

BILL EMLN
 Director
 (707) 784-6765

TERRY SCHMIDTBAUER
 Assistant Director
 (707) 784-6765

MIKE YANKOVICH
 Planning Services Manager
 (707) 784-6765

DEPARTMENT OF RESOURCE MANAGEMENT



SOLANO COUNTY

675 Texas Street, Suite 5500
 Fairfield, CA 94533-6342
 (707) 784-6765
 Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 U-07-05-MR1**

Application No. U-07-05-MR1 Thomas West (Rock Creek Vineyard)		Meeting of April 19, 2018 Agenda Item No. 4	
Applicant Thomas West 4610 Green Valley Road Fairfield, CA 94534		Property Owner Thomas West 4610 Green Valley Road Fairfield, CA 94534	
Action Requested Consideration of Minor Revision No. 1 to Land Use Permit U-07-05 to amend the existing conditions of approval for the operation of a winery with a maximum production capacity of 1,000 gallons per annum within an existing barn and recognize the continued use of secondary dwelling within the barn.			
Property Information			
Size: 2.5 ac.		Location: 4610 Green Valley Road	
APN: 0153-040-080			
Zoning: RR-2.5 (Rural Residential)		Land Use: Residential	
General Plan: Rural Residential		Ag. Contract: n/a	
Utilities: City of Vallejo water and onsite septic system		Access: Green Valley Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Residential	RR-2.5 (Rural Residential)	Residential
South	Residential	RR-2.5 (Rural Residential)	Residential
East	Residential	RR-2.5 (Rural Residential)	Rockville Trails Park
West	Residential	RR-2.5 (Rural Residential)	Residential
Environmental Analysis The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.			
Motion to Approve: The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Use Permit No. U-07-05-MR1 based on the enumerated findings and subject to the recommended conditions of approval			

SITE DESCRIPTION

The subject property consists of ±2.5 acres and is developed with three structures. They include a ±2,800 square foot single family residence, a ±1,000 square foot detached garage and a ±4,800 square foot barn. The residence is located adjacent to the eastern property line. The detached garage is located in the southeast corner of the property and the barn is located in the southwest corner of the property. The barn includes an existing winemaking operation and a ±690 square foot secondary dwelling. Access to the property is from a shared private 20-foot wide road off of Green Valley Road, which serves three other parcels. Adjacent land uses consist of rural residential home sites, open space and grazing.

PROJECT DESCRIPTION

The applicant presently produces wine for wholesale and retail sales to local restaurants, wine stores, and their own wine club and customers, pursuant to use permit U-07-05. The use was approved as a rural residential enterprise. Since 2007, the County's zoning regulations have been amended and land uses previously classified as rural residential enterprises have been reclassified as cottage industries. The proposed minor revisions to the use permit will not enlarge or expand the use beyond what was approved in 2007, but will clarify the conditions under which the use must be operated.

The property, including the existing winemaking operation, is served by an existing septic system. The increase in winery wastewater would also be handled by the existing septic system via an existing floor drain in the barn that leads to the septic system. The Environmental Health Division has approved the use of the existing septic system for the winery wastewater. Water for the property is provided by the City of Vallejo.

Although the winery is approved to produce 1,000 gallons of wine per year it has not reached that level yet. Once it does approximately 9 tons of grapes will be needed to produce 1,000 gallons of wine per year. The wine produced would come from grapes grown both on- and off-site. Approximately 4 to 5 (±50%) tons would come from off-site grapes each year. The applicant will transport the off-site grapes to the site via a personal truck with a small trailer capable of transporting approximately one ton per trip, resulting in 4 to 5 truck trips each year. These trips would occur primarily during the months of August and September and occasionally October. Therefore, there would be approximately 2-3 truck trips per month during the 2 to 3-month harvest/crush period. The applicant has no employees that would generate additional traffic.

After the grapes are processed the wine is stored in the barn. Customers can arrange to pick up their wine consignment and participate in wine tastings. Tastings and wine pickup occur outside the barn consisting of a small gathering of no more than ten people. Parking is provided on-site and include a handicapped parking stall with all-weather access. Included in the barn is an existing 690 square foot secondary dwelling. Although a new secondary dwelling could not be created within an accessory building such as a barn under current land use regulations, the existing secondary dwelling is allowed as a legal nonconforming use.

CONDITION MODIFICATION

The original use permit included a condition, No. 7, which states the general provisions regarding the conduct of a use. This minor revision is specific to the use and indicates that due to building code issues there will be no public or commercial wine tasting or events allowed in the barn.

LAND USE CONSISTENCY

The parcel is designated Rural Residential by the Solano County General Plan Land Use Diagram. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the RR-2.5 (Rural Residential) Zoning District is consistent with this designation.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Use Permit No. U-07-05-MR1, subject to the recommended conditions of approval.

MINOR USE PERMIT MANDATORY FINDINGS

- 1. That the establishment, maintenance or operation of the use or building is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

The establishment and operation of a rural residential enterprise is consistent with Chapter V, Residential Land Use, of the Solano County Land Use and Circulation Element since the facility will be incidental to and subordinate to the residential use of the property and will not have an adverse impact on any public facilities or services.

- 2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Existing access to the site is from a private shared road off of Green Valley Road, and power currently exists at the site. The City of Vallejo has determined that the project could be served by the existing water connection. A report was prepared and confirmed by Environmental Health which demonstrated that the existing septic system could handle the increase in winery wastewater.

- 3. The subject use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

The proposed use will be located entirely within the existing on-site barn, except for wine tastings and pick-up, which will occur outside the barn. Though winemaking equipment will be used in the barn, it is not anticipated that there will be a noise nuisance to neighbors. This combined with the distance to the nearest offsite residences will ensure that noise will be minimal. Traffic generated as a result of the proposed use would not exceed those levels considered normal for rural residential neighborhoods with minimal agricultural production. As such, there will be no significant degradation of the neighborhood or the County's health, safety, peace, morals, comfort, or general welfare.

CONDITIONS OF APPROVAL

1. The proposed rural residential enterprise shall be established in accordance with the information dated May 30, 2007 and plans dated April 26, 2007, submitted with U-07-05 on April 26, 2007 by Thomas West and information submitted as part of U-07-05 MR1 dated March 28, 2018, and approved by the Solano County Zoning Administrator.
2. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts, which constitute a hazard or nuisance to surrounding properties.
3. Any expansion or change in the use may require a new or modified use permit and further environmental review. Any expansion shall be required to have County approval prior to the expansion. This condition includes adding a non-resident employee at any time.
4. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plan without prior approval of new permits or minor revisions to the permits.
5. The applicant shall be required to obtain the necessary permits and/or licenses from any applicable agency, including but not limited to the U.S. Tax and Trade Bureau, the California Department of Alcoholic Beverages and the California State Board of Equalization, City of Vallejo Water Division and Solano County Environmental Health Division.
6. The applicant shall obtain a business license from Solano County for the proposed rural residential enterprise and maintain compliance with all of its requirements.
7. All of the following regulations shall be met relating to the rural residential enterprise (Winery):
 - a. The winery use shall not exceed a total area of one thousand five hundred square feet of indoor and outdoor space, of which a maximum of five hundred square feet of outdoor space may be devoted to sales or services directly involving wine club members. The accessory dwelling shall be physically separated from the remainder of the barn square footage. Due to building code issues there will be no public or commercial wine tasting or events allowed in the barn.
 - b. The winery shall be operated by the resident family only.
 - c. The applicant shall provide sufficient on-site parking for winery club members including a handicapped parking space.
 - d. Winery club members/customers may come to the premises between the hours of 8:00 am till 6:00 pm. No more than ten winery club members/customers may be present on the premises at any time.
 - e. The winery shall remain secondary to the residential use of the property and shall be located behind the front building line of the residence, and a minimum of twenty feet from side property lines and twenty-five feet from rear property lines.

- f. Signs shall be limited to one non-illuminated name plate not to exceed twenty square feet mounted on or directly adjacent to the residence or proposed use. No advertising signs shall be permitted.
 - g. Areas dedicated to outside storage or use shall be adequately screened or fenced so as not to have a visual impact on neighboring properties.
8. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
9. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit, April 19, 2018. The cost associated with the periodic reviews shall be charged at that time.