

MINUTES EXCERPT

CALISTOGA PLANNING COMMISSION

July 27, 2016

A. ROLL CALL

Commissioners present: Vice Chair Tim Wilkes, Alissa McNair, Scott Cooper, Walter Abernathy. Absent: Chair Paul Coates (excused). Staff present: Planning and Building Director Lynn Goldberg, Senior Planner Erik Lundquist.

G. PUBLIC HEARINGS

2. **Aubert Winery Expansion UP 2016-3 & Design Review DR 2016-11:**
Consideration of use permit and design review applications allowing an increase in production up to 30,000 gallons annually and an addition of 10,080 square feet for new tank rooms, office space and covered crush pad at 333 Silverado Trail

Senior Planner Lundquist presented the staff report for the applications. He corrected the requested number of cases and the amount of additional floor area, which differ from the agenda summary and staff report's figures. The project site is located in a two-parcel planned development zoning district, which was created in 2002 and at the time reflected a very conservative approach to agriculture protection by requiring that agriculture be the predominant use on the two-acre property. Since the district's creation, the 2003 General Plan was adopted and addresses the preservation of agriculture more broadly and not on a site-specific basis. Therefore, the property's zoning provisions appear to be inconsistent with the General Plan. In order for the project to proceed, the language requiring that agriculture be the predominant use on the property needs to be removed from the district's regulations through a Zoning Code amendment. Removing the agriculture requirement would also allow more parking to be provided, which would minimize the current practice of employees parking along the access easement from Silverado Trail. This planned development zoning district does not have an associated grape-sourcing requirement; however, the applicant would be willing to comply with the standard. Staff is seeking direction from staff regarding the potential Zoning Code amendment.

In response to a question from **Commissioner Cooper** regarding why the vineyard had been removed from the property if agriculture was required on-site, Mr. Lundquist replied that staff only became aware of it when this application was filed.

In response to a question from **Vice Chair Wilkes**, Mr. Lundquist confirmed that the applicants propose to apply the grape-sourcing requirement only to the increased production and not to retroactively apply it to current production.

Vice Chair Wilkes opened the public hearing.

Donna Oldford, representing Aubert Winery, reiterated that no increase in employees or visitors is requested. The applications would allow only for increased production and storage, and safety improvements. Additional parking would allow the separation of employee and visitor parking. The applicant understands the need and basis for revising the zoning district's language to remove the agricultural predominance requirement. The proposed project would then be consistent with the General Plan. Having to enforce the 51% requirement for on-site agriculture would jeopardize a large number of oak trees. She reiterated that the parcel is not located in the General Plan's Entry Corridor overlay.

Commissioner McNair asked about the proposal to replace the former grapevines with olive trees.

Paul Bartelt, Bartelt Engineering, responded that olives are a more-feasible use of on-site treated wastewater disposal. Grapes would be lower-quality because of the amount of wastewater that would be applied to them. Olives could be sold or olive oil could be produced.

Vice Chair Wilkes asked that if the zoning district is revised to remove the agriculture requirement, is it still the intention of the applicants to plant olive trees. He is concerned about intermingling them with the property's oak woodland and feels that the priority should be protecting the woodland while accommodating wastewater disposal.

Mr. Bartelt responded that irrigation is only one of many wastewater disposal options, such as disposal into the municipal sewer or a subsurface disposal system. He believes that whatever wastewater disposal option is pursued, it can be done in a manner that avoids removing any oak trees. In response to a question from Mr. Lundquist about the potential effect on the number and size of the proposed irrigation water storage tanks if the agriculture requirement is removed, Mr. Bartelt responded that it is likely that the tanks would be reduced since the irrigation need would be lowered.

Ms. Oldford indicated that the applicants want to maintain the option of a hold-and-haul approach to the winery's wastewater, especially since it's a very small operation and there are good traffic conditions on Silverado Trail.

Vice Chair Wilkes expressed concerns about fire suppression and whether the Fire Department would have sufficient access to the back of the enlarged building. In response to questions from **Vice Chair Wilkes**, Ms. Oldford explained that the applicants want a more-efficient means of handling fermentation and storage, and there is a need for additional space even if they weren't planning on increasing production.

Joshua Lowell, Aubert Winery, advised that they have come close to producing 10,000 cases, which is 400 barrels. It's not a comfortable situation in the existing facility.

Mr. Lundquist noted that the crush operations that are currently occurring outside could be moved inside if the building is enlarged.

Mr. Bartelt reported that with additional parking at the rear of building, a fire equipment turnaround area could be provided. Three irrigation storage tanks could be removed if the agriculture requirement is removed. Crushing activities would be inside or under a covered area, in compliance with state regulations.

In response to questions from **Commissioner McNair**, Mr. Bartelt clarified that the resulting lot coverage with the proposed building expansion would be 19.8%, which is below the maximum 25% allowed by the Zoning Code.

Vice Chair Wilkes closed the public hearing and asked for commissioner comments.

Commissioner Abernathy supports the elimination of the agriculture requirement for the zoning district.

Commissioner Cooper wants the 75% Napa Valley grape-sourcing requirement applied to the winery's increased production. He likes the preservation of the property's oak woodland rather than the planting of olive trees.

Commissioner McNair supports removal of the agriculture requirement because it applies only to this parcel and there would be no problem with lot coverage. Most of the site will remain in open space.

Vice Chair Wilkes supports removal of the agriculture requirement; it appears to be a bit of a dinosaur. The amendment would bring the City more into conformance with the County's approach to a similar project. He favors making woodland preservation a primary goal for the project; any subsequent agriculture should be subservient. The applicant should work with staff to provide adequate fire equipment access to address potential perimeter fires, since the property backs up to a large open space. He views the project as completion of the building rather than an expansion of it.

It was the consensus of the Commission to support a Zoning Code amendment to eliminate the zoning district's agriculture requirement.