



EL DORADO COUNTY DEPARTMENT OF AGRICULTURE
WEIGHTS AND MEASURES

STAFF REPORT

August 31, 2012

TO: The Agricultural Commission

FROM: Chris Flores, Senior Ag Biologist

SUBJECT: Oakstone Winery (Smith, John and Susan); APN 095-080-56, S04-0001R

Parcel Description:

- Property Address: 6470 Irish Acres Road, Fair Play
- Parcel Acreage: 21 acres
- Vineyard Acreage: over 5 acres
- Ag District: Yes – Fairplay/Somerset Ag District
- Land Use Designation: Rural Residential (RR)
- Zoning: Agricultural Preserve (AP)
- Parcel is in Williamson Act Contract # 293
- Soil Types from Greatest Amount to Least Amount: HkE – Holland Very Rocky Coarse Sandy Loam 15 to 50% Slopes, HgC – Holland Coarse Sandy Loam 9 to 15% Slopes, and HhC – Holland Rocky Coarse Sandy Loam 5 to 15% Slopes
- Average Elevation of Parcel: 2200 feet
- Winery is accessed from a non-county maintained road.

Planning Request:

- Planning Services has requested a review and recommendation of a revision to Special Use Permit S 04-0001, by the Agricultural Commission.

Project Description:

- The applicants are requesting that the following uses be added to Special Use Permit S04-0001:
 - i) Public wine tasting in accordance with 17.14.200.C.2.a – “Tasting facilities shall be clearly related, and subordinate to the primary operation of the bonded winery as a production facility. The primary focus of the tasting facilities shall be the marketing and sale of the wine and grape or fruit products produced, vented, cellared or bottled at the winery. Snack foods that are consumed during wine tasting are allowed.”

- ii) The sale of wine, on-site, to the public in accordance with 17.14.200.C.2.b – “Retail sales of wine fruit products shall be limited to those produced, vented, cellared or bottled by the winery operator or grown on the winery lot, or custom crushed at another facility for the winery operator, subject to the provisions of an ABC Type 2 Winegrower’s license. (The ABC Type 2 Winegrower’s license requires that at least 50 percent of the wine sold be produced by the winery).”
 - iii) Marketing activities in accordance with 17.14.200.C.2.c – “Tasting facilities include any marketing activities sponsored by a winery facility intended for the promotion and sale of the facility’s products. Activities of a marketing event may include, but are not limited to, live music, catered food, food prepared on premises, winemaker dinners, releases, library wines, discontinued sales, “bottle-your-own”, and similar activities, including amplified outdoor music subject to the County noise ordinance but may not include concerts or events which include more than one facility, or events sponsored by or for the benefit of an organization other than the facility.”
 - iv) Picnic areas in accordance with 17.14.200.C.8 – “Picnic areas shall be subordinate to the winery and tasting room.”
 - v) Retail sales in accordance with 17.14.200.C.9 – “Retail sales of merchandise, art, prepackaged food items properly labeled in accordance with the California Health and Safety Code shall only be allowed within the tasting facilities and shall not be under any circumstances located in a separate structure. Sales of non-wine merchandise shall be subordinate to the wine sales.”
- The following required development standards, as defined in 17.14.200.E, have been met by the applicants:
 - i) The project site has an established commercial vineyard of over 5 acres of wine grapes that are being properly maintained and are producing a commercial crop.
 - ii) The existing winery building is setback a minimum of 50 feet from all property lines.
 - iii) Permanent parking spaces have been delineated, as well as an ADA compliant parking space, on an asphalt surface.
 - iv) As the project site is located off of a non-county maintained roadway, the applicants recently had the private road paved from the county maintained road, Slug Gulch, to the winery entrance/exit. The private road was previously graveled from the county maintained road.
 - The applicant’s request does not require expansion of the existing winery building, nor does it require the removal of any existing grape vines. The requested uses are secondary and subordinate to the agricultural production of the subject parcel and further promote the agricultural industry of El Dorado County.



Vineyard on subject parcel



Existing winery



Existing winery building and parking spaces



Newly paved private road accessing winery

Staff Recommendation: Staff recommends APPROVAL of S04-0001R, John and Susan Smith's request for a tasting room and additional uses, as the project is secondary and subordinate to the agricultural use and will have no significant adverse effect on agricultural production on the subject parcel or surrounding properties and is therefore compatible with the Williamson Act Contract, all proposed uses are in conformance with the current Winery Ordinance, and all of the findings can be made for General Plan Policy 8.1.4.1, "...the proposed use:

- A) *Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and*
- B) *Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and*
- C) *Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.*