



SAN LUIS OBISPO COUNTY

## DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

August 26, 2015

AUG 27 2015

✓ Kirk Consulting  
Attn: Lacey Zuak  
8830 Morro Road  
Atascadero, CA 93422

Santa Margarita Ranch LLC.  
22720 El Camino Real #A1  
Santa Margarita, CA 93453

### NOTICE OF FINAL COUNTY ACTION

HEARING DATE: August 21, 2015

**SUBJECT: SANTA MARGARITA RANCH, LLC.**  
**County File Number: DRC2013-00111**  
**DOCUMENT NUMBER: 2015-067\_PDH**

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved by the Hearing Officer, subject to the approved Findings and Conditions, which are attached for your records.

If the use authorized by this Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24) months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.64.070 of the Land Use Ordinance.

If the use authorized by this Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six (6) months or conditions have not been complied with, such Permit approval shall become void.

Pursuant to County Land Use Ordinance Section 22.70.050, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days after the date of the action, in writing, to the Department of Planning and Building. The appeal fee is \$850.00 and must accompany your appeal form. If you have any questions regarding this matter, please contact me at (805) 781-5718.

Sincerely,

NICOLE RETANA, SECRETARY  
PLANNING DEPARTMENT HEARINGS

**EXHIBIT A – FINDINGS**  
**DRC2013-00111 / SANTA MARGARITA RANCH**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 9, 2015 for this project. Mitigation measures are proposed to address air quality, and are included as conditions of approval. '

*Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan 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 use of the site for temporary events 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 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 project access West Pozo Rd. (a county-maintained arterial road).

**EXHIBIT B - CONDITIONS OF APPROVAL  
DRC2013-00111 / SANTA MARGARITA RANCH**

**Approved Development**

1. This approval authorizes the use of the project site, including an existing barn of approximately 2,552 square feet and the following:
  - a. Up to 40 Temporary Events annually (including non-profits, or any other type of event where the possibility that 50 or more individuals will attend) with up to 250 guests each;
  - b. Temporary Events shall start no sooner than 10 a.m. and end by 10 p.m. each day. Facility set up and clean up shall be allowed between the hours of 8 a.m. to 11 p.m. All guests of an Event shall be off the property by 10:30 p.m.;
  - c. Temporary Events shall last no more than one day each;
  - d. This approval does not authorize other uses including bed and breakfasts or vacation rentals and any events associated with these uses.
2. This authorization for Temporary Events, once vested, shall remain valid for a period of 20 years from its effective date or until the recordation of the open space easement on the subject site for Tract 2586.
3. **Prior to establishment of the use**, the applicant shall apply for and obtain issuance of construction permits, and obtain Certificates of Occupancy to convert the barn to an "A" (public assembly) occupancy class. Measures required to ensure compliance with building code requirements may include, but are not limited to, the following:
  - a. Structural modifications, as needed, to comply with the "A" occupancy class requirements.
  - b. Fire safety measures, as required by the Chief Building Official and/or Fire Marshal.
  - c. Construction of restroom facilities to provide water closets, lavatories, and drinking fountains at the ratio specified in the Uniform Plumbing Code.

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

**Site Development**

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

**Access**

5. **At the time of application for construction permits and prior to holding public events**, the applicant shall submit plans to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
  - a. Reconstruct the existing site access driveway approach in accordance with County Public Improvement Standard B-1e drawing for high speed and/or high volume rural roadways.
6. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with CAL FIRE standards and specifications back to the nearest public maintained roadway.

### **Fire Safety**

7. **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 dated January 6, 2015 and May 8, 2015.

### **Health Department**

8. **Prior to issuance of a construction permit**, the applicant shall obtain **all** the appropriate Health Department permits. The Health Department will require the following information:
  - a. If water is made available to 25 or more employees at any one time, or to members of the public, then the applicant **shall be required to have domestic water supply system**.
  - b. Any service or sale of food or beverages for on-site consumption shall have all necessary approvals from the County Environmental Health Department.
  - c. Comply with all County Environmental Health Department approved pest and solid waste control plans.
9. **Prior to holding any temporary events**, the applicant shall contact the Environmental Health Department to verify water supply adequacy and potability as for the proposed project. The applicant shall contact the Environmental Health Department to determine if an annual permit will be required for the water supply at this facility.

### **Wastewater**

10. **Prior to holding any temporary events**, the applicant shall contact the County Building Department to verify septic system adequacy as needed for proposed use. Restrooms facility shall be in conformance with industry standards.

