

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, ASSOCIATE PLANNER

MEETING DATE: AUGUST 27, 2008

SUBJECT: THE MOYE WINERY LOCATED AT 2280 GREENWOOD
AVENUE (APN 011-351-017) - USE PERMIT (U 2007-12)
AND DESIGN REVIEW (DR 2007-14)

1 **REQUEST**

2 Consideration of a request by the applicants, Matthew and Adrian Moye, for a
3 Conditional Use Permit (U 2007-12) and Design Review (DR 2007-14) to allow
4 the development of a boutique winery with an annual production of up to 4,000
5 cases of wine. The proposed winery structure will be located near the existing
6 residence and will be approximately 4,714 square feet in size and approximately
7 23'-6" in height, as measured from the average natural grade to the midpoint of
8 the roof. An exception to the water connection requirements is also being
9 requested to allow the use of ground water rather than City water. The property is
10 located at 2280 Greenwood Avenue (APN 011-351-017) within the "RR", Rural
11 Residential Zoning District.

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13 **BACKGROUND AND SETTING**

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15 The 6.20-acre property, currently owned by Vincent and Marjorie Arroyo, is
16 located in the northern most quadrant of the City near the city limits and is
17 surrounded by rural residential properties established with residential and light
18 agricultural uses and structures, primarily vineyards and orchards. The property
19 is developed with an existing single family residence and is currently a producing
20 vineyard. The property is currently served by an on site well and septic system.
21 The property is accessed via Greenwood Avenue, which is a County maintained
22 roadway.

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Viewing east down existing driveway from Greenwood Avenue

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PROPOSAL

The Applicant's, Matthew and Adrian Moye, propose to develop a boutique winery or a large scale winery, as defined per 17.14.020(B)(9) CMC, with an annual production of up to 4,000 cases of wine on the property. The proposed 2-story winery structure will be located behind the existing residence toward the southeast. The structure will be approximately 4,714 square feet in size and approximately 23'-6" in height, as measured from the average natural grade to the midpoint of the roof. The 2,072 square foot ground floor will consist of barrel storage and production facilities, bathrooms, lab/office and a kitchen. An approximately 1,367 square feet covered tank pad and/or crush pad will be developed off of the ground floor. The second story is approximately 1,275 square feet in size and contains office space and the tasting room. The structure will be built using conventional wood frame construction with siding and insulation for temperature control. The structure will be painted consistent with the residence. The crush pad will accommodate a crusher, press and fermentation tanks and other winery equipment as necessary.

As proposed, administrative activities for the winery will occur between the hours of 8:00 am and 5:00 pm everyday of the week. Six standard and one handicap parking spaces are provided at the end of the driveway to accommodate the employees and guests. Tours and tasting at the winery will be by appointment

50 only, which will be scheduled between the hours of 10 am and 4:00 pm daily. The
 51 winery will have no more than 4 special events per year. Winery operations will
 52 vary depending on the season and weather. During the harvest season vineyard
 53 production activities may be in operation for more than a 24-hour period.

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 55 The proposed winery will not advertise in publications produced for general
 56 distribution for wine marketing events. The proposed winery plans on applying for
 57 a federal permit to become a licensed and bonded facility as well as a California
 58 alcoholic beverage license. Local deliveries via carriers like UPS and Fedex are
 59 anticipated within operation hours.

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 61 The vineyard located on the property currently produces an average yield of
 62 thirty-two tons, which will adequately supply the winery with more than 50
 63 percent of the fruit necessary to supply the 4,000 cases wine.

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 65 **STAFF ANALYSIS**

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 67 **A. Land Use**

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 69 The Land Use Element of the 2003 General Plan Update designates the property
 70 as Rural Residential. With respect to the development and operation of wineries,
 71 the Land Use Element identifies that winery operations may occur with
 72 discretionary permit approval within the "Rural Residential" land use designation.
 73 Uses allowed in this designation include crop production, vineyards, light
 74 agricultural structures, and single-family residences. The proposed large scale
 75 winery is consistent with the land use policies contained in the 2003 General
 76 Plan Update.

