to include early morning and evening hours, 7 days per week. A total of 4 full-time employees, and an additional 2 full-time employees during annual crush activities would be employed onsite for wine production.

Wine Tasting. The proposed 3,420 sq. ft. tasting room building includes a public wine tasting room of approximately 1,160 sq. ft. The wine tasting room would be open to the public daily from the hours of 11:00 a.m. to 5:00 p.m. Only ambient background music would be allowed in the tasting room. No amplified music would be allowed. The primary focus of the tasting room would be to market and sell the wine produced on the winery premises. Sales of souvenirs and clothing bearing the logo of the winery, as well as wine-related items and other products that reflect or enhance the character or theme of the winery may also be offered for sale in the tasting room. Food served in association with wine tasting would be prepared onsite in the proposed catering kitchen and would be limited to appetizers to compliment the wine and no remuneration shall occur. The proposed kitchen would not be used for separate food service sales (restaurant or meal service) but would be limited to food preparation associated with activities that are incidental and subordinate to the tasting of wine onsite. Two full time employees would be employed to work in the wine tasting building. The wine tasting room would be closed during special events.

Special Events. A maximum of six special events per year are proposed with a maximum of 150 attendees per event (including wine industry wide events (e.g. Vintner's Festival, Harvest Festival) and associated events held at the winery). No more than one winery special event would be permitted per month. The special events would be held to promote operations at the winery. Amplified music associated with special events would not be allowed. Food associated with special events would be brought in by catering companies and prepared in the proposed catering kitchen. Special events shall end no later than 10:00 p.m.

Private Organized Gatherings. The proposed winery would host no more than 24 private organized annual gatherings of between 13-50 attendees per gathering. For the purposes of this project, organized gatherings are defined as gatherings of one day or less that include but are not limited to wine-related receptions, wine club events, and private gatherings of the owner. These do not include industry-wide events (e.g., Vintner's Festival, Harvest Festival). Amplified music associated with private organized gatherings would not be allowed. Private organized gatherings shall end no later than 10:00 p.m. In addition to the limitation on special events above, only a combination of four (4) special events or organized gatherings may occur in any month.

Wastewater. The proposed treatment system will consist of two (2) independent septic systems and will utilize reuse and dry wells for disposal. Production wastewater from the winery would be directed to a proposed California Regional Water Quality Control Board (RWQCB) approved waste discharge system. The wine process waste water from the Winery Production Building will be treated and disposed of in a system consisting of a screen filter, 1200 gallon septic tank, and landscape irrigation field. Domestic wastewater would be directed to a proposed septic system in conformance with Environmental Health Services (EHS) requirements. Domestic waste water from the Wine Production Building, Tasting Room Building, and private residence will be treated and disposed of with a 4500 gallon septic tank, approximately 1600 foot sewer line, and a series of dry wells. Solid waste from wine production (leaves, stems, skins) would be composted and distributed in

the vineyard as fertilizer in accordance with an EHS approved Solid Waste Management Plan.

Water. Water for the project would be provided by an existing water well (Well #2). Well #2 is located on the north side of Santa Rosa Road. Construction would include boring under Santa Rosa Road to accommodate the new 12” line. Well #2 produces water at 60 gallons per minute (gpm). Well #2 would provide domestic and fire suppression water. The project water demand is estimated to be 1.95 Acre Feet per Year (AFY). Two 20,000 gallon fire water storage cisterns would provide water for fire protection. Three new fire hydrants would be located near the production and tasting buildings. A separate well (Well #1), also located on the north side of Santa Rosa Road would provide the vineyard irrigation water.

Access. Access to the site would be directly off of Santa Rosa Road via an improved private access road of a minimum 24 foot width (2 foot wide shoulders) The access road would be approximately 2,750 feet in length, and installed in accordance with County Fire Department requirements. The access road follows the grade of the original Santa Rosa Road and is located where previous impacts from grading and usage have occurred. “No Parking” signage would be posted on both sides of the access road. Road turnouts, hydrants, and structural turnarounds would be provided consistent with County Fire Department standards.

Parking. Proposed parking would consist of 25 permanent parking spaces, and 60 overflow parking spaces for special events. One oversized space would be provided at the tasting room building for limousine/bus parking. Additional oversized vehicle access would be available at in the special event overflow parking area located just south of the tasting room building. The parking statistics are as follows:

Site Use Type	Area (sq. ft.)	Space Requirement	Parking Spaces Required
ADA Parking	N/A	1 per 25 spaces	1*
Limousine/Bus Parking	12,580	1 per 20,000 sq. ft. of winery structural development	1*
Tasting Room & Reception Area	2,380	1 per 300 sq. ft. and 1 per 2 employees	9
Office, Lab, & Admin.	200	1 per 300 sq. ft.	1
Production & Storage	11,580 (10,540 + 1,040)	1 per 1,000 sq. ft.	15
Special Events	150 Attendees	1 per 2.5 people for special events	60
			Total: 85 Spaces

*Included in total parking count

Grading. The proposed project would require the following grading quantities:

	Cut (cu. yd.)	Fill (cu. yd.)	Excess Cut
Production/Tasting Buildings, Parking, Basins	8,654	5,773	2,881

The net excess-cut generated from the project would be balanced onsite through agricultural operations. No export offsite would occur. The numbers in the table above represent raw volumes and do not reflect compaction requirements.

