

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: AUGUST 25, 2015

ITEM 2 - PUBLIC HEARING – REQUEST FOR ZONE CHANGE FROM THE “R1A,” SINGLE FAMILY RESIDENTIAL AND AGRICULTURAL DISTRICT TO THE “A,” AGRICULTURAL DISTRICT TO ALLOW EXPANDED WINERY USES (APN: 014-170-026).

APPLICANT: Thomas E. and Sarah Malone Trust

SUPERVISORIAL DISTRICT: V

LOCATION: 21090 Ostrom Road, approximately 1 mile north of Fiddletown Road.

- A. DESCRIPTION:** This application is a request to rezone 21.50 acres to allow for expanded, by-right uses associated with a future winery. The current and proposed zoning districts are consistent with the General Plan designation of A-G, Agricultural-General (1 family per 40 acre population density). Rezoning the property to “A” will increase the uses permitted by-right to include winery operations that include a tasting room, on-site retail wine sales, and special events/social gatherings without the need for a Use Permit.
- B. STAFF REVIEW:** This project was reviewed by County departments which found no technical objections to the Planning Commission recommending approval of the Zone Change to the Board of Supervisors along with the adoption of a Notice of Exemption.
- C. PLANNING COMMISSION ACTION:** The first action of the Planning Commission should be a decision on the adequacy of the environmental document, proposed to be a Notice of Exemption (Categorically Exempt per Section 15183) because the zone change is consistent with the current and proposed General Plan designations for the area. Next, the Commission must make a recommendation on the requested Zone Change to the Board of Supervisors.
- D. FINDINGS:** If the Planning Commission recommends approval of this project, the following findings are recommended for adoption:
1. The Zone Change is consistent with the surrounding land uses and the Amador County General Plan, Land Use Element at this location; and,
 2. A review of the proposal was conducted by staff who, through their own research, found that the Zone Change will not have a significant effect on the environment and is Categorically Exempt from CEQA per Section 15183. Therefore, a Notice of Exemption will be adopted and filed with the County Recorder.

2C-157-1

810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6380

website: www.co.amador.ca.us
e-mail: planning@co.amador.ca.us



PLANNING DEPARTMENT LAND USE AGENCY COUNTY ADMINISTRATION CENTER

APPLICATION FOR ZONE CHANGE

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Application for a zoning change shall include the following:

1. A. Name of Property Owner TOM MALONE
 Mailing Address 21090 OSTRUM RD
FIDOLETOWN, CA 95629
 Phone Number 209-245-3698

B. Name of Applicant STEVE SWASON
 Mailing Address 12800 SHENANDOAH ROAD
PLYMOUTH, CA 95669
 Phone Number 209-245-4376

C. Name of Representative _____
 Mailing Address _____
 Phone Number _____

- 2. Assessor Parcel Number(s) 014-170-026
- 3. Letter of application explaining purpose of request, description of proposed uses, and other pertinent information. **Note: It is to your benefit to be as specific as possible with your application information.**
- 4. Letter of authorization if landowner is being represented by another party.
- 5. Submit a plot plan of parcel showing location of project in relation to property lines and any existing structures/improvements (roads, parking areas, etc.) on the property as well as all proposed structures/improvements (may wish to make separate maps). **NOTE: An Assessor Plat Map can be obtained from the Surveying and Engineering Department for the purpose of aiding in drawing of the plot plan.**
- 6. Copy of deed(s) to property.
- 7. Completed Environmental Information Form and Indemnification Agreement.
- 8. Filing fee of \$_____ (see attached schedule of fees). \$656.00 - Planning
- 9. Application Form to be signed at the time of project presentation in the Planning Department. \$144.00 - Env. Health MD023061

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7.8.15

AG PLAN

RE: 21090 ASTRON
ZONING CHANGE

LETTER OF APPLICATION

THE INTENT OF THIS ZONING APPLICATION CHANGE IS TO ALLOW THE OWNERS TO GROW GRAPES, PRODUCE WINE AND HAVE A FACILITY TO SELL TO THE PUBLIC IN A VERY TASTE FULLY DONE TASTING ROOM.

PLEASE DIRECT ANY QUESTIONS TO ME.

SINCERELY

STEVEN

c. steven swason

ARCHITECT

12800 Shenandoah Road • Plymouth, CA 95669
Phone: (209) 245-4376
Fax: (209) 245-5613
Cell: (415) 297-1946

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21090 OSTROM RD
FIDOLETOWN
APN 014-170-026

WRITTEN PROJ. DESCRIPTION

- | | |
|---|------------|
| 1. 21.5 ACRES | |
| 2. EXIST'G RESID: 1 STORY OVER GARAGE | 884# |
| PROPOSED WINERY | 2000# |
| " TASTING | 2000# |
| 3. STORIES | 1 |
| 4. PARKING | TBD |
| 5. WATER | WELL |
| 6. SEWAGE | SEPTIC |
| 7. PLANS | ATTACHED |
| 8. SCHEDULE | 2016 |
| 9. PHASING | WINERY/TBL |
| 10. ASS'G. PROJ. | NA. |
| 11. SUBDIV | NA |
| 12. RESID | NA |
| 13. COMM. EMPLOY | 4 |
| 14. INDUST. | NA. |
| 15. INST. | NA. |
| 16. ZON'G CHANGE
TO ALLOW TASTING ROOM | |

ENVIRONMENTAL INFORMATION FORM

JUL - 8 2015

(To be completed by applicant; use additional sheets as necessary.)
Attach plans, diagrams, etc. as appropriate.

