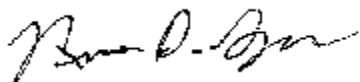


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council Members
FROM: Erik V. Lundquist, Senior Planner
DATE: June 19, 2012
SUBJECT: BRIAN ARDEN WINERY – 331 Silverado Trail (APN 011-050-030)

APPROVAL FOR FORWARDING:



Richard D. Spitler, City Manager

1 **ISSUE:** Consideration of an amendment to the Calistoga Municipal Code, initiated by
2 Burt Harlan, amending Title 17 (Zoning) adding Article, VIII, "PD 2011-01", Brian Arden
3 Wines Planned Development District to Chapter 17.24 and rezoning the property
4 located at 331 Silverado Trail (APN 011-050-030) within the "PD 2011-01" District.

5
6 **RECOMMENDATIONS:**

7 A. Adopt Ordinance No. 683 as submitted
8

9 **BACKGROUND:** On June 5, 2012, the City Council held a public hearing to consider a
10 recommendation to adopt an Ordinance that would allow for the development of the
11 Brian Arden Winery Project. Written and oral comments from the public were received
12 prior to and during the hearing, and the City Council adopted a Mitigated Negative
13 Declaration and approved the Conditional Use Permit, Design Review and Development
14 Plan Resolutions with modifications that did not require any changes to the Zoning
15 Ordinance Amendment. At the conclusion of the hearing, the City Council introduced
16 and waived the first reading of the Ordinance.

17
18 **FISCAL IMPACT:** The adoption of the Ordinance will allow for development that will
19 generate additional tax revenue to the City.

20 **ATTACHMENTS:**

21
22 1. Ordinance No. 683
23

1 **WHEREAS**, the City Council has reviewed and considered the application for the
2 Project at its regular meeting on April 17, 2012, June 5, 2012 and June 19, 2012,
3 considered as one of its items of business, this Ordinance to be adopted in accordance
4 with Government Code Section 65090, this Ordinance to be adopted in accordance with
5 Government Code Section 65850, to include the written and oral staff report, proposed
6 findings and comments received from the general public and interested agencies and
7 parties; and
8

9 **WHEREAS**, the City Council adopted the following findings with the introduction
10 of an Ordinance:
11

- 12 1. The proposed text amendment will continue to provide flexibility in the
13 development while allowing for unique circumstances, and perpetual
14 maintenance of a winery development without adversely impacting the quality
15 that make the community unique.
16
- 17 2. The proposed text amendment is consistent with the City's General Plan
18 Rural Residential land use designation, Planned Development and Entry
19 Corridor 2 – Downvalley Silverado Trail Overlay designations and related
20 policies. Provisions for uses and proposed revised development standards
21 will preserve a significant portion of the property for vineyard and protect
22 existing trees to the extent feasible consistent with the rural character of the
23 area. Moreover, a conditional use permit and design review is required for
24 development of the site, other than for small accessory structures, which will
25 help to ensure that the use of the site retains the sensitive elements of the
26 parcel.
27
- 28 3. The proposed text amendment promotes and enhances the rural traditions of
29 the community and is necessary and proper to balance the natural and built
30 environment of this site at one of Calistoga's important gateways to the
31 community.
32
- 33 4. The proposed text amendment is necessary and proper to ensure that the
34 small town character of the community is preserved and enhanced consistent
35 with the General Plan, while providing reasonable opportunity to establish a
36 high quality and creative winery development project.
37

38 **SECTION TWO:**
39

40 Section 17.24 of Title 17 (Zoning Ordinance) is hereby amended by adding
41 subsection 17.24.660 through 17.24.700 as follows:
42

43 **Article IV. PD 2011-01, Brian Arden Wines Planned Development District**
44

45 **17.24.660 - Purpose:**

1
2 This planned development district regulates development of a 2.25-acre parcel of land
3 (APN 011-050-030) located approximately 1,100 feet southeast of the intersection of
4 Silverado Trail and Rosedale Road, as shown on the Zoning Map of the City of
5 Calistoga, California, February 5, 1991, as amended. Planned Development District (PD
6 2011-01) is important to the community, as it contains a section of Mt. Washington and
7 is located at a gateway to the community in an area of natural beauty. Therefore,
8 development in this Planned Development District shall be sensitive to the rural scale of
9 the parcel and its surroundings. Unless otherwise provided below, all proposed uses in
10 this planned development district shall require a use permit. Development shall be in
11 conformance with the following regulations.
12

13 **17.24.670 Uses allowed.**

14 A. Uses Allowed Without a Preliminary Development Plan or Use Permit:

- 15 1. In APN 011-050-030, light agricultural uses including, but not limited to
16 horticulture, floriculture, viticulture, apiaries, and related uses, not including
17 stockyards or commercial feeding of animals.
18 2. Uses determined by the Planning Commission to be similar in nature, as
19 provided in the procedures in Chapter 17.02 CMC.