Landscaping & Lighting. Approximately 29,492 sq. ft. of the project site is proposed to be planted with native and drought tolerant landscaping. All exterior lighting would be hooded and directed downward and away from adjacent properties and roadways. In order to widen the access road to County Fire Department standards while keeping the existing Alma Rosa Tasting Room Building onsite, approximately three non-native redwood trees would be removed.

Request for Reduction in Setbacks. The proposed winery location was selected to minimize public views of proposed winery structures from Santa Rosa Road. The subject parcel is constrained with regards to existing topography, and the adjacent blue line creek. Therefore, the applicant requests that the decision maker allow for a reduction in the following required setbacks pursuant to LUDC Section 35.42.280.D.2.C: 1) Reduction of the 200 foot setback from the adjacent property line to 70 feet at the closest outdoor use area (winery parking lot) associated with the winery; 2) Reduction of the 400 foot setback from the nearest offsite residence under separate ownership to 200 feet at the closest outdoor use area (winery parking lot) associated with the winery.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

**II. MITIGATION MEASURES from NEGATIVE DECLARATION
 14NGD-00000-00018**

3. **Aest-04 BAR Required:** The applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, landscaping, materials and lighting plan) shall be compatible with vicinity development.

PLAN REQUIREMENTS AND TIMING: The applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

4. **Aest-10 Lighting:** The applicant shall ensure that any exterior night lighting installed on the project site is dark sky compliant. All lighting shall be of low intensity, low glare design, minimum height, and shall be fully shielded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots.

PLAN REQUIREMENTS: The applicant shall develop a Lighting Plan for Permit Compliance Staff approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. **TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff and BAR shall review a Lighting Plan for compliance with this measure prior to Final Building Inspection Clearance to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

5. **Pre-Construction Survey for Nesting Birds.** To avoid impacts to nesting birds, construction shall occur outside the nesting bird breeding season, which is approximately February-August. If construction is scheduled to begin within the nesting bird breeding season, then no more than two weeks prior to initiation of ground disturbance, a nesting bird pre-construction survey shall be conducted by a County-approved biologist within the disturbance footprint, including a 500-foot buffer where access is feasible. If no active nests are observed, no further mitigation is required.

If active raptor nests are found within 500 feet and/or within 100 feet for other bird species of the project site, their locations shall be flagged and mapped onto an aerial photograph of the project site at a scale no less than 1"=200' and/or recorded with the use of a GPS unit. The map will include topographic lines, parcel boundaries, adjacent roads, known historical nests for special status species, and known roosting or foraging areas. The County-approved biologist will designate an appropriate avoidance buffer to be marked with bright construction fencing or flagging. No ground disturbance shall occur within the buffer until the County-approved biologist confirms that the breeding/nesting is completed and all the young have fledged the nest. Alternatively, a County-approved biologist shall monitor the active nest full-time during construction activities within the buffer to ensure project activities are not indirectly impacting nesting birds.

PLAN REQUIREMENTS / TIMING: Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall be of sufficient duration to reliably conclude presence/absence of nesting birds onsite and within the designated vicinity. The name, qualifications, scope, and contact information for the surveying biologist shall be submitted to the County in advance of completion of the surveys.

MONITORING: A report of the nesting bird survey results shall be submitted to County P&D for review and approval prior to issuance of Zoning Clearance.

6. **Special Condition - Habitat Setback.** All ground disturbances and vegetation removal shall be prohibited in a 25 foot setback from either side of the top-of-bank of the blue-line ephemeral creek/drainage, a sensitive riparian habitat area. The area shall be fenced with a fencing type and in a location acceptable to P&D.

PLAN REQUIREMENTS: The riparian habitat area shall be shown on all grading plans.

TIMING: Fencing shall be installed prior to any earth movement.

MONITORING: P&D compliance monitoring staff shall perform site inspections throughout the construction phase.

7. **Bio-10 Storm Water BMPs.** To minimize pollutants impacting downstream waterbodies or habitat, the parking area and associated driveways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas), designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once a year. Long term maintenance shall be the responsibility of the Landowner. A maintenance program shall be specified in a maintenance program submitted by the landowner and recorded with the Clerk of the Board. The plans and a copy of the long-term maintenance program shall be submitted to Public Works, Water Resources Division staff, for review prior to Zoning Clearance issuance. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once a year and retain proof of inspections.

PLAN REQUIREMENTS: The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans.

TIMING: The plans and maintenance program shall be submitted to Public Works, Water Resources Division staff for approval prior to Zoning Clearance issuance.

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D upon request.

8. **Geo-02. Erosion and Sediment Control Plan.** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project during grading activities. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term

erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements.

PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

MONITORING: P&D staff shall perform site inspections throughout the construction phase.

9. **Noise-02 Construction Hours:** The Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Applicant shall provide and post 2 signs stating these restrictions at construction site entries. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

10. **SolidW-02 Solid Waste-Recycle.** The Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Applicant shall provide separate onsite bins as needed for recycling.

PLAN REQUIREMENTS: The Applicant shall print this requirement on all grading and construction plans. Owner shall provide P&D with receipts for recycled materials or for separate bins. **TIMING:** Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to Final Building Inspection Clearance.