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GENERAL INFORMATION

Project Name: TOM MALONE ZONING CHANGE: AC1-A TO A

Date Filed: _____ File No. _____

Applicant/ Developer	<u>STEVE SWASON</u>	Landowner	<u>TOM MALONE</u>
Address	<u>12800 SHENANDOAH RD PLYMOUTH, CA 95669</u>	Address	<u>21090 OSTRUM RD FIDDLETOWN, CA 95629</u>
Phone No.	<u>209-245-4376</u>	Phone No.	<u>209-245-3698</u>

Assessor Parcel Number(s) 014-170-026

Existing Zoning District AC1-A

Existing General Plan AC1

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies: AMADOR CO. PLANNING

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

ADDITIONAL INFORMATION Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

- 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
- 18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
- 19. Change in pattern, scale, or character of general area of project.
- 20. Significant amounts of solid waste or litter.
- 21. Change in dust, ash, smoke, fumes, or odors in the vicinity.
- 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
- 23. Substantial change in existing noise or vibration levels in the vicinity.
- 24. Site on filled land or has slopes of 10 percent or more.
- 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
- 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
- 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
- 28. Does this project have a relationship to a larger project or series of projects?

ENVIRONMENTAL SETTING

- 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned).
- 30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
- 31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 7.8.15

C. Swason
(Signature)

For TOM MALONE

Location Map

- ⊙ Cities and Communities
- Transportation
 - One Way Road
 - Primary Road
 - Secondary Road
 - - County Route
 - - State Highway
 - - Unimproved Road
- Administrative Boundaries
 - City Limits
 - Amador County Boundary
 - Parcels



1" = 885 ft

Aerial photography, if displayed,
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Notes



The County of Amador assumes no responsibility arising from use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County Office.

Amador County GIS Viewer
Amador County Information Technology Dept.
810 Court St, Jackson, CA 95842

August 13, 2015



From: Tom Malone <sixmalones@gmail.com>
Subject: **21090 Ostrom Rd.**
Date: July 6, 2015 2:48:43 PM PDT
To: steve@swason4.com
▶ 1 Attachment, 18.0 KB

Hello Steve, I have attached the assignment letter. I will have my son put the Deed in the front of my Red Envoy in the driveway. Also, When I get back, on the 17th, I can mark locations for winery building for you. If my son cannot find deed we will have to take care of when I get back. I will leave message on your cell. Thanks Tom

June 28, 2015

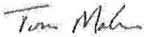
To: Amador County Planning Department
810 Court Street
Jackson, CA 95642-2132

To whom it may concern:

My Architect, Steve Swason will be acting on my behalf and as my agent for all land use matters on the project located at 21090 Ostrom Rd, Fiddletown, California.

If you have any questions, please feel free to contact me directly.

Thank you

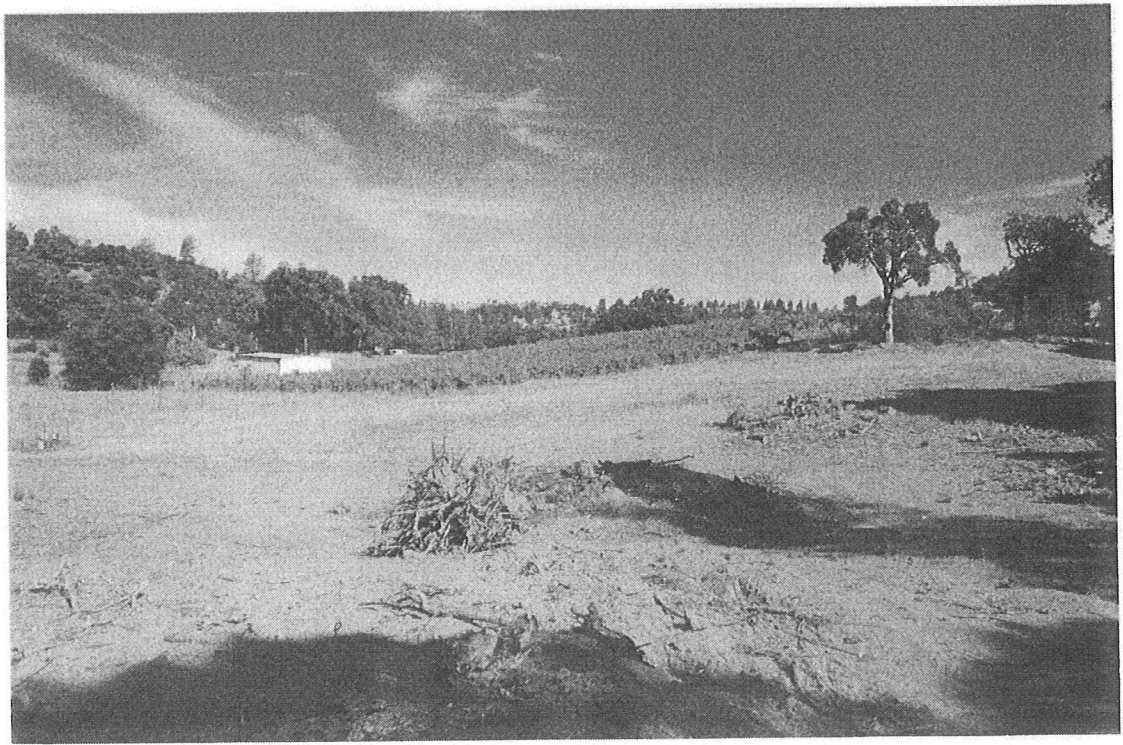
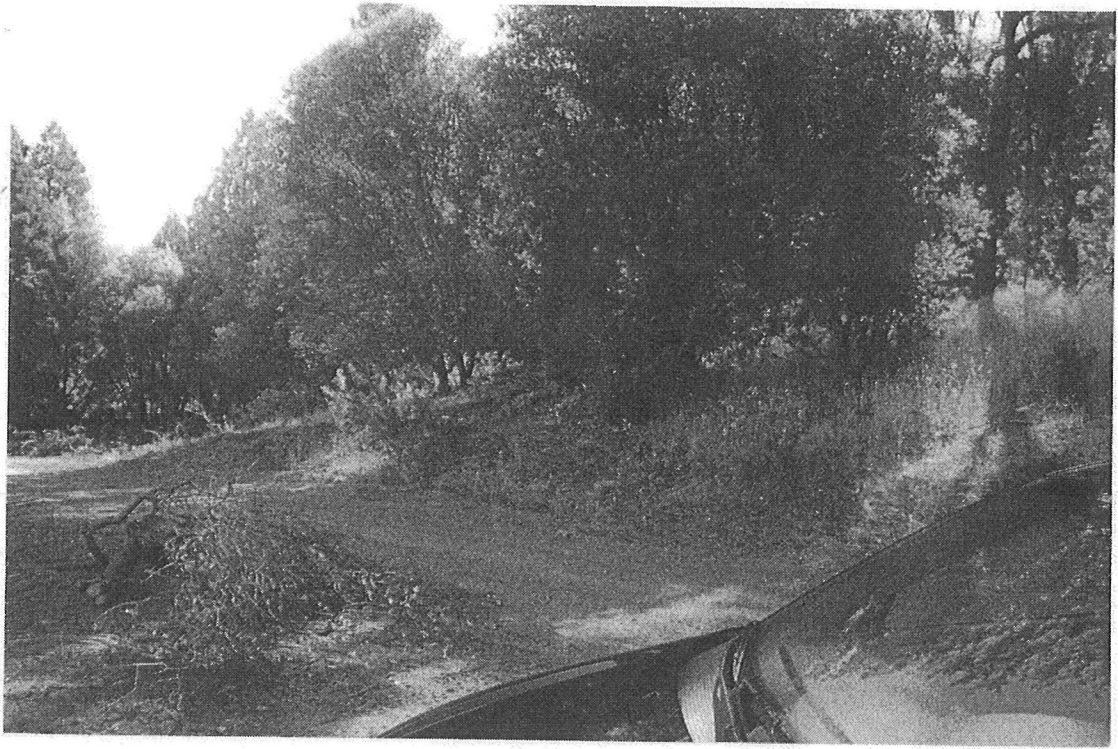


Tom Malone
21090 Ostrom Rd
Fiddletown, CA 95629
209-245-3688
Cell: 831-241-4780

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AMADOR FIRE PROTECTIONS DISTRICT

810 Court Street, Jackson, CA 95642-2132

Phone (209) 223-6391



Memorandum

To: Chuck Beatty, Planning Department
CC: David Bellerive, Fire Chief
From: Earl Curtis, Fire Prevention Officer
Date: July 20, 2015

Re: TAC meeting for Thomas & Sarah Malone zone change at 21090 Ostrom Road, Fiddletown.
(APN 014-170-026)

Any building will require review by the Amador Fire Protection District including buildings for wine tasting, agricultural buildings, etc. This may include fees for plan review and impact fees.

Buildings for commercial use as noted above shall be provided with fire suppression water and emergency vehicle access in accordance with Chapter 5 of the California Fire Code. Plans shall be submitted for review and approval prior to construction.

New residential buildings shall be provided with fire suppression water and emergency vehicle access in accordance with Amador County Code chapter 15:30