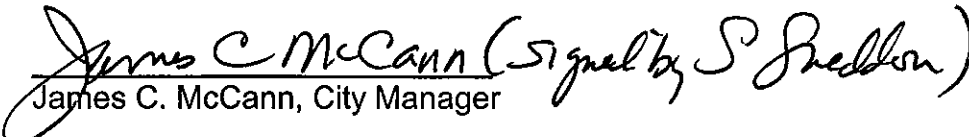


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Dan Takasugi, Public Works Director/City Engineer
DATE: April 15, 2008
SUBJECT: Consideration of a Request for an Exception to the Public Water System Connection Requirement for a Winery Located at 2280 Greenwood Avenue (APN 011-351-017)

APPROVAL FOR FORWARDING:


 James C. McCann, City Manager

1
2 **ISSUE:**
3

4 Consideration of a Resolution regarding a request for an exception to the public water
5 system connection requirement for a proposed winery located at 2280 Greenwood Ave.
6

7 **RECOMMENDATION:**
8

9 Adopt Resolution.
10

11 **BACKGROUND/DISCUSSION:**
12

13 Calistoga Municipal Code (CMC) Section 13.04.170 requires connection to a public
14 water main for all structures in which plumbing is to be installed unless an exception is
15 granted pursuant to the provisions of CMC. Section 13.04.170(B) of the CMC allows
16 owners of existing lots of record to petition the Council for an exception to the
17 connection requirement if the property is located more than 1,000 feet from the nearest
18 water main.
19

20 The City has received a petition from Matthew and Adrian Moye, on behalf of Vincent
21 and Marjorie Arroyo Trust, for such 5an exception for a proposed winery located on 6.20
22 acres at 2280 Greenwood Ave.
23

24 Section 13.04.170(D)(2) of the CMC stipulates that a petition for exception to the public
25 water system connection requirement is to be considered by the Council prior to a

26 determination of completeness of a development application. However, the potential
27 environmental impacts of a private on-site water system should be considered in
28 conjunction with the environmental review of the entire project prior to any project
29 approval. Therefore, staff recommends that the Council hold the public hearing,
30 "consider" this water system connection exception request and allow the development
31 application to continue forward into the environmental and formal public review process
32 before the Planning Commission. The Commission's recommendations, along with the
33 water system connection exception request, will then be brought back to the Council for
34 final action.

35
36 CMC 13.04.170 sets out certain criteria to be considered in the evaluation of petitions
37 for exceptions, including:

- 38
39 (1) The proximity of existing public water mains to the subject property;
- 40 (2) The ability to provide water to the site at pressures adequate for
41 domestic and emergency purposes by unmechanically augmented
42 municipal systems;
- 43 (3) The likelihood of adjoining property(ies) to develop and the need for
44 the extension of public water facilities to accommodate such development;
- 45 (4) The potential environmental effects resulting from the installation of
46 public facilities given the physical conditions and improvements present at
47 the property including but not limited to: slope, soil conditions, tree cover,
48 existing features and structures, etc. which might present constraints to
49 the extension of the public water facilities;
- 50 (5) The physical conditions and improvements present at the property
51 including but not limited to: slope, soil conditions, tree cover, existing
52 features and structures, etc. which might present significant on-going
53 costs for maintenance of the public facilities;
- 54 (6) The ability to provide public service to the frontage of adjoining
55 property(ies);
- 56 (7) The adequacy of the proposed private system to provide adequate
57 water flow rates, pressure and facilities to address domestic and
58 emergency needs as determined by the Director of Public Works and the
59 Fire Chief;
- 60 (8) The adequacy of the proposed private system to satisfy the
61 requirements of the Napa County Environmental Health Department.
62

63 The City water main is approximately 1,800 feet from this parcel. If the water line were
64 to be extended it would require a crossing at Garnett Creek on Greenwood Avenue.
65 Most of the surrounding properties are served by private wells. The adequacy of the
66 proposed private water system to serve the proposed use would be evaluated by the
67 Public Works and Fire Departments and Napa County Environmental Management
68 Division through the environmental review process and at the time of building permit
69 issuance. Based on the above-mentioned facts, Staff is supportive of a water
70 connection exception in this case.

71
72 Staff finds that the proposal meets the criteria for an exception and that such an
73 exception would be appropriate in this particular case. Staff recommends that this
74 request for a water connection exception be considered, not denied and allowed to
75 proceed through the environmental impacts review process.

76
77 **FISCAL IMPACT:** None

78
79 **ATTACHMENTS**

- 80 1. Draft Resolution
81 2. Petition (with map)

RESOLUTION 2008- _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,
COUNTY OF NAPA, STATE OF CALIFORNIA,
CONSIDERING AN EXCEPTION TO THE WATER CONNECTION
REQUIREMENT FOR A PROPOSED WINERY IN THE RURAL RESIDENTIAL
DISTRICT LOCATED ON GREENWOOD AVENUE (APN 011-351-017)**

WHEREAS, Section 13.04.170 of the Calistoga Municipal Code requires connection to a public water main for all structures in which plumbing is to be installed, unless an exception is granted pursuant to the provisions of CMC Section 13.04.170(B); and

WHEREAS, the City received a petition from Matthew and Adrian Moye on behalf of Vincent and Marjorie Arroyo for an exception to the water service connection requirement for a proposed winery with a General Plan Land Use designation of Rural Residential located on Greenwood Avenue (APN 011-351-017); and

WHEREAS, the petition has been evaluated with respect to the criteria established in Section 13.04.170 and Staff is supportive of granting a water connection exception; and

WHEREAS, the City Council conducted a public hearing on this matter on April 1, 2008, at which time all interested individuals were given an opportunity to be heard.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Calistoga does hereby authorize the project to continue through the environmental impact review process and if approved by the Planning Commission, the project will be considered again by the City Council for a final decision on the water connection exception request.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this 15th day of April 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JACK GINGLES, Mayor

ATTEST:

SUSAN SNEDDON, City Clerk