MONITORING: The Applicant shall provide P&D compliance staff with receipts prior to Final Building Inspection Clearance.

11. **SolidW-03 Solid Waste-Construction Site.** The Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.

PLAN REQUIREMENTS: All plans shall contain notes that the site is to remain trash-free throughout construction. **TIMING:** Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

MONITORING: Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

12. **Special Condition – Santa Rosa Road Parking Restriction.** In order to prevent a potential conflict with designated on-road trails, no winery related parking shall be allowed along Santa Rosa Road. Where appropriate as determined by P&D and the Fire Department “No Parking” signs shall be installed. **PLAN REQUIREMENTS AND TIMING:** Prior to issuance of Zoning Clearance, the owner/applicant shall provide P&D Permit Compliance with the name and telephone number of the onsite contact person responsible for parking management.

MONITORING: Permit Compliance shall respond to complaints.

13. **Special Condition: Restriction of Event Hours of Operation.** In order to maintain adequate levels-of-service during peak hour travel times; the owner/applicant shall ensure that for each Special Event:

- a) Commencement and ending hours do not interfere with the weekday peak hour traffic (6:00-9:00 a.m. and 4:00-6:00 p.m. weekdays).

PLAN REQUIREMENTS/TIMING: Thirty (30) days prior to each event the applicant/owner shall provide Permit Compliance with written notice of the date of the event, the type of event, number of attendees, and start time and ending time of the event.

MONITORING: Permit Compliance monitoring staff shall respond to complaints.

14. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site bi-monthly. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Zoning Clearance, Grading and Building permit plans. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

15. **NPDES-18 Storm Water Retention-Driveway Design.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall use one of the following driveway designs: paving only under wheels, flared driveway, or use of permeable surfaces for temporary or non-permanent parking areas. **PLAN REQUIREMENTS:** The Owner/Applicant shall include the driveway design, including materials building plans and as needed on grading plans depicted graphically.

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance.

III. PROJECT SPECIFIC CONDITIONS

16. **Special Condition - Limitation on Placement of Excess Excavated Materials Onsite.** Prior to zoning clearance issuance, the Owner/Applicant shall designate the location proposed to accommodate excess excavated materials onsite, including temporary stockpiling. No excavated materials shall be placed within six feet of the dripline of any native tree, or within 25 feet of the top of bank of any drainage or watercourse. **PLAN REQUIREMENTS:** The Owner/Applicant shall graphically depict on all the location proposed to accommodate excess excavated materials onsite, including temporary stockpiling on all zoning clearance, grading and building permit plans.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction activities.

17. **Special Condition – Winery Parking Management Plan.** A parking management plan shall be implemented for all winery special events.

The plan shall include:

- a) The use of a parking coordinator who shall be present during winery special events at all times to manage and direct vehicular movement and parking.
- b) The use of dust control measures to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
- c) Appropriate signage placed onsite directing visitors to and indicating the location of parking areas, including open field overflow areas. Signs shall be in place before the commencement of each special event.

TIMING: P&D shall review and approve the Parking Management Plan prior to issuance of the Zoning Clearance. The Parking Management Plan shall include the measures described above in consultation with P&D.

MONITORING: Permit Compliance monitoring staff shall respond to complaints.

18. **Special Condition – Ingress and Egress Easement.** No parking is permitted within the existing 40 foot wide ingress and easement in favor of APN's 083-170-014, and 083-170-017. **PLAN REQUIREMENTS:** This condition shall be printed on all zoning clearance, grading permit, and building permit plans.

MONITORING: Permit compliance monitoring staff shall respond to complaints.

19. **Special Condition – Compliance with Uniform Rules for Agricultural Preserves and Farmland Security Zones.** To ensure adherence with Uniform Rule 2-2.1.B.2, the operator shall provide a written annual report in year five of vineyard production to Permit Compliance staff verifying: 1) the number of cases produced at the facility; 2) the source of all grapes processed onsite; 3) the percentage of grapes grown offsite; and 4) total acreage of vineyards planted onsite.

Plan Requirements/Timing: The applicant shall submit the required annual report in year five of vineyard production to P&D Permit Compliance staff for review and approval.

20. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to zoning clearance issuance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

21. **Special Condition - Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located in the approved parking, staging and storage areas. No construction parking is permitted within the 40 foot wide ingress and egress easement in favor of APN's 083-170-014, and 083-170-017. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction. **PLAN REQUIREMENTS:** Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for grading and zoning clearance permits. **TIMING:** A copy of the written notice shall be submitted to P&D permit processing staff prior to issuance of a land use permit or zoning clearance. This restriction shall be maintained throughout construction.

