

**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
PLANNING COMMISSION
STAFF REPORT**



Agenda of: November 8, 2018

Staff: Isaac Wolf

CONDITIONAL USE PERMIT

FILE NUMBER: S18-0003/Marcelais Mine Winery

APPLICANT: Marcy Harmon Kim

OWNERS: Gar and Mary Harmon

REQUEST: Conditional Use Permit request to allow operation of a microwinery with no on-site sales or tasting room.

LOCATION: North side of Marcelais Road, approximately 0.6 mile south of the intersection with Mother Lode Road, in the El Dorado area, Supervisorial District 2. (Exhibit A)

APN: 090-250-34 (Exhibit B)

ACREAGE: 40.192 acres

GENERAL PLAN: Rural Residential (RR) (Exhibit C)

ZONING: Rural Lands, 10-Acre Minimum (RL-10) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to 15303(c) of the CEQA Guidelines (New Construction or Conversion of Small Structures)

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

1. Find the project to be Categorically Exempt pursuant to California Environmental Quality Act Section 15303(c); and
2. Approve Conditional Use Permit S18-0003 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of this Conditional Use Permit would allow a micro-winery with no on-site sales or tasting room to operate in existing facilities located on the project parcel in the El Dorado area. Micro-wineries are an allowed by Conditional Use Permit in the RL zone district. The project is consistent with the El Dorado County General Plan policies and Zoning Ordinance requirements.

PROJECT INFORMATION

Site Description: The project site is located on the north side of Marcelais Road, approximately .6 miles south of the intersection with Mother Lode Road, in the El Dorado area. It is surrounded by RL-10 zoned lands on all sides (Exhibit D). The parcel lies at approximately 1,600 feet above mean sea level (Exhibit A). The vineyard is approximately 5 acres in size and was originally planted in the 1980s. Some of the vines were replanted in the 2000s. Current improvements on the property include a residence, a barn and an inspection-exempt barn. All buildings are served by on-site well and septic. The project is on private property, behind the property owners' house. There is no additional fencing to the site beyond the fence that marks the entire parcel. The applicant will install another septic system for the sole use of the winery system upon approval of the Conditional Use Permit in accordance with requirements from the County Environmental Management Department.

Project Description: The project would allow the operation of a micro-winery with no on-site sales or tasting room. The operation would utilize the existing 1,500 square-foot barn structure. Current farming/vineyard operations, which are allowed on the site by-right, would continue. Section 130.40.400 of the Zoning Ordinance states that the capacity of the micro-winery shall not exceed 250 cases (595 gallons) for each acre of wine grapes grown on the lot. Therefore, the applicant is permitted to produce up to 1,250 cases or 2,975 gallons from the five existing acres of wine grapes. The applicant proposes a production level of 400 cases of wine per year (Exhibit F).

The use permit would add the production of wine on site, which would include grape crushing, fermentation, and bottling. A manually operated basket press would be used for pressing, and fermentation and storage would be done in on-site barrels.

Proposed operations are to be conducted in developed portions of the site, and no additional structures, improvements, or operations are proposed for the undisturbed and undeveloped portions of the site. All agricultural and processing operations are to be done by the applicant, and/or the applicant's parents, who own the property. The site is secure with the entire vineyard being fenced. No signs are proposed as part of the project.

No public on-site sales, and no public wine tasting, special events, or general public access is proposed. Wines sales are to be conducted by online sales only.

ENVIRONMENTAL REVIEW

The project qualifies for Categorical Exemption from the requirements of California Environmental Quality Act (CEQA) pursuant to Section 15303(c) (New Construction or Conversion of Small Structures), which allows the conversion of existing small structures from one use to another for structures not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.

A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption (NOE). The filing of the NOE is optional; however, not filing the NOE extends the statute of limitations for legal challenges to the project from 35 days to 180 days.

CONSISTENCY

As discussed in the findings section below, the project conforms with General Plan policies regarding land use compatibility, site adequacy, and agriculture promotion, as well as all Zoning Ordinance provisions including consistency with applicable development standards. Conditions of approval have been imposed to regulate the renovation of the inspection-exempt barn, to minimize noise impacts on the surrounding parcels and to comply with the standards of the Environmental Management Department.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings	
Conditions of Approval	
Exhibit A.....	Location Map
Exhibit B.....	Assessor's Parcel Map
Exhibit C.....	General Plan Map
Exhibit D.....	Zoning Map
Exhibit E.....	Aerial Map
Exhibit F.....	Site Plan
Exhibit G.....	Agricultural Commission Memo, April 11, 2018