

CONDITIONS OF APPROVAL

Special Use Permit Revision S08-0012-R/Rancho Olivo Vineyards Planning Commission/January 22, 2015

1. This Special Use Permit is based upon and limited to compliance with the project description, the Staff Report exhibits marked Exhibit E ~~D through H~~, and Conditions of Approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project, as approved and revised, consists of the following:

Events: Six commercial and three community or charity events per year. Events will have a maximum attendance of 150 people at the site at any one time. No more than one event every three weeks shall be scheduled. Events to take place 11 am to 9 pm Friday through Sunday. All guests and service employees shall leave the premises by 10 pm. Events to take place within an existing 12,560 square foot barn and outdoors.

Wine tasting: Five wine tasting appointments per month with a maximum group size of six people. Wine tasting appointments shall be available only between 11 am and 7 pm Thursday through Monday. Wine tasting to take place within the existing 3,750 square foot winery.

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The Special Use Permit request will be to allow the use of approximately twenty-one acres, consisting of approximately seven acres of existing vineyards; and an existing 3,750 square foot accessory building for wine production. ~~There will be no public tasting room, no retail sales or special events with the facility. A revision to the Special Use Permit will be required if additional uses under the Wineries Ordinance were to be requested in the future.~~

All operational activities including grape crushing, fermentation, and bottling will occur in and around the existing 3,750 square foot accessory building. The accessory building will house the necessary wine making equipment including barrels, tanks, and bottling equipment. All operations, including harvesting, will be carried out by the applicant's family and one to four part-time (seasonal) employees. The wine produced at the facility will consist of 1,200 to 1,500 cases per year produced entirely with grapes grown on the premises. No wine grapes will be imported. The wine will be made available through wholesale and retail sales and for personal consumption.

On-site parking will be located near the northwest corner of the project site. The designated parking area is approximately one acre in size, being a flat, hard packed dirt

surface and will include an existing parking lot flood light. The designated parking area will accommodate the one to four seasonal employees required to produce wine.

Solid waste will be stored and disposed of in accordance with Chapter 8.42 of the County Code.

Community Development Agency – Development Services Division-Planning

- ~~2. No public shall be permitted on the project site for any wine activities, such as, but not limited to wine tasting, weddings, concerts, winemaker dinners, and festivals.~~
23. Pursuant to *County Code Section 130.22.250*, implementation of the project shall occur within twenty-four (24) months of approval of this Special Use Permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with Conditions of Approval.
- ~~3. All outdoor events shall take place at least 200 feet from any property lines.~~
- ~~4. Two permanent parking spaces shall be provided adjacent to the winery used for tasting appointments. The parking spaces shall be in compliance with Chapter 130.18, Off Street parking and Loading Ordinance.~~
- ~~5. A minimum of 60 overflow parking spaces shall be available on the site for all events.~~
- ~~6. Background music played in the outdoor event areas shall not be amplified.~~
- ~~7. All amplified music shall occur within the designated event building with doors in the closed position.~~
- ~~8. Amplified music in the indoor reception building shall not exceed 90 dBA in the center of the reception space.~~
- ~~9. Any guest(s) speaking in exceptionally loud voices or yelling when outside, shall be reminded of the proximity to the nearby neighbors and asked to lower their voices. If the behavior continues the guest(s) shall be required to leave the premises.~~
- ~~10. If complaints about noise emanating from commercial events are received from multiple residences adjacent to the project parcel, the applicant shall be required to submit an acoustical analysis to Planning Services for review. If the analysis shows that noise levels within the active use areas during commercial events are not consistent with the General Plan Noise Element the applicant shall be required to modify the amplified and non-amplified noise sources in order to meet the required decibel levels.~~

11. All outdoor lighting shall conform to Section 130.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.

124. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

~~5. Prior to issuance of any permits, the applicant shall pay all Development Services fees.~~

~~6. The applicant shall obtain a building permit for the facility, if one should be necessary for the change in use from residential to commercial winery purposes. The applicant shall meet with the Building Department to determine if such a Building Permit is necessary.~~

Environmental Management Division

13. Prior to commencement of any use authorized by this permit, the applicant shall provide an evaluation of the permitted septic systems to determine if they have adequate capacity for the increased usage proposed in this special use permit application.

14. Prior to commencement of any use authorized by this permit, the applicant shall obtain a health permit if food is to be prepared on-site.

Building Services Division

15. Prior to commencement of any use authorized by this permit, the applicant shall obtain building permits for any existing buildings being converted to commercial use.

Office of County Surveyor

16. The tasting room should have a separate situs address from the residence on the parcel. Prior to commencement of any use authorized by this permit, the applicant shall

coordinate with the County Surveyor's Office to ensure that appropriate addresses are assigned and addresses shall be posted. Applicants are responsible for all associated fees.

El Dorado County Fire Protection District

17. Prior to commencement of any use authorized by this permit, the applicant shall provide verification that any existing buildings being converted to commercial use or used as an assembly defined by the California Fire Code or the California Building Code, has an installed sprinkler system and a 24 hour central monitored fire alarm system installed pursuant to NFPA, 2013 California Fire Code and the El Dorado County Fire District's Ordinance Numbers 2013-01 or 2013-02.

Environmental Health

- ~~7. Prior to initiating all operational activities including grape crushing, fermentation, and bottling the applicant shall apply for and obtain a waiver of Waste Discharge Requirements for small wineries in accordance with Regional Water Quality Control Board Central Valley Region Resolution No. R5-2003-0106. The applicant shall comply with the conditions of the waiver and the associated monitoring and reporting program. A copy of the Waiver of Waste Discharge shall be received by Environmental Health Division prior to initiating the use.~~
- ~~8. Prior to initiating all operational activities including grape crushing, fermentation, and bottling the applicant shall submit a solid waste management plan for review and approval by the Environmental Management Department, Solid Waste Division. The plan shall include a green waste reduction program that includes the disposal of stems, leaves, and skins of grapes by drying, spreading, and disking the waste into the soil or composting on the winery premises. Pomace may be used on site as fertilizer or soil amendment, provided that such use or other disposal shall occur in accordance with applicable disposal requirements.~~
- ~~9. Prior to commencement of any use authorized by this permit, the applicant shall provide a copy of the Winegrower License obtained from the Alcoholic Beverage Control to the Planning Services.~~
- ~~10. Prior to commencement of any use authorized by this permit, the applicant shall provide proof to the Planning Services that the facility has been bonded through the Alcohol, Tobacco Tax and Trade Bureau.~~