MONITORING: P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

IV. COUNTY RULES AND REGULATIONS/LEGAL REQUIREMENTS

22. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
23. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
24. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plans. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan.
25. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.
26. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with County LUDC.
27. **Rules-14 Final DVP Expiration.** This Final Development Plan shall expire ten years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
28. **Rules-18 DVP Revisions.** The approval by the Review Authority of a revised Final Development Plan shall automatically supersede any previously approved Final Development Plan upon the effective date of the revised permit.
29. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
30. **Rules-23 Processing Fees Required.** Prior to issuance of a land use permit or zoning clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
31. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Fire DIMF amount is currently estimated to be \$4,886.00. This is based on a project size of 13,960 square feet, and a project type of non-residential agricultural which requires a fee of \$0.35 per square foot of development. **TIMING:** Fire DIMFs shall be paid to the County Fire

Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

32. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total DIMF amount for Transportation is currently estimated to be \$4,584.00. This is based on 8 newly generated weekday peak hour trips (8 PHT's x \$573/PHT). **TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection.
33. **Bio-22 Fish and Wildlife Fees.** The Owner/Applicant shall provide Planning and Development with a check payable to the "County of Santa Barbara" within 10 days of project approval as required by California Fish and Wildlife Code Section 711.4 for that Department's review of the Mitigated Negative Declaration (14NGD-00000-00018) associated with the project.
34. **Special Condition - Performance Security Required.** Prior to Zoning Clearance Issuance, the Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscaping and irrigation. The landscape installation security shall be returned if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval.
 - a. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation plans per those condition requirements.
 - b. Maintenance securities shall be released when all approved landscaping & irrigation have been satisfactorily maintained for three years. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscaping and irrigation, P&D may use the security to complete the work. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for three years of maintenance of the items.
35. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
 - a) Air Pollution Control District dated January 8, 2014
 - b) Environmental Health Services Division dated March 19, 2015
 - c) Fire Department dated September 21, 2015
 - d) Flood control Water Agency dated January 2, 2014
 - e) Public Works Project Clean Water dated September 18, 2015
 - f) Transportation Division dated March 26, 2015

36. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
37. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
- a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 - b) Pay fees prior to approval of Land Use Permit or Zoning Clearance as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
 - c) Note the following on each page of grading and building plans “This project is subject to Mitigation and/or Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and Mitigation Measures from the Mitigated Negative Declaration, 14NGD-00000-00018.
 - d) Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.
38. **Rules-32 Contractor and Subcontractor Notification.** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
39. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

40. **Special Condition – Special Event Notification.** No later than ten (10) days prior to each special event as described in the conditions of approval, the applicant/owner shall deliver to Permit Compliance a written notice, either using email, a letter, or a County-generated form, that includes all of the following information: proposed date of the special event, projected number of attendees, start and ending time for attendees, and (to the extent applicable) measures taken to adhere to the required Parking Management Plan.

PLAN REQUIREMENTS/TIMING: Ten (10) days prior to each special event the applicant/owner shall provide Permit Compliance with written notice of the date of the special event, number of attendees, start time and ending time of the special event, as well as, to the extent applicable, measures that would be taken to adhere to the required Parking Management Plan. The applicant shall provide the above information by letter or in a form to be developed in consultation with P&D.

MONITORING: Permit Compliance shall receive and file reports, and follow-up as necessary to ensure compliance.

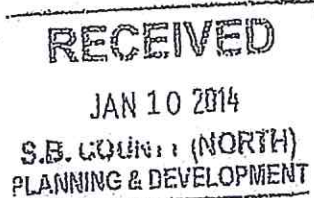


Santa Barbara County
Air Pollution Control District

Our Vision: Clean Air

January 8, 2014

Dana Eady
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455



Re: APCD Comments on Sierra Madre Farms Winery, 13DVP-00000-00015

Dear Ms. Eady:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of a new winery. The winery will be divided into a 12,580 square foot production area and a 4,800 square foot hospitality center including kitchen, tasting room, restrooms and administrative offices. The existing Alma Rosa tasting room will be demolished prior to construction of the new winery. Maximum wine production is 9,500 cases annually. Approximately 15 acres of vines will be installed with a total of 55 acres planned for installation in the future. Grading for the project consists of approximately 5,760 cubic yards of cut and 6,260 cubic yards of fill, with 500 cubic yards to be imported. The subject property, a 101-acre parcel zoned AG-II-100 and identified in the Assessor Parcel Map Book as APN 083-170-015, is located at 7250 Santa Rosa Road in the unincorporated Buellton area.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (Attachment A) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in Attachment B to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
4. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
5. Prior to land use clearance, the proposed winery shall apply for, and obtain, either written permit exemptions or Authority to Construct permits from the APCD for winery-related

Louis D. Van Mullem, Jr. • Air Pollution Control Officer

260 North San Antonio Road, Suite A • Santa Barbara, CA 93110 • www.sbcapcd.org • 805.961.8800 • 805.961.8801 (fax)

equipment (fermentation and storage tanks, emergency/standby generators, fire water pumps and boilers) as required by APCD Rules and Regulations. The application forms can be downloaded from www.sbcapcd.org/eng/winery/winery.htm.