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 78 Applicability to the City's Zoning Ordinance is summarized below:
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2280 Greenwood Avenue - Site Data Table		
Development Criteria	Code Requirements	Existing/Proposed
Parking Requirements	Residential: two spaces for each dwelling unit. Agricultural Operations: Manufacturing and production 1 space per 500 square feet. Office: 1 space per 250 square feet Bulk Retail Sales and Tasting: 1 space per 500 square feet	Parking for residence proposed in existing garages and parking for agricultural uses proposed toward interior of site. Sufficient parking will be provided. Agricultural Operations: 2,072 sq. ft. = 4 spaces required Office: 528 sq. ft. = 2 spaces required Bulk Retail Sales and Tasting: 528 sq. ft. = 1 space required
Min Lot Size	2 acres	6.20 acres

Minimum Lot Width	100 Feet	484.70 Feet
Minimum Lot Depth	200 Feet	471.89
Setbacks:		
Front yard	50 Feet	>250 Feet
Side yard	20 Feet	>170 Feet
Rear yard	20 Feet	>90 feet
Adjacent Dwelling	50 Feet	>100 Feet
Lot Coverage	30 Percent	<30 Percent

In addition to the aforementioned development standards, Section 17.14.020(B)(9) of the Calistoga Municipal Code (CMC) establishes guidelines for large scale wineries, which must be considered prior to use permit approval. Staff has reviewed these guidelines and finds that the project is consistent with these land use requirements provided that conditions of approval are established, which will regulate operations (intensity of production and events).

B. Water and Wastewater Resources

A preliminary water report was prepared by Sterk Engineering, Inc., which identifies that the project will need approximately 1.10 acre feet of water per year. The property is developed with a 2-bedroom single family residence. The City's standardize use table estimates that a 1 to 3 bedroom residence would need 0.428 acre feet of water annually. The use of water for the vineyard is zero, as it is dry farmed and has no frost protection utilities. The winery production is anticipated to need approximately 600 gallons per day or 0.67 acre feet per year. Therefore, the property is expected to generate a need for approximately 1.10 acre feet water annually. The Applicant seeks to use the existing well as their potable water source.

Since a well is proposed, the applicant has petitioned for an exception to the water system connection requirements. The petition has been correctly filed pursuant to Section 13.04.170(B) of the Calistoga Municipal Code, which establishes requirements for the City Council to evaluate petitions for exceptions.

Current City policy establishes that an acceptable level of allowable well water usage in the valley floor for agricultural usage is 1.0 acre feet per acre of land annually. This property is 6.20 acres. The proposed water usage is far less than 6.20 acre feet of water, which is much less than what was previously determined by the City Council to be an acceptable level of allowable water usage. Thus, the impact to groundwater supplies is considered to be less than significant and Staff finds that the project meets the criteria for granting the exception.

115 In addition, the applicant proposes to develop an on-site septic system for winery
116 and sewage waste disposal. Pursuant to the Municipal Code Section 13.08.140,
117 the project is only required to connect to the City sewer system when the public
118 sewer line is available and/or within 200 feet of the property. In this case the
119 public sewer line is more than 200 feet and is therefore, not required to connect
120 to the City system.

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122 Moreover, a feasibility report has been prepared by Sterk Engineering Inc., which
123 concludes that there is sufficient acceptable soil to install an engineered septic
124 system. The County of Napa Environmental Management Division has
125 concurred with the Engineer's findings, provided that the combined total number
126 of visitors and employees is less than 25 per day. As a result, Staff supports the
127 use of an on site septic system for wastewater disposal.

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129 **C. Growth Management**

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131 On January 4, 2005, the City Council adopted Ordinance #616, which
132 established a Growth Management System applicable to development in all
133 zoning districts. Section 19.02.0509(D) of the Calistoga Municipal Code states:

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135 *"Dwellings or non-residential structures on existing parcels of*
136 *record which have paid water and wastewater connection fees prior*
137 *to the effective date of this ordinance and are paying water meter*
138 *service charges and/or a waste water capacity allocation charge to*
139 *maintain a water and/or waste water allocation. In such instances,*
140 *the parcel shall have a history of residential or non-residential*
141 *development in the past, and the proposed new development shall*
142 *not exceed the water consumption and wastewater production of*
143 *the original development, as defined in the City's Standardized Use*
144 *Table or established baseline allocation, as applicable. This*
145 *exception does not apply to parcels that do not have a history of*
146 *residential or non-residential development."*

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148 The property does have a history of residential development. Although, since the
149 property has only used ground water and an on site septic system, the property
150 has an existing allocation or baseline of zero. However, if an exception is
151 ultimately grant by the City Council the project will continue to use ground water
152 and an on site septic system, in which case the project will not result in an
153 increase in water usage or wastewater usage. Therefore, this project is found to
154 be exempt from the City's Growth Management System.

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