



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

MEETING DATE June 6, 2014 EFFECTIVE DATE June 20, 2014	CONTACT/PHONE Rob Fitzroy 781-5179	APPLICANT Craig Stoller	FILE NO. DRC2013-00014
SUBJECT Request by Craig Stoller for a Minor Use Permit to allow for the construction of a 13,525 square foot (S.F.) production winery that would be constructed in two phases. Phase I construction would include one building totaling 6,350 S.F. that includes: tank room (3,335 S.F.), fermentation room (1,400 S.F.), office/lab (625 S.F.), and a caretakers unit (970 S.F.). Phase 2 construction would include an additional 7,175 S.F. building that would include: a barrel storage room (4,700 S.F.), and 2 additional wine storage rooms (2,475 S.F.). Areas outside of the winery building that are connected by a breeze way would include a covered crush pad (8,085 S.F.) and a deck (480 S.F.). The project does not include public tasting or special events. The project will disturb 2.5 acres of the 114 acre parcel. The project is located within the Agriculture land use category, on the northwest quadrant of the South El Pomar Road and Almond Drive intersection, in the El Pomar/Estrella planning area, approximately 7 miles east of the community of the community of Templeton.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2013-00014 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 23, 2014 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, and wastewater, and are included as conditions of approval.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 033-291-034	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: No applicable planning area standards.			
LAND USE ORDINANCE STANDARDS: Section 22.30.070 Agricultural Processing Uses Does the project conform to the Land Use Ordinance standards? : Yes - see discussion			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on June 6, 2014, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Vineyards			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture / agricultural uses, single-family residences <i>East:</i> Agriculture / agricultural uses, single-family residences			

<i>South:</i> Residential Rural / single-family residences single-family residences		<i>West:</i> Agriculture / agricultural uses, single-family residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Agricultural Commissioner, Cal Fire, APCD, Building Division, RWQCB, City of Paso Robles, and City of Atascadero.			
TOPOGRAPHY: Gently sloping to moderately sloping		VEGETATION: Vineyards, oak trees	
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Cal Fire		ACCEPTANCE DATE: November 27, 2013	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ◆ SAN LUIS OBISPO ◆ CALIFORNIA 93408 ◆ (805) 781-5600 ◆ FAX: (805) 781-1242			

DISCUSSION

PROJECT HISTORY

The currently proposed winery project was originally approved on April 3, 2009. The applicant did not commence construction or obtain a time extension for the 2009 approval, and the previously issued Minor Use Permit expired. The current request for a Minor Use Permit and proposed winery is identical to the previously approved winery.

PROJECT DESCRIPTION

The proposed project is a production winery operation in which all typical wine making activities can be conducted on-site including harvest, crushing, fermentation, barrel aging, blending, bottling, and case storage. The proposed winery will only use grapes that are grown on-site. The applicant is requesting an operational capacity of 15,000 cases per year. No special events or tasting rooms are proposed.

The project would include the construction of a 13,525 square foot (S.F.) production winery that would be constructed in two phases.

Phase I would include one building totaling 6,350 S.F. that includes:

- Tank room (3,335 S.F.),
- Fermentation room (1,400 S.F.),
- Office/lab (625 S.F.),
- Caretakers unit (970 S.F.).

Phase 2 to be completed by 2020 would include an additional 7,175 S.F. building that would include:

- Barrel storage room (4,700 S.F.),
- Two additional storage rooms (2,475 S.F.).
- Areas outside of the winery building that is connected by a breeze way would include a covered crush pad (8,085 S.F.) and a deck (480 S.F.).