6. The applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at www.sbcapcd.org/eng/dl/dl08.htm) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara County Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at www.sbcapcd.org/biz/asbestos.htm or contact APCD's Compliance Division at (805) 961-8800.
7. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:
 - o Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - o Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - o See www.arb.ca.gov/noidle for more information.
8. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
 - o Energy use (energy efficiency, low carbon fuels, renewable energy)
 - o Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
 - o Water conservation (improved practices and equipment, landscaping)
 - o Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
 - o Architectural features (green building practices, cool roofs)
9. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

APCD Comments on Sierra Madre Farms Winery, 13DVP-00000-00015
January 8, 2014
Page 3

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Brian Schwartz
Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. Timing: Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Takashi M. Wade, MD, MPH Director/Health Officer
Anne M. Fenton Deputy Director
Suzanne Jacobson, CPA Chief Financial Officer
Susan Kohn-Rothschild, DCSW Deputy Director
Elizabeth Snyder, RHA Deputy Director

Environmental Health Services
2125 S. Centerpointe Pkwy, #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

Larry Fay, Director of Environmental Health

TO: Dana Eady, Planner
Planning & Development Department
Development Review Division

FROM: Paul Jenzen
Environmental Health Services

DATE: March 19, 2015

SUBJECT: Case No. 13DVP-00000-00015

Buellton Area

Applicant: John & Gillian Wagner
c/o Brian Schwartz
Urban Planning Concepts
2624 Airpark Drive, S.M. 93455

Property Location: Assessor's Parcel No. 083-170-015, zoned AG-II-100, located
at 7250 Santa Rosa Road.

This is a revised letter based on information received subsequent to the writing of the letter dated April 17, 2014.

Case No. 13DVP-00000-00015 represents a request to demolish three unpermitted farm employee trailers, an animal shelter, two storage buildings and a residence and construct a Winery Production Building and Tasting Room. A total of six employees are proposed.

Wine tasting is proposed to occur daily and there would be up to five special events with a maximum of 150 attendees.

Domestic water supply is proposed to be provided by a private water system. The applicant has provided information regarding a well permitted on 5/23/13 that indicates a private "Transient" water system could be constructed to meet Environmental Health Services requirements. The applicant will need to obtain a Domestic Water Supply Permit prior to zoning clearance.

Sewage disposal is proposed to be provided by an onsite wastewater treatment system. The applicant has provided to Environmental Health Services passing percolation tests completed by GSI Soils Inc., that indicate that an onsite wastewater treatment system capable of serving the

proposed project could be constructed. The applicant will need to apply for a construction permit prior to zoning clearance. Additionally the Regional Water Quality Control Board will need to review any proposed production waste system.

Providing the Zoning Administrator grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

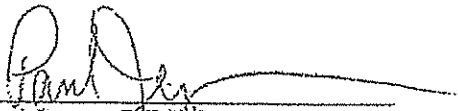
1. Prior to Issuance of Zoning Clearance, a completed application for a Domestic Water Supply Permit shall be reviewed and approved by Environmental Health Services. The application shall include final detailed engineering plans and specifications for the proposed water supply system.
2. Prior to Issuance of a Building Permit, Environmental Health Services shall review and approve the plans and specifications for the proposed food facility and any related facilities.
3. Prior to Issuance of Zoning Clearance, the water source(s) which are not already constructed but are necessary in order to complete a suitable system design, must be developed in accordance with the provisions of County Ordinance No. 3458.
4. Prior to Occupancy, the approved domestic water supply system shall be installed, constructed and fully operational.
5. Prior to Issuance of a Building Permit, the owner of the proposed water system shall be in possession of a valid Domestic Water Supply Permit pursuant to the California Safe Drinking Water Act sections 11,6270 through 11, 6751
6. Prior to Issuance of Zoning Clearance, Environmental Health Services shall review and approve an application for the domestic onsite wastewater treatment system. The plans shall include a layout for the installation of a 200% primary installation (dual disposal field) and 100% expansion area. The onsite wastewater treatment systems shall be designed to handle peak daily flows.
7. Prior to Issuance of Zoning Clearance, the applicant shall submit verification from Regional Water Quality Control Board that Waste Discharge Requirements apply or that exemption from such requirements has been granted.
8. Prior to Issuance of Zoning Clearance, applications for an onsite wastewater treatment system (OWTS) permit for the domestic wastewater shall be reviewed and approved by Environmental Health Services.
9. Prior to the Issuance of Zoning Clearance, the applicant shall submit a winery solid waste management plan to County Environmental Health Services for review and approval. The plan shall include but not be limited to the following:
 - (a) method and frequency of cleaning,

Planning and Development Department
Case Number 13DVP-00000-00015
March 19, 2015
Page 2 of 2

- (b) means of waste transport,
- (c) description of short-term storage facilities, if any
- (d) method and area of waste disposal,
- (e) any equipment necessary to implement the plan.

The winery solid waste management plan may be amended with approval from Environmental Health Services.

Facilities, permitted uses and waste handling operations shall be conducted and maintained in a manner that does not promote the production of offensive odors or excessive vectors as determined by Environmental Health Services.



Paul Jenzen, R.E.H.S.
Senior Environmental Health Specialist

cc: Applicant
Howard Kolb, Regional Water Quality Control Board
Mark Matson, Planning & Development Dept, Building Div., Santa Maria
Norman Fujimoto, Environmental Health Services

LU-5207

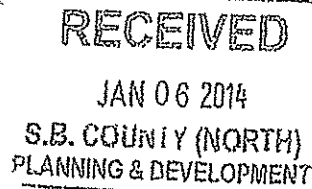
Memorandum

DATE: January 6, 2014

TO: Dana Eady
Planning and Development
Santa Maria

FROM: Dwight Pepin, Captain
Fire Department

SUBJECT: APN: 083-170-015; Permit: 13DVP-00015
Site: 7250 Santa Rosa Road, Buellton
Project: Tier II Winery



The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following requirements with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions.

