



**CONDITIONS OF APPROVAL – MINOR USE PERMIT -
"PESCATORE WINERY" (PMPM 20060909)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Minor Use Permit Modification authorizes wine tasting and wine sales by prior appointment for the Pescatore Winery between the hours of 12:00 PM to 7:00 PM seven days per week. The winery shall not maintain regularly scheduled open hours. Wine tasting and sales shall be limited to a maximum of 15 cars per week, no more than 24 persons at any time, and shall be conducted within the upper floor of the winery building. This shall not be construed as a prohibition against guests venturing outdoors.

Public wine tasting shall not be authorized prior to completion of all conditions of approval. Breach of this condition shall be cause for the Planning Director to consider scheduling a hearing for permit revocation.

2. The following uses and activities are specifically prohibited by this approval, but may be authorized by approval of a Temporary Outdoor Event permit on a case by case basis: Outdoor amplified music, weddings, wine tours, wine dinners, rental hall, community center, rural recreation, or similar activities that would be contrary to the use of this facility for wine tasting and sales by appointment.
3. Sales of non-food boutique items clearly incidental to winery operations such as hats, shirts, aprons, and stemware bearing the winery logo are permitted during appointment hours
4. The applicant shall make application for a Building Permit to convert the main floor of the winery building for use as a wine tasting room. Permit plans shall include a three compartment sink for the washing of stemware. Plans shall show that all cooking appliances, cabinets designed to house cooking appliances, 220-volt outlets and gas lines will be removed with this permit. Completion of this condition requires permit final approval and issuance of a Certificate of Occupancy.
5. Submit to the Development Review Committee for review and approval a scaled Parking Plan demonstrating that five parking spaces will be provided in conformance

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EXHIBIT 5

with the Placer County Zoning Ordinance, Section 17.54.070 (Design and Improvement of Parking), and as specified in the Guidelines for Placer County Wineries and Small Tasting Rooms. Parking shall be located on the south side of the winery building in that generalized area that has been previously developed as parking. If the current parking area does not meet this requirement, the applicant shall be required to improve the parking area to meet these standards.

6. The applicant shall submit copies of all licenses required by the California State Department of Alcoholic Beverage Control required for on-site sales, marketing, and tasting of fermented wine products. Copies shall be submitted to the Planning Department with a reference to this file.
 7. This Minor Use Permit Modification permits the placement of one off-site sign for the Pescatore Winery not to exceed a maximum sign area of six square feet and a maximum overall height of six feet. The sign shall be placed in the southwest corner of APN 031-161-037 at a safe distance from the edge of roadway in a location reviewed and approved by the Development Review Committee. Sign materials, colors, design, and copy shall be reviewed and approved by the Development Review Committee. Sign copy shall be limited to the winery name, phone number, indicating that tasting is by appointment only, and directional indicators to the winery entrance such as arrows or verbiage. The sign shall not be internally or externally illuminated.
 8. The applicant shall submit to the Development Review Committee for review and approval the proposed location, design, and sign copy for a directional sign program to be implemented with this permit. A minimum of two directional signs no larger than two square feet each shall be placed as follows with the following generalized text:
 - A. "Winery entrance", to be placed at the entrance of the winery driveway from the shared private road easement.
 - B. "Please turn around. You've passed the winery driveway", to be placed after the winery driveway and before the Wegner driveway to ensure that strayed winery guests do not bother the residence located at 6995 Ridge Road.
 - C. Nothing in this condition of approval shall be applied in conflict with rights and privileges applicable to agricultural producers to place signage advertising agricultural products in conformance with Section 17.54.180 (B) of the Zoning Ordinance.
 9. If Parcel Map PMLD 20060616 is recorded, the approved uses of this Minor Use Permit shall apply only to the newly created parcel on which the winery building is
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located. If parking is required to be located off-site, such parking shall be encumbered in accordance with Section 17.54.075 (Off-site Parking) of the Zoning Ordinance.

10. No access shall be provided to Chaparral Lane, except as required for emergency response vehicles and personnel.
11. The applicant shall prepare and submit Grading Plans for the improvements required in these conditions (per the requirements of Section 2 of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to those facilities, which may be affected by planned construction, shall be shown on the plans. The applicant shall pay plan check and inspection fees (NOTE: Prior to plan approval, all applicable reproduction costs shall be paid). It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Grading Plans. Record Drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements.
12. All proposed grading, road and drainage improvements, staging areas, and vegetation shall be shown on the Grading Plans and all work shall conform to provisions of the County Grading Ordinance (Section 15.48, Placer County Code) and the Placer County Flood Control District's Stormwater Management Manual. The applicant shall pay plan check fees and inspection fees. No grading, or clearing shall occur until the Grading Plans are approved and any required temporary construction fencing has been installed and inspected by a member of the DRC.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Grading Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction.

Submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Grading Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

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13. Provide the ESD with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Grading Plans, and a fire protection district representative's signature shall be provided on the plans.
14. Construct an all-weather surface for the on-site parking and 20'-wide access road and cul de sac/hammerhead (per Standard Plate R-2) capable of supporting a 40,000-pound vehicle unless otherwise approved by the serving fire agencies. Minimum recommended surfacing is 6" aggregate base on 90% compacted soil.
15. Within 60 days, submit to Engineering & Surveying Department (ESD) evidence of participation in a road maintenance agreement or other financial arrangement for the maintenance of the off-site access road.
16. Prepare and submit with the project Grading Plans, a limited drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the ESD for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing and proposed conditions, the downstream effects of the proposed improvements, and a Best Management Practices (BMP) Plan to provide temporary and permanent water quality protection.
17. This project is subject to the payment of traffic impact fees that are in effect in for the Newcastle/Horseshoe Bar Fee District, pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW within 60 days of approval of this Use Permit.

County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code
South Placer Regional Transportation Authority (SPARTA)
Placer County/City of Roseville Joint Fee (PC/CR)

The current combined estimated fee is \$5,379.00 per D.U.E. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs.

18. The project shall operate in the manner described in the usage statement dated February 28, 2007 and on file with Environmental Health Services. The onsite sewage disposal system is sized for 200 gallons per day, therefore a maximum of 40 patrons are allowed per day. Per the project usage statement, 40 patrons per day, for wine tasting,

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will only occur a maximum of 30 days a year and all other wine tasting appointments will be limited to a maximum of 24 people per day.

19. Wine tasting shall be by appointment only.
20. Road cuts, grading, or new structure construction must not conflict with the approved sewage disposal area and replacement area and maintain required setback distances specified in Placer County On-Site Sewage Manual, Chapter 36, Table 1.
21. The approved on-site sewage disposal system area and the 100% replacement area must remain unaltered and available, free of vehicular traffic, parking, structures of any type, or soil modification.
22. Submit to Environmental Health Services for review and approval, the material specification sheet for the stainless steel three-compartment sink that will need to be installed in the winery building for wine tasting activities. This must be submitted and reviewed prior to Environmental Health Services approval on the building permit to convert the existing Agricultural building to a winery building.
23. No food prep is allowed onsite.
24. The private well used for the water supply for stemware washing shall be tested each year prior to the beginning of peak operating season. A bacteriological analysis of a water sample, prepared by a state certified lab shall be provided to Environmental Health Services annually.
25. Retail sales boutique items that include non-potentially hazardous (nonperishable) food, prepackaged foods such as crackers, mustards, sauces, and jams as an accessory activity to the winery are allowed only if CURFEL does not apply to them.
26. Disposal of all winery production liquid and solid waste shall be in accordance with the local and state rules and regulations. Contact the California Regional Water Quality Control Board regarding their filing and discharge requirements.
27. Prior to building permit issuance, the applicant shall provide proof, acceptable to County, that applicant has the legal rights necessary to provide the public with access to the property for the purposes of engaging in the proposed use.
28. The applicant shall have 12 months to exercise this Minor Use Permit Modification by completing all performance based conditions. Failure to exercise condition seven for placement of an off-site sign shall not result in a forfeiture of the

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entire permit modification, but would result in forfeiture of approval for the off-site sign. Unless previously exercised, this permit shall expire on March 11, 2008.

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