

DEPARTMENT OF RESOURCE MANAGEMENT

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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

Staff Report

MU-21-09

<p><b>Application No.</b> MU-21-09 (Rosalynd Winery Special Events)  <b>Project Planner:</b> Kathy Pease, Contract Planner</p>		<p><b>Meeting of December 16, 2021</b>  <b>Agenda Item No. 1</b></p>	
<p><b>Applicant</b>                  David White                  Rosalynd Vineyards LLC                  2212 Morrison Lane                  Fairfield CA 94534</p>		<p><b>Property Owner</b>                  D Rosalynd Vineyards LLC                  2212 Morrison Lane                  Fairfield CA</p>	
<p><b>Action Requested</b>                  Consider Minor Use Permit Application No. MU-21-09 to establish a small winery/tasting room and a medium-sized non-marketing Special Events Facility located at 2212 Morrison Lane, Fairfield in an "A-20" Exclusive Agricultural Zoning District. Staff recommendation: Approval with Conditions</p>			
<p><b>Property Information</b></p>			
Size: Approximately 20 acres		Location: 2212 Morrison Lane	
APN: 0153-140-0140			
Zoning: Exclusive Agricultural (A-SV-20)		Land Use: Agricultural	
General Plan: Agriculture		Ag. Contract: N/A	
Utilities: Existing		Access: Morrison Lane	
<p><b>Adjacent General Plan Designation, Zoning District, and Existing Land Use</b></p>			
	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Agriculture	A-SV-20	Agriculture
<b>South</b>	Agriculture	A-SV-20	Agriculture
<b>East</b>	Agriculture	A-SV-20	Agriculture
<b>West</b>	Open Space	W-160	Conservancy
<p><b>Environmental Analysis</b>                  The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, Conversion of Small Structures for one use to another where only small minor modifications are required.</p>			
<p><b>Motion to Approve</b>                  The Zoning Administrator does hereby <b>ADOPT</b> the attached resolution and <b>APPROVES</b> Minor Use Permit No. MU-21-09 based on the enumerated findings and subject to the recommended conditions of approval.</p>			

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## **PROJECT DESCRIPTION**

The project (Rosalynd Winery) consists of an existing winery and a winery building that was constructed in 2019. Special events including weddings up to twelve times a year for up to 150 guests, and wine tasting are proposed within the winery building. Food service would be catered by outside vendors. Public restrooms and parking for up to 70 cars is proposed. Parking for the wine tasting portion includes 12 parking spaces near the winery building and 50 spaces in the rear of the existing residence in the central portion of the site which would be valet parking during events.

### **Existing Uses**

The property is developed with a residence, associated accessory buildings, pool, and structures associated with the winery, including the winery building and a barn. Vineyards surround the site. The existing structures are in the central portion of the site, surrounded by vineyards and mature landscaping in the Suisun Valley Agricultural area. The following is a description of existing structures.

- Winery and Tasting Room: 2,400 square feet (included in total square footage is a 188 square foot tasting room available for guests)
- Main house: 2,860 square feet
- Attached garage: 672 square feet
- Covered Patio: 720 square feet
- Pump House: 128 square feet
- Cabana: 360 square feet
- Pool House: 980 square feet
- Cottage: 1,032 square feet
- Barn: 2,352 square feet
- Gazebo: 144 square feet

Existing residences are located within 1,000 feet of the north and east of the site on Morrison Lane. Another Special Events facility is currently being processed in the County immediately to the east (Turpin U-20-04).

### **Williamson Act**

The Property is not in a Williamson Act Contract.

### **Proposed Project**

The Project was issued building permits in 2019 for a small winery which allows up to six special events per year. However, the Applicant would like to have up to 12 events per year, which requires a Minor Use Permit to become a medium Special Events Facility and add two to six additional events per year.

#### *Special Event Facility*

Events are by invitation only and are expected in the outdoor area, adjacent to the existing fountain, in the central portion of the site. Events would accommodate weddings and other events for up to 150 persons, up to 12 times per year.

All events are expected to occur between 10:00 a.m. and 10:00 p.m. Consistent with County Code, all events shall start no sooner than 10:00 a.m. and end by 10:00 p.m. each day. Facility setup and cleanup

shall be allowed between the hours of 8:00 a.m. to 11:00 p.m. All guests are to be off the property by 10:30 p.m.

The Project does not involve any overnight stays at the private residence or access to the private pool.

Any amplified music would be required to meet the County noise standards of 65 dB at the property line (Solano Zoning Code Section 28.73.30.B.6.f.2).