DETERMINATION OF APPLICATION INCOMPLETENESS

I have reviewed your project and find that it will require some corrections before it can be approved by the Santa Barbara County Fire Department. The following information must be included with your revised plans:

1. Revised plans shall include a complete plan showing the following driveway information. All plans must be drawn to scale and shall call out all dimensions and turning radii requirements.
 - Width of access.
Driveway shall have a minimum width of 20 feet.
 - Percent of slope (including a profile section view).
 - Type of paving or surface material to be used.
Any portion of the access of 10 percent in slope or less be may be all-weather
Any portion of the access exceeding 10 percent in slope shall be paved.
Any portion of the access exceeding 15 percent in slope shall be engineered concrete.
Any portion of the access exceeding 20 percent in slope shall be engineered brushed concrete.
 - Turnaround.
Dead-end access exceeding 150 feet shall terminate with a fire department approved turnaround.
 - Structural section view showing how the access shall be constructed.

3. Plans for a stored water fire protection system shall be approved by the fire department.
 - Required water supplies for fire protection shall be installed and made serviceable prior to construction and for life of project.
 - Water storage shall be as per Appendix "B" of the California Fire Code or NFPA 1142 above the amount required for domestic usage and shall be reserved for fire protection purposes exclusively.

Exception: A licensed Fire Protection Engineer may submit to the fire department a fire protection analysis and fire protection plan with a request for a reduced amount of stored water for review and consideration. The fire protection analysis and plan shall include, at a minimum, the proposed building type, occupancy classification, UL listed fire suppression systems, exposures and location of the nearest fire station.

4. Show size and location of all on-site or proposed propane tanks.
 - Propane tanks must be installed per current adopted California Fire Code.

PLAN STATUS

Please re-submit four sets of corrected site plans to Planning and Development, Attention Fire Department. The plans must be clearly marked "CORRECTED". Submit plans to Planning and Development as part of incompleteness re-submittal.

THE FOLLOWING CONDITIONS ARE FOR DEVELOPMENT PLAN

5. Fire Protection Certificate(s) will be required.
6. Applicable fire department development standards will apply at time of Fire Protection Certificate Application submittal for construction of structures.
7. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
8. Access plans shall be approved by the fire department prior to any work being undertaken.
 - Driveway shall have a minimum width of 20 feet.
 - Surface shall be all weather/paved.
 - All portions of the access exceeding 10 percent in slope shall be paved.
 - Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any building.
 - Dead-end access exceeding 150 feet shall terminate with a fire department approved turnaround.
 - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

9. Signs indicating "Fire Lane – No Stopping" shall be placed every 150 feet as required by the fire department. Refer to current adopted California Fire Code.
10. Portable fire extinguishers are required and shall be in accordance with the current adopted Santa Barbara County Code Chapter 15.
11. Propane tanks must be installed per current adopted California Fire Code.
12. An automatic fire sprinkler system shall be installed.
 - Fire sprinkler plans shall be approved by the fire department prior to installation.
 - A set of approved plans, stamped and dated by the fire department shall be kept at the job site and available upon request.
 - The fire department shall determine the location of any fire department connection (FDC) that may be required.
 - Fire Department Connection (FDC) shall be labeled per NFPA 13.
 - Water systems shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
 - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by the fire department.
13. An automatic fire or emergency alarm system shall be installed.
 - Automatic fire or emergency alarm system plans shall be approved by the fire department.
 - Alarm panel locations and annunciator graphics shall be approved by fire department prior to installation.
14. Address numbers shall be a minimum height of 6 inches for commercial.
 - Address number location(s) shall be approved by the fire department.
 - Address numbers shall be a color contrasting to the background color.
 - The address number shall be elevated at least three feet from the ground for clear visibility and easy directional identification.
 - The numbers shall be visible from the access road when travelling in either direction.
 - If the driveway is over 150 feet in length or the building is obstructed from view at the access road / driveway, numbers shall be posted at all road and driveway and road intersection as is necessary.
15. Access way entrance gates shall conform to fire department requirements.

January 6, 2014

4

083-170-015

16. When access ways are gated, a fire department approved locking system shall be installed.

- Telephone Fire Prevention Division at 805-681-5523 for additional information and application procedure.

17. A Knox Box entry system shall be installed.

18. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

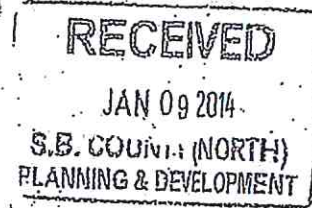
Fees will be calculated as follows:

- Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information, please telephone 805-686-8178 or 805-681-5523.

DP:mkb



Santa Barbara County Public Works Department
Flood Control & Water Agency

January, 2 2014

Dana Eady, Planner
County of Santa Barbara
Planning & Development Department
123 E. Anapamu St.
Santa Barbara, CA 93101

Re: 13DVP-00000-00015; Sierra Madre Ranch Winery
083-170-015; Buellton

Dear Ms. Eady:

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General

- a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated January 2011 (<http://www.countyofsb.org/uploadedFiles/pwd/Water/Development/StdConditionsJan2011.pdf>)
- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.

