



## Legislation Details (With Text)

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**Title:** Hearing to consider an appeal of Condition 8 imposed on Special Use Permit S06-0025 requiring verification of the existence of 30 feet of County right-of-way or irrevocably offering to dedicate in fee 30 feet of right-of-way along the entire on-site frontage along Greenstone Road prior to initiating the use; said property consisting of 9.723 acres identified as APNs 319-070-09 and -11 in the Greenstone area; Appellant: Robert and Kathleen Hall. (District IV)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. S06-0025 Attachment 1.pdf, 2. S06-0025 Findings Conditions.pdf, 3. S06-0025 Minutes 042607.pdf, 4. S06-0025 Staff Report.pdf

Date	Ver.	Action By	Action	Result
6/5/2007	1	Board Of Supervisors	Approved	Pass

Hearing to consider an appeal of Condition 8 imposed on Special Use Permit S06-0025 requiring verification of the existence of 30 feet of County right-of-way or irrevocably offering to dedicate in fee 30 feet of right-of-way along the entire on-site frontage along Greenstone Road prior to initiating the use; said property consisting of 9.723 acres identified as APNs 319-070-09 and -11 in the Greenstone area; Appellant: Robert and Kathleen Hall. (District IV)

**RECOMMENDED ACTION:** Planning Services recommends the Board deny the appeal, thereby upholding the action of the Planning Commission to approve Special Use Permit S06-0025, based on the findings and subject to the conditions listed on Attachment 2

Background: Special Use Permit S06-0025 was approved by the Planning Commission on April 26, 2007, to allow a small winery as a home occupation with a limit of 500 cases annually. Due to the zoning, size of the property, and the limited on-site grape production, no retail sales, tasting, or other accessory uses are permitted.

The Department of Transportation recommended that Condition 8 be imposed based on General Plan Implementation Measure TC-E, which directs the County to protect rights-of-way for future road improvements. Greenstone Road is identified in the Transportation and Circulation Element as a 2-Lane Regional Road. There are no improvements identified through 2025 except for spot improvements.

The appellants believe the condition is unreasonable based on the size and nature of the project. Please see the appeal form (Attachment 1) for details.

Condition 8 reads as follows:

8. The applicant shall verify the existence of 30 feet of County right of way or irrevocably offer to dedicate (IOD), in fee, 30 feet of right of way along the entire on-site frontage along Greenstone Road, and shall be accomplished prior to initiating the use. This offer will be accepted by the County.

Contact: Gregory L. Fuz (5445)/Lawrence W. Appel (7698)/Peter N. Maurer (5331)

Attachment 1 - Appeal form

Attachment 2 - Findings/Conditions of approval

Attachment 3 - Minutes from Planning Commission hearing on April 26, 2007

Staff Report dated April 26, 2007