20 B. Uses Allowed With a Preliminary Development Plan or Use Permit:

- 21 1. Wineries, public tours and tasting, bottling operations and ancillary wine related
22 operations: provided that the use(s) is subordinate to a primary agricultural use
23 on the parcel. A minimum of 75% of the fruit used to make wine produced on-site
24 must be grown within the County of Napa;
25 2. New structures, and additions to existing structures resulting in an increase in
26 floor area of 10 percent or more;
27 3. Uses determined by the Planning Commission to be similar in nature as provided
28 in the procedures in Chapter 17.02 CMC.

29 C. Allowed Accessory Uses. Accessory buildings and uses that are clearly incidental
30 and subordinate to the main use, such as a detached garage, storage shed,
31 workshop, or similar building; provided, that no accessory use shall be established
32 or accessory building constructed prior to the construction of a main building, or on a
33 lot separate from the main building. Minimum setbacks for accessory buildings and
34 structures shall comply with the standards provided in Chapter 17.38 CMC, except
35 that no accessory building or structure shall be located in the required front setback.

36 D. Prohibited Uses. Uses not specified in subsections (A) through (C) of this section are
37 prohibited.

38 **17.24.680 Height limits.**

39 Height limit of buildings and structures in PD 2011-01 shall be 30 feet, unless otherwise
40 provided in Chapter 17.38 CMC.
41

1 **17.24.690 Development Standards.**

2 Development standards in PD 2007-1 are as follows:

3 A. Minimum lot area and lot dimensions shall be:

- 4 1. Lot area: two acres;
5 2. Lot width: 200 feet average;
6 3. Lot depth: 400 feet.

7 B. Minimum setbacks shall be as follows, unless otherwise provided in this section:

- 8 1. Silverado Trail Setback (Front Yard): 30 feet.
9 2. Side yard: 5 feet;
10 3. Rear yard: 5 feet.

11 C. Lot Coverage. Maximum coverage of a lot by all buildings or structures,
12 including accessory structures, shall be 25 percent.

13 D. Parking Requirements. Unless otherwise provided in an approved use permit or
14 planned development permit, on-site parking, loading and circulation shall
15 comply with the standards contained in Chapter 17.36 CMC.

16
17 **17.24.700 Design Review requirements.**

18
19 Design review shall be required for all buildings or structures requiring a use permit in
20 this section. Allowed accessory buildings shall also require design review for structures
21 or buildings 200 square feet or larger in size. Buildings and structures must be
22 harmoniously integrated with development of the parcels to minimize their impacts on
23 adjacent property, including the design and location of buildings, lighting, equipment to
24 enhance the comfort of customers dining outdoors, and landscaping.

25
26 **SECTION THREE:**

27
28 The City Clerk or his or her designee is hereby directed to amend the Zoning Map of
29 The City of Calistoga, California, dated February 5, 1991, as amended, which is on file
30 with the City, to reflect the change in zoning for the subject property described in the
31 above title.

32
33 **SECTION FOUR:**

34
35 If any section or portion of this ordinance is for any reason held to be invalid
36 and/or unconstitutional by a court or competent jurisdiction, such decision shall not
37 affect the validity of the remaining portions of this ordinance.

38
39 **SECTION FIVE:**

40
41 **THIS ORDINANCE** shall take effect thirty (30) days after its passage and before
42 expiration of fifteen (15) days after its passage, shall be published in accordance with
43 law in a newspaper of general circulation published and circulated in the City of
44 Calistoga.

1 **THIS ORDINANCE** was introduced with the first reading waived at the City of
2 Calistoga City Council meeting on the 5th day of June 2012, and was passed and
3 adopted at a regular meeting of the Calistoga City Council on the 19th day of June
4 2012, by the following vote:

5

6 **AYES:**

7 **NOES:**

8 **ABSENT/ABSTAIN:**

9

10

JACK GINGLES, Mayor

11 **ATTEST:**

12

13

14 _____
AMANDA DAVIS, Deputy City Clerk