2. Design

- a. Projects near a watercourse shall be designed in compliance with the setback requirements described in Chapter 15B of the Santa Barbara County Code.
- b. The applicant shall submit all improvement plans, grading plans, drainage plans, drainage studies and landscape plans to the District for review and approval.
- c. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
- d. Detention basins are required and shall be designed such that the post-development peak discharge rate does not exceed the pre-development rate.
- e. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.
- f. The applicant shall acquire and supply proof of drainage easements for off-site drainage conveyances.

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Scott D. McGolpin
Public Works Director

Naomi Schwartz Building
130 E. Victoria Street, Suite 200, Santa Barbara, California 93101
PH: 805 568-3440 FAX: 805 568-3434 www.countyofsb.org/pwd/water

Thomas D. Fayram
Deputy Public Works Director

- g. The applicant shall sign and return the Maintenance Agreement (Subdivider's or Owner's Agreement).
- h. The applicant shall submit to the District electronic drawings in PDF format of the approved Final Map, grading plans, improvement plans, drainage plans, drainage studies and landscape plans on a compact disc along with one hard copy of each.

3. Prior to Occupancy Clearance

- a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
- b. The applicant shall submit a Project Summary Report in PDF format to the District.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: _____

Mark Luehrs
Mark Luehrs
Development Review Engineer

Cc: John Wagner, 7250 Santa Rosa Rd., Buellton, CA 93427
Brian Schwartz, Urban Planning Concepts, 2624 Airpark Dr., Santa Maria, CA 93455



County of Santa Barbara Public Works Department
Project Clean Water

123 E. Anapamu Street, Suite 240, Santa Barbara, CA 93101
(805) 568-3440 FAX (805) 568-3434
www.sbprojectcleanwater.org

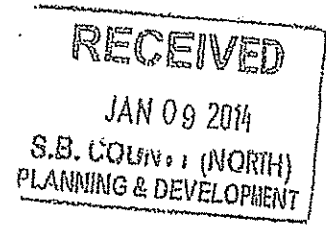


SCOTT D. MCGOLPIN
Director

THOMAS D. FAYRAM
Deputy Director

January 2, 2014

Dana Eady
Planning & Development Department
624 Foster Road
Santa Maria, CA



Re: 13 DVP-0000-00015 Sierra Madre Farms Winery
7250 Santa Rosa Road, Buellton
APN 083-170-015

Dear Ms. Eady,

The above referenced project is subject to the County of Santa Barbara's Standard Conditions for Project Plan Approval – Water Quality Best Management Practices (BMPs). The conditions apply because the project involves more than 1.0 acre of residential development. See attached Standard Conditions.

The following provisions apply to this application:

1. For application completeness, the applicant must submit information identifying how runoff is managed for the design storm using acceptable BMP measures, such as detention/infiltration. The information must show the tributary areas that generate runoff, show either the Water Quality Flow Rate or the Water Quality Design Volume, as appropriate per BMP, and verify that adequate space is available and reserved to meet the performance objectives.
2. Prior to Final Map Recordation, issuance of Zoning Clearance, Land Use Clearance, or Building or Grading Permits, whichever of these actions comes first, the applicant must submit to the Water Resources Division (attention: Project Clean Water) for review and approval either A) improvement plans, grading & drainage plans, landscape plans, and a drainage study or B) a Stormwater Control Plan or its equivalent.

The submittal(s) must provide relevant details on the location and function of treatment control BMPs. At a minimum, the submittal(s) must:

- a. Show the locations of all impervious surfaces and their drainage management area,
- b. Demonstrate how the treatment areas comply with the conditions by managing runoff from the design storm event, and
- c. Include a long-term maintenance plan appropriate for the proposed facilities.

Dana Eady
January 2, 2014
Page 2 of 2

3. Prior to issuance of Zoning Clearance or Land Use Clearance, or Building or Grading Permits, whichever comes first, the owner must sign a maintenance agreement that includes the long-term maintenance plan. The maintenance plan must identify the party responsible for maintenance of all required storm water runoff treatment control facilities and assure perpetual maintenance of the facilities. The maintenance agreement with the County of Santa Barbara will be signed and notarized by the property owner.

4. Prior to issuance of Occupancy Clearance / Construction completion, all drainage improvements required as part of the above conditions shall be constructed in accordance with the approved plans and certified by a Registered Civil Engineer. A Drainage Improvement Certificate shall be signed and stamped by the engineer of record and submitted to the Water Resources Division. A set of As-Built plans or drawings in PDF format shall be submitted to the Water Resources Division.

Note that the applicant will be required to pay the current plan check deposit at the time the Stormwater Control Plan or equivalent is submitted for review and approval. The plan check deposit of \$1,150 is payable to County of Santa Barbara Public Works Department and can be submitted along with the plans to Water Resources Division, Public Works, 123 E. Anapamu St. Santa Barbara, CA 93101.

I would be happy to work with you and the applicant on ways to meet the recommendations and conditions set forth in this letter. Please don't hesitate to contact me at (805) 568-3561.

Sincerely,

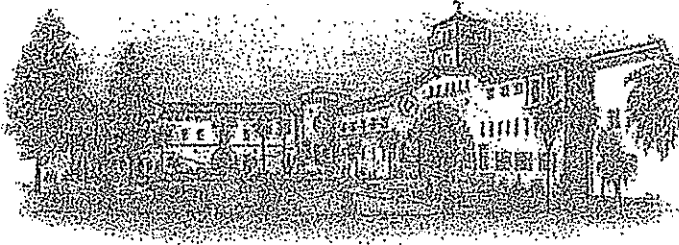


Cathleen Garnand
Civil Engineering Associate

Attachment Standard Conditions

cc: Brian Schwartz, Urban Planning Concepts 2624 Airpark Dr. Santa Maria CA 93455
 Briana Daniels, Penfield & Smith Engineers, 210 E. Enos Dr. Santa Maria CA 93454
 Taylor Lombardo – Tom Taylor, 40 Hotaling Place, San Francisco CA 94111

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



March 26, 2015

TO: Dana Eady, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: Conditions of Approval (3 pages)
Santa Rosa Tier II Winery Development Plan
13DVP-00000-00015
APN: 083-170-015
7250 Santa Rosa Road, Buellton

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Planning Areas of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is \$2,865 (5 newly generated peak hour trips x \$573/peak hour trip). Fees are due prior to occupancy clearance and shall be based on the fee schedule in effect when paid. This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Sight Distance

2. Prior to land use clearance, the developer shall design, and prior to occupancy, the developer shall provide intersection sight distance in a manner acceptable to the Department of Public Works Traffic Section.

When the criteria for sight distances cannot be met, the County may prohibit vehicle turning movements, require speed change lanes or require additional speed change lane lengths.

Driveways/Drive Aisles

3. Prior to land use clearance or tract/parcel map approval the developer shall design, and prior to occupancy the developer shall construct, all site ingress and egress points in a manner acceptable to the Department of Public Works Traffic Section. All driveway accesses shall be improved to include all necessary pavement or cross gutters to match adjacent improvements as required by the Department of Public Works Traffic and Permit Sections.
4. Prior to occupancy, the developer shall design and construct the driveway ingress and egress to conform to the County of Santa Barbara Engineering Design Standards.

Street Sections/Pavement Traffic Index

5. Prior to land use clearance or tract/parcel map approval, the developer shall design, and prior to occupancy, the developer shall construct pavement for all roadwork based on the appropriate road detail provided in the Santa Barbara County Engineering Design Standards under an approved encroachment permit. All designs and/or modifications shall be reviewed and approved by the Department of Public Works Traffic and Permit Sections.

Encroachment/Excavation Permit

6. Prior to recordation and/or zoning clearance, the developer shall apply for an Encroachment Permit for all proposed work within the public road right of way; and obtain approval, after submittal of an application, plans, agreement(s), bond(s), and fees, as required by the Public Works Permit Section. The submittals shall include, but are not limited to, all construction documents for safety, erosion and traffic control, landscape, lighting, roads, sidewalks, curbs, gutters, driveways, utility connections, cost estimates, etc. as required to fully show the proposed work and its value.

The developer shall comply with all applicable Public Works Standard Conditions of Approval and Engineering Design Standards, as determined by the Public Works Traffic or Permit Sections, before issuance of the Encroachment Permit.

An Excavation or Encroachment Permit shall be required for any work performed in the County right of way, including road construction, driveways, utilities, and connections.

Encroachment Permits and/or Santa Barbara Engineering Design Standards and Public Works Standard Conditions of Approval can be obtained at the following locations:

North County Permits Section
620 West Foster Road
Santa Maria, CA 93455
805-739-8788

South County Permits Section
4417 Cathedral Oaks Road
Santa Barbara, CA 93110
805-681-4967

Traffic Controls

7. Prior to land use clearance, traffic circulation and control on adjacent streets shall be designed as required by the Department of Public Works Traffic Section. This shall include, but is not limited to, curb openings, turn lanes and control signs for regulation, warning, and guidance of traffic.
8. Prior to land use clearance, traffic circulation and control onsite shall meet the approval of the Department of Public Works Traffic Section.
9. Prior to occupancy, all signs shall be installed, and prior to final clearance, the County may require the developer to add traffic safety devices, such as signing and striping, the need for which are not apparent at time of plan approval but which are warranted due to actual field conditions. The developer shall install the traffic safety devices prior to final clearance.

Off-Site Road Improvements

10. Where off-site road improvements or a dedication of right of way for off-site improvements is required for which a need cannot be attributed to the project, the County shall reimburse the applicant for all applicable real property, engineering and construction costs.

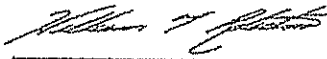
Improvements and dedication that are necessary to mitigate the specific impacts of a project on area roads are considered on-site and are not to be deducted from the Traffic Mitigation Fee's.

If the value of the off-site road improvements or dedication exceeds the payment required, the County may:

1. Reimburse the applicant the difference between the amount of the payment and the value of the additional improvements and dedication, or
2. Enter into an agreement with the applicant to establish a credit for the additional improvements and dedications.

If you have any questions, please contact me at 739-8785.

Sincerely,

 08/26/2015

William T. Robertson

Date

cc: 13DVP-00000-00015

Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
E:\Group\Transportation\Traffic\Transportation Planning\Development Review\AWIN\Santa Rosa Winery Development Plan 13DVP-Cond.doc