### *Tasting Room*

The project includes a small tasting room of 188 square feet in the winery building. This tasting room would accommodate up to 18 people. The hours of operation would be by appointment only, typically Thursday through Sunday 10:00 a.m. to 6:00 p.m.

### **Signage**

Location of the signage onsite has not been determined. Sign permitting will be required conforming to the requirements set forth in Section 28.96 of the County Zoning Regulations.

### **Water**

Onsite water would be from well water. The winery would have a hands-free hydration station with filtered water, via an Elkay EZH20 Bottle Filling Station and Versatile Bi-level ADA Cooler (<https://www.elkay.com/products/lzstl8wssp.html>) in addition to bottled water available during events.

### **Wastewater**

Onsite septic systems would provide wastewater service.

## **LAND USE CONSISTENCY**

### **1. General Plan Consistency**

The 2008 General Plan designates this property as Agricultural, which is defined as:

*Provides areas for the practice of agriculture as the primary use, including areas that contribute significantly to the local agricultural economy, and allows for secondary uses that support the economic viability of agriculture. Agricultural land use designations protect these areas from intrusion by nonagricultural uses and other uses that do not directly support the economic viability of agriculture.*

*Agricultural areas within Solano County are identified within one of 10 geographic regions. Within these regions, uses include both irrigated and dryland farming and grazing activities. Agriculture-related housing is also permitted within areas designated for agriculture to provide farm residences and necessary residences for farm labor housing. – pg. LU-21*

The proposed use of the property by the winery, tasting facility and for special events with a minor use permit is consistent with the vision and policies contained within the 2008 General Plan and the Suisun Valley Strategic Plan. Special Event facilities are allowed as an incidental use to the primary agricultural use.

## **2. Zoning Consistency**

### Exclusive Agricultural (A- SV-20) Zoning District Standards

Section 28.21 of the Solano County Code establishes permissible land uses for the Exclusive Agricultural District, which include special events as incidental to the agricultural use. A Minor Use Permit is required to assure that the uses are appropriate for the specific parcels and would not result in nuisances to surrounding properties and facilities. According to the Municipal Code:

1. At least 25 percent of the grapes or other fruit used in production, averaged over five consecutive years, must be grown on site or off site on land owned or leased by the operator within Solano County.
2. The winery operator shall report at the end of each calendar year to the department of resource management the total gallons of wine produced, in bulk and bottles combined, during the calendar year. Such reporting may alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.
3. A conditional use permit is required for a small winery if less than 25 percent of the grapes or other fruit used in production are grown on site or off site on land owned or leased by the operator within Solano County.
4. A wine tasting and sales area must be no larger than 1,000 square feet or 30 percent of the size of the processing facility, whichever is greater.
5. A small or medium special events facility may be operated in conjunction with a small winery, provided an administrative permit or minor use permit is first secured.

The proposed Project meets these requirements. Up to 250 gallons of wine are expected to be produced and 100 percent of the grapes will be harvested onsite for use in the tasting facility. The tasting sales area is 188 square feet in size. The Minor Use Permit would allow the Special Event Facility incidental to the winery.

## **3. Site Specific Considerations**

The project is located at the end of Morrison Lane in the Suisun Valley Strategic Plan area. Mature landscaping, including trees, provide screening of the site, and existing Cabernet vineyards surround the property. An existing residence is located on the site, along with a second dwelling unit, pool and cabana and pond. A drainage ditch goes through the property at the rear of the main house.

Wine tasting and special events will occur in the winery building which is designed to look like an upscale barn with metal roofing, siding and a decorative cupola.

The Applicant will be required to strictly adhere to all California Department of Public Health Orders in effect at time of the start and for the duration of project operations. The California Department of Public Health's website includes protocols to operate a safe event throughout the operational period by preventing the spread of Covid-19. Unannounced Environmental Health

spot checks can occur throughout the operational period. If violations are found, the County reserves the right to close the facility until it is deemed to be brought back into compliance with the project's proposed Covid-19 plan.

An easement is located on the property for fire and utility vehicles for access to conservancy lands west of the property.

The Project site is served by the Cordelia Fire District and is identified as being in a moderate area identified as a State Responsibility Area for fire risk. Conditions of approval are included to ensure the Project complies with the requirements to reduce fire risks (Conditions Nos. 30 and 43).

#### *Access*

Access to the site will be provided via a 20-foot private gravel driveway off Morrison Lane.