### **Conditions to be completed prior to issuance of a construction permit**

#### **Fees**

11. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

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

12. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE of all required fire/life safety measures.
13. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

## **Air Quality**

14. **(AQ-1)** Prior to holding any temporary events and for the life of the project, the applicant shall implement the following measures:
  - a. Designated parking locations shall be:
    1. Paved when possible;
    2. Sited in grass or low cut dense vegetative areas; or,
    3. Treated with a dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit (see attached list).
  - b. Any unpaved roads/driveways that will be used for the special event shall be maintained with an APCD-approved dust suppressant such that fugitive dust emissions do not impact offsite areas and do not exceed the APCD 20% opacity limit. The applicant may propose alternative measures of equal effectiveness by contacting the APCD Planning Division.

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

### **Time Limits**

15. 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.
16. 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.

### **Violation**

17. It is unlawful for any person to use or allow the use of property in violation of the provisions of this Section. The penalties for violation of this Section are set forth in Chapter 22.74 of this Title (Enforcement). Additional penalties for violation of this section may include revocation of the land use permit. A land use permit including any Zoning Clearance may not be issued if there is an active violation on the site or if 3 substantiated complaints have been received by the Department in any consecutive six month period. If substantiated complaints have been received by the Department more than three times in any consecutive six month period, this shall be grounds for revocation of the Land Use Permit consistent with this Title.

### **Gates**

18. Any gate constructed on a driveway where off-site grapes are delivered and/or product is exported from the site shall be a minimum of 75-feet from the traveled way of any road open to the public.

### **Notification**

19. The applicant shall provide notification of special events, through an email or letter, to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed site. If a letter is used, it shall be delivered within 30 days prior to but not less than 3 days before each event occurrence. The following information shall be provided:

- a. A complete listing of all scheduled special events including dates, times and number of attendees;
- b. 24-hour contact information for the on-site operator (cell phone), including e-mail and phone number, to be used to notify the operator of issues with the operation;
- c. Contact information for County Code Enforcement to be used if members of the public have complaints about the operation;
- d. Any identified problems shall be responded to and addressed as soon as possible.

As an alternative to providing the annual listing of the special events in a letter, a website may be used. If a web-site is used, notification shall first be provided by mail and contain the website address, the 24 hour local contact information and the approved number of events and attendee numbers. The website shall be maintained and kept current at all times.

#### **Exterior Lighting**

20. **For the life of the project**, use of exterior lighting in association with an event shall not extend beyond 10:30 p.m. Use of lighting beyond these hours is acceptable where necessitated for emergency purposes, provided that the use of lighting is minimized only to what is necessary to address the urgent conditions.
21. Any lighting used during Temporary Events shall comply with Section 22.10.060 (Exterior Lighting). All lighting shall have minimized intensity. Sources shall be directed away from any road, Highway, or adjacent residences.

#### **Signs/Banners**

22. **For the life of the project**, banners, signs, or decorative materials on the project site are limited to being posted on the day of the event, and shall be removed by the following day.

#### **Parking**

23. **For the life of the project**, parking for attendees shall be limited to the designated based/paved parking areas only. Event parking shall be unimproved and of an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material. All combustible vegetation/material shall be cleared from designated parking areas and to within a minimum of 10 feet from each side of parking areas and driveways.

#### **CAL FIRE**

24. **Prior to each event for the life of the project**, the applicant shall provide notification to CAL FIRE of all events in excess of 100 attendees. Notifications shall be provided at least two weeks in advance of the event, where possible. For events where advance notice is limited due to circumstances outside of the applicant's control (e.g. funerals), notification shall be given to CAL FIRE at the earliest possible opportunity. All temporary events held under this permit shall be available for CAL FIRE inspection.

**Noise**

25. **For the life of the project**, noise levels shall not exceed exterior noise level standards per Section 22.10.120:

<b>Sounds Levels</b>	<b>Daytime 7 a.m. to 10 p.m.</b>	<b>Nighttime 10 p.m. to 7 a.m.</b>
Hourly Equivalent Sound Level (Leq,dB)	50	45
Maximum level, dB	70	65

26. **For the life of the project**, outdoor amplified music shall be limited to the area immediately adjacent to the barn area (area that will be utilized for the temporary events).
27. **For the life of the project**, for Temporary Events, all amplified music shall end no later than 10:00 p.m.
28. **For the life of the project**, the applicant shall designate an employee to serve as a noise monitor. The noise monitor shall be available by telephone to respond to any noise complaints. The applicant and successors in interest shall provide a telephone number to reach the designated noise monitor to the County and any neighbor who requests it. The telephone number provided shall allow the County and/or neighbor to reach the noise monitor during all events.

**Temporary Events**

29. **For the life of the project**, each temporary event shall last no more than 12 consecutive days or four successive weekends.
30. **For the life of the project**, the site shall be kept clean and free of trash and debris during each event and such materials shall be prevented from passing onto neighboring properties.

**Toilet Facilities**

27. Portable restroom facilities may be used, in lieu of permanent restrooms, provided they meet all state and local specifications and are sufficient to serve the maximum number of persons allowed at an event.