LAND USE ORDINANCE STANDARDS

The project is subject to Land Use Ordinance section 22.30.070D(2), wineries. Section 22.30.070 sets forth standards for winery development including but not limited to access, setbacks, parking, design, screening, height, and lighting. As conditioned the project complies with the applicable requirements of the Land Use Ordinance. See chart below:

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Minimum Site Area (Section 22.30.070)	20 acres	114 acres	Yes
Setbacks from residences outside of the ownership of the applicant (Section 22.30.070)	200 feet for wine processing buildings	Over 700 feet	Yes
Setbacks from property lines: (Section 22.30.070)	100 feet required for wine processing buildings	120 feet	Yes
Height (Section 22.30.070)	35 feet	25 feet	Yes
Design Standards (Section 22.30.070)	Agricultural or residential in nature	Agrarian character	Yes
Liquid waste disposal (Section 22.30.070)	<ul style="list-style-type: none"> Winery wastewater - standards set through RWQCB Domestic wastewater - leach lines shall be located at least 100 feet from any private well 	<ul style="list-style-type: none"> Conditioned for waste discharge permit from RWQCB Conditioned to provide information to Environmental Health Department to comply 	Yes, as conditioned
Solid waste disposal (Section 22.30.070)	Pomace may be used as fertilizer or soil amendment	Pomace will be composted on site	Yes, as conditioned
Lighting (Section 22.30.070)	Lighting fixtures are required to be shielded	Future lighting is conditioned to follow ordinance requirements	Yes, as conditioned

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Screening/ Landscaping (Section 22.30.070)	Screening if visible from public road	Vegetation screening is required	Yes, as conditioned
Parking 1 per 2,000 sf active 1 per 5,000 sf of storage (Section 22.30.070)	Total required: 9 spaces	9 spaces	Yes

STAFF COMMENTS:

Building Design:

In the Agriculture, Rural Lands or Residential Rural land use categories, all structures associated with the winery (including production facilities) shall have an exterior design style that is agricultural or residential in nature using non-reflective siding and roofing materials. Structures shall not use an exterior design style typically associated with large industrial facilities unless the facility is proposed in the Commercial Service or Industrial land use categories.

In the original application, the building design did not meet design standards of Section 22.30.070 (which require agrarian design character) due to the industrial character of the design. At the time of approval in 2009, the applicant redesigned the winery building to reflect an agrarian style with moderate contemporary elements. The applicant agreed to the use of dark muted exterior colors to reduce contrast and reflectivity, and the planting of landscaping to mask building size. It was determined at that time based on visual simulations provided and architectural renderings that the winery building would blend in with the agrarian setting. The current Minor Use Permit request would incorporate the previously approved design. The visual simulations prepared in 2009 are attached for reference. Staff has concluded that the project would not result in significant aesthetic impacts.

Paso Robles Groundwater Basin – Urgency Ordinance 3246:

The project is located within the Paso Robles Groundwater Basin and is located in the Urgency Ordinance area. Per Section 7(A) of the Ordinance, the project is considered to be “new development” and is thus required to obtain an Offset Clearance and offset new water demand at a minimum ratio of 1:1. The applicant has provided water demand and offset calculations as prepared by a registered professional engineer dated October 24, 2013. The demand of the proposed winery is estimated to be 1.02 acre feet per year. The proposed project would remove 2.5 acres of existing irrigated on-site vineyards. The removal of 2.5 acres of vineyards would save approximately 3.75 acre feet per year. Thus, the project would exceed the minimum offset 1:1 by providing an offset ratio of 3.6:1. As a result, the proposed project meets the requirements of Ordinance 3246 and would have a less than significant impact on water supply. To further reduce water consumption, the project has been conditioned that plants used for landscaping shall be from the county approved plant list and shall be drought tolerant.

The project proposes to use an on-site well as its water source. The Environmental Health Division has reviewed the project (September 11, 2013) and had no concerns. Percolation testing was performed on site in accordance with San Luis Obispo standards. The percolation rates were 30 (Min./Inch). The site is suitable for the proposed development (Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC dated June 12, 2008).

COMMUNITY ADVISORY GROUP COMMENTS: Templeton Area Advisory Group
The advisory group reviewed the project and supported it at their January 16, 2014 meeting.

AGENCY REVIEW:

Public Works – No concerns;

Environmental Health – No concerns;

Ag Commissioner – No concerns;

CAL FIRE – No comments submitted;

Air Pollution Control District – No concerns;

California Department of Fish and Wildlife – No comments submitted;

Regional Water Quality Control Board– No comments submitted.

LEGAL LOT STATUS:

The underlying lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Rob Fitzroy and reviewed by Steve McMasters.