

**RESOLUTION NO. 2021-008**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, ADOPTING A TASTING ROOM POLICY FOR THE COMMUNITY COMMERCIAL AND DOWNTOWN COMMERCIAL ZONING DISTRICTS**

**WHEREAS**, Calistoga Municipal Code (CMC), Title 17 Zoning, provides for and includes regulations for winery tasting room uses; and

**WHEREAS**, winery tasting room uses are allowed in the Downtown Commercial (DC) and Community Commercial (CC) districts with approval of a conditional use permit; and

**WHEREAS**, there is concern that continued increase in tasting rooms in the downtown may reduce the diverse range of uses contributing to a vibrant downtown that attracts and serves locals and visitors; and

**WHEREAS**, the preservation and promotion of commercial diversity meets the objectives and policies of the Land Use Element of the Calistoga General Plan; and

**WHEREAS**, the Planning Commission reviewed the proposed tasting room policy at a public hearing on January 13, 2021 and adopted PC Resolution 2021-3 recommending its approval to the City Council; and

**WHEREAS**, during its review, the City Council considered the public record, including the staff report, findings, and any written materials and testimony presented by the public during the hearing.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALISTOGA DOES HEREBY** adopt the tasting room policy included as Exhibit A.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Calistoga at its regular meeting held **16<sup>th</sup>** day of **February 2021**.

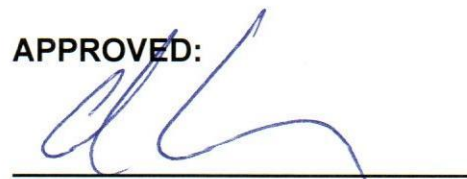
I, Marni Rittburg, City Clerk of the City of Calistoga, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Calistoga at a regular meeting held on the **16<sup>th</sup>** day of **February 2021**, by the following vote:

**AYES:** Councilmembers Kraus, and Williams, Vice Mayor Lopez-Ortega and Mayor Canning  
**NOES:** None  
**ABSENT:** Councilmember Gift  
**ABSTAIN:** None

**ATTEST:**

  
\_\_\_\_\_  
Marni Rittburg, CMC, City Clerk

**APPROVED:**

  
\_\_\_\_\_  
Chris Canning, Mayor

## Exhibit A

### Tasting Room Policy City Council Resolution 2021-008 February 16, 2021

---

This policy establishes considerations for the review and approval of tasting room uses in the Downtown Commercial (DC) and Community Commercial (CC) zoning districts, in recognizing both the demand for tasting rooms and the General Plan objectives and policies to preserve and promote a diversity of uses in the downtown.

The following standards shall be considered by the approving authority in the review of use permit requests for tasting rooms.

---

1. **Permits Per Year.** No more than two use permits shall be approved for the establishment of new tasting rooms in the DC or CC district per calendar year (from January 1<sup>st</sup> to December 31<sup>st</sup>).
2. **Number of Establishments Permitted.** The number of storefronts for tasting rooms shall not exceed the following:
  - a. 12 storefronts along Lincoln Avenue in the DC district.
  - b. 18 storefronts in the DC district as a whole.
  - c. 2 storefronts in the CC district along Washington Street in the CC district.
  - d. 8 storefronts in the CC district as a whole.

For the purposes of this section, a “storefront” shall be considered a building or a portion of a building with an individual street-facing entry that would accommodate a proposed tasting room use.

3. **Secondary Use.** Tasting rooms shall incorporate a secondary use.
  - a. The secondary use shall occupy at least 25% of the net floor area, excluding offices, storage, and restrooms. The approving authority may provide a reduction in the floor area dedicated to the secondary use where the following considerations have been made:
    - i. The layout and size of the tenant space or building present physical limitations that do not feasibly provide for a secondary use at 25% of net floor area;
    - ii. The reduction shall be as close to the 25% standard as practicable; and
    - iii. The secondary use area is clearly identified in the tenant space or building.
  - b. Where the establishment is a ground floor space, the secondary use is encouraged to be located at the front of the establishment or occupy a significant portion of the front of the establishment.
  - c. The secondary use must be distinct from the tasting room use (e.g., sales of wine related paraphernalia do not count towards the required secondary use).
  - d. Locally-serving retail and services are highly encouraged as the secondary use. Partnerships with local non-profit organizations, public service/community-serving groups, local artists, small businesses, start-ups, and other resident-serving businesses or entities are also encouraged.