#### *Parking*

There is a gated entry into the site. The parking area is proposed in a long narrow area in the central portion of the site and would include valet parking management. Parking regulations require one space per 2.5 attendees. The applicant is proposing 12 spaces for the winery and 70 spaces at the rear of the winery building which exceeds the County standards of 60 spaces.

### **ENVIRONMENTAL ANALYSIS**

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, Conversion of Small Structures for one use to another where only small minor modifications are required. This exemption is for "...a restaurant or similar structure not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area."

The Project is an existing winery, with a building less than 2,500 square feet in size. Section 15303, Conversion of Small Structures allows for one use to another where only small minor modifications are required. Implementation of conditions of approval would prevent the Project from creating significant effects to persons residing or work in or passing through the neighborhood; nor would the conditioned project be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

### **RECOMMENDATION**

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Use Permit No. MU-21-09, subject to the recommended conditions of approval stated in Attachment A.

### **MINOR USE PERMIT MANDATORY FINDINGS**

- 1. That the establishment, maintenance or operation of the use or building is in conformity to the General Plan for the County with regard to traffic circulation,**

**population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

This project is located within an area designated as Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Exclusive Agricultural (A-SV-20) District. The proposed winery, tasting room and Special Event uses are consistent with the General Plan.

**2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

All necessary services will be brought onto the site. Parking will be controlled by valets during special events to manage traffic arriving and departing the site, as well as controls to assure the efficient movement of vehicles in the parking areas.

**3. The subject use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

As conditioned, the proposed winery, tastings and special events will not constitute a nuisance to surrounding properties, nor will they be detrimental to the health, safety, or welfare of County residents.

## **ADDITIONAL FINDINGS**

4. The project qualifies for a Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, Conversion of Small Structures from one use to another where only minor modifications are required. The winery building is less than 2,500 square feet in size and the tasting room is 188 square feet.

## **CONDITIONS OF APPROVAL**

See Attachment A for Conditions of Approval.

### **Attachments**

Attachment A - Draft Resolution/Conditions of Approval

Attachment B - Site Plan Set

**SOLANO COUNTY ZONING ADMINISTRATOR  
RESOLUTION NO. xx-xx**

**WHEREAS**, the Solano County Zoning Administer has considered a Use Permit MU-21-09 for the Rosalynd Winery and Special Event Facility to allow winery and tasting rooms and Special Events up to 12 times a year. The Project would convert an existing building into a Special Events Facility, and associated parking lot improvements, located at 2212 Morrison Lane, in an Exclusive Agricultural District, A-SV-20, APN 0153-140-140; and

**WHEREAS**, The Zoning Administer has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on December 16, 2021; and

**WHEREAS**, after due consideration, the Zoning Administer has made the following findings in regard to said proposal:

- 1. The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population density and distribution and other aspects of the General Plan.**

The use is consistent with the General Plan and the Suisun Valley Strategic Plan. The proposal is consistent with the Suisun Valley vision as a tourist destination for those seeking world class wine, by supporting agricultural tourism and economic development. Wineries and tasting rooms are an allowed use in the zoning district and Special Event facilities are a conditionally permitted land use within the agricultural zoning district.

- 2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Vehicular access to the site will be from a driveway off Morrison Lane during Special Events. The site has existing electrical power, and the building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued. Grading and drainage plans will be reviewed and approved by the Public Works Engineering Division. The Solano Irrigation District supplies irrigation water to the site, and onsite potable water wells will provide potable water supplies. Onsite septic service will be provided of sufficient size to serve wastewater uses.

- 3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

The Project qualifies for an exemption from the California Environmental Quality Act (CEQA). The Project is an existing winery, with a building less than 2,500 square feet in size. Section 15303, Conversion of Small Structures allows for one use to another where only small minor modifications are required. Implementation of conditions of approval

would prevent the Project from creating significant effects to persons residing or work in or passing through the neighborhood; nor would the conditioned project be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby approve Use Permit No. MU-21-09 subject to the following recommended conditions of approval:

#### **Administrative**

1. **Land Use.** The proposed land use shall be established and operated in accord with the application materials and development plans for Use Permit MU-21-09 and as approved by the Solano County Planning Commission.

This permit authorizes Special Events with up to 12 events per year, and up to 150 persons per event. Pursuant to Section 28.01 of the Solano County Zoning Regulations, Special Events are defined as a facility offered for use by third parties for hire for the conduct of social gatherings or similar types of non-commercial events.

The permit also authorizes the operation of the winery with associated tastings.

2. **Revisions or Modifications in Land Use.** No additional land uses, activities for new or expanded buildings shall be established beyond those identified on the approved development plan and detailed within the project description without prior approval of a revision, amendment or new use permit and subsequent environmental review.
3. **Indemnification.** By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers, and employees shall not be responsible for injuries to property or person arising from the issuance or exercise of this permit. The permittee shall defend, indemnify, and hold harmless the County of Solano, its officers and employees from all claims, liabilities, losses or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance and /or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
4. **Applicable codes and permits.** The Project must comply with all applicable Solano County Zoning regulations and Building Code provisions and secure all required local, state, regional and federal permits required to operate.
5. **Failure to Comply.** Failure to comply with any of the conditions of approval or limitations set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.
6. **Exercise of Permit.** The use permit shall expire and thereafter be null and void, without further action by the County, if it is not exercised by close of business on December 17, 2022. The use permit shall not be considered exercised until all building, public works and environmental health permits required for the use have been issued.



### Special Events Facility

7. **Access.** The Special Events Facility shall be operated in compliance with the general requirements for public assembly uses.
8. **Food vendors.** The permittee shall be responsible for ensuring the event organizer and any food vendors utilized by the organizer secure food permits with the Environmental Health Division.
9. **Kitchen Facilities.** Any facilities used for the preparation, storage, handling, or service of food, beverages, or related equipment at events shall be permitted as a food facility by the Environmental Health Division.
10. **Overnight Lodging.** As permitted, the Special Event Facility does not include overnight lodging.
11. **Hours of Operation.** All events shall start no sooner than 10:00 a.m. and end by 10:00 p.m. each day. Facility setup and cleanup shall be allowed between the hours of 8:00 a.m. and 11:00 p.m. All guests of an event shall be off the property by 10:30 p.m.
12. **Sign Permit.** The permittee shall secure and abide by the conditions of an issued sign permit for all commercial signage onsite.
13. **Business License.** The permittee shall secure and abide by the terms and conditions of a Business License issued by Solano County. This approved Use Permit shall constitute as the "Zoning Clearance" necessary to file for the license.
14. **ABC License.** The permittee shall secure and abide by the terms and conditions of an ABC License for the scope of the proposed uses.
15. **Compliance with Public Health Orders.** The applicant will be required to strictly adhere to all California Department of Public Health Orders in effect at time of the start and for the duration of project operations.

### Operational Controls

16. The Permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts, which constitute a hazard or nuisance to motorists, persons of property in the surrounding areas.
17. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
18. **Fugitive Dust.** Any access from unpaved dirt roads and with unpaved on-site access roads and parking areas shall control fugitive dust with water trucks, sprinkler system or other practices acceptable to the applicable air quality management district, in sufficient quantities to prevent airborne dust.
19. **Noise.** Amplified sound shall not exceed 65 dB when measured at the property lines.
20. **Light and Glare.** Any outdoor lighting used during events shall be downcast and shielded so that neither the lamp nor the reflector interior surface is visible from any off-site location.
21. **Odor.** The facility shall not cause objectionable odors on adjacent properties.

22. **Parking.** The Special Events Facility shall provide parking on-site to accommodate all guests (70 spaces). No parking shall be allowed within any road right-of-way (Morrison Lane) for 1,000 feet in either direction of any access point or access located on the site. The permittee shall place signs along the interior access ways on the applicant's property along the road right-of-way indicating this parking restriction. These signs shall be posted no earlier than the day before the event and shall be removed no later than the day following the event.
23. Onsite parking shall be in an open area with a slope of ten percent or less, at a minimum ratio of one space per 2.5 attendees, on a lot free of combustible material.
24. **Sanitation.** The permittee shall provide sanitation facilities approved by the Environmental Health Division of adequate capacity that are accessible to attendees and event staff including restrooms, refuse disposal receptacle, potable water, and wastewater facilities.
25. **Use of Existing Structures.** Existing structures used as part of a Special Events Facility shall comply with and be permitted for commercial and public assembly occupancy and be in compliance with the Americans with Disabilities Act (ADA), where applicable.
26. **Insurance.** The Owner/Applicant of the Special Event Facility shall have commercial property insurance for the use.
27. **Event Management Plan.** No later than March 16, 2022 or 30 days prior to the first event, whichever comes first, the permittee shall submit an Event Management Plan which shall identify measures, procedures and operational controls to address the operational and performance standards imposed by this permit, including the following categories:
- a. **Nuisