

Final Conditions
FINDINGS - EXHIBIT A

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 1) pursuant to CEQA Guidelines Section 15301(a) because the project involves the interior alteration of interior partitions to an existing 3,600 building and it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the limited food service facility (restaurant / deli) with on-site consumption, winery with tasting room, roadside stand and food and beverage products, as conditioned is consistent with all of the General Plan policies including the agricultural and open space policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the limited food service facility (restaurant / deli) with on-site consumption, winery with tasting room, roadside stand and food and beverage products does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the limited food service facility (restaurant / deli) with on-site consumption, winery with tasting room, roadside stand and food and beverage products, is similar to the historical use of the site and will not conflict with, the surrounding land and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed project is an historical use of the site. The project is located on Highway 46, an arterial road constructed to a level able to handle any additional traffic associated with the project.
- ~~G. Shared peak-hour parking is appropriate because the most remote space in the parking lot is located no more than 300 feet from the pedestrian entrance to each use that the parking spaces serve. The total number of spaces which is 20 spaces is no less than the number of spaces for the single use which is required to provide the most parking, which is 12.~~
- HG. Modification of Land Use Ordinance Section 22.30.510, Roadside Stands, to allow a roadside stand to be increased from 500 square feet to 546 square feet, to allow the sale of other agricultural products, and package food to be increased from 10% to 25% is

justified because the size modification is minor and will not expand the existing structure; and, the 25% allowance is consistent with the existing approved project.

- | H. A continuing setback modification of 52 feet for the side setback and 164 feet for the front setback is justified because the property fronts on Highway 46, an arterial roadway and the existing building was constructed prior to 1980.-

EXHIBIT B - CONDITIONS OF APPROVAL
DRC2008-00157

Approved Development

1. This approval authorizes:

- a. A restaurant deli (limited food service facility) to include 290 sf indoor use area and 500 sf outdoor use dining area. The restaurant hours of operation shall be restricted to the hours that the wine tasting facility is open to the public for public tasting. The food products served in the restaurant/deli is not restricted to on-site ag products.
- b. The continuous use of Food and Beverage processing products of (approximately 1,078 sf of area) is limited to 50 percent of raw products grown on-site.
- c. The continuous use of the 546 permanent roadside stand shall use at least 50 percent of agricultural products grown from on-site, contiguous parcels, or parcels leased by the owner. This permit authorizes the sale of up to 25 percent of agricultural-related items and packaged food.
- d. The continuous use of the existing 2,935 square foot winery with tasting room.

2. The project also includes a continuing waiver of the minimum setback requirement of 200 feet from the property line to allow a tasting room to be located within 52 feet to the eastern property line and 164 feet to the front property line.

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

Site Development

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

Permits

4. **The applicant shall obtain the following permits,** in addition to any and all other permits required by ordinance or code. Plans shall be prepared or certified by the licensed architect or engineer of record.

- a. A building permit for the interior remodel for the 290 square-foot restaurant /deli.

Fire Safety

5. **At the time of application for construction permits,** all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CAL FIRE County Fire Department for this proposed project and dated September 11, 2009.

Health Department

6. **At the time of application for construction permits**, the tenant improvements plans shall be reviewed and approved by the Health Department. The applicant shall provide the Department of Planning and Building with letter or other verification that the agency has reviewed the project, together with any requirements imposed before issuance of a building permit
7. **At the time of application for construction permits**, the applicant shall submit evidence that the existing septic system is adequate to serve the proposal.
8. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
10. **Prior to issuance of construction permit**, the applicant shall pay Templeton Area B impact fees to the Department of Public Works for the 500 square foot outdoor dining area.

Wastewater

11. **Prior to issuance of construction permits**, the applicant shall submit documentation of a waste discharge permit or waiver issued by the Regional Water Quality Control Board.
12. Solid vegetable waste from the winery (pomace), shall be removed from the site to an approved composting/green waste facility or composted on the site and used as a soil amendment. In no case shall pomace be treated, stored, or disposed of in a manner that could result in runoff into any surface stream.

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

13. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE of all required fire/life safety measures.
14. **Prior to occupancy or final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
15. **Prior to occupancy or final inspection**, the applicant shall install a bike rack.

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

Lighting

16. All lighting fixtures shall be down shielded so that neither the lamp nor the related reflector interior surface or glare is visible from adjacent properties. Light hoods shall be dark colored. All existing non conforming lighting shall be brought into conformance.

Outdoor Storage

17. Long term outdoor winery storage areas shall be screened by solid fencing or landscaping and shall not be higher than the associated solid fence screening or landscaping, unless the storage area is not visible from any public road or adjacent properties.
18. Any water tanks associated with the project shall be a neutral, non contrasting color, and landscape screening shall be provided so that the water tanks are not visible from any public road.
19. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and finalized. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
20. All conditions of this approval run with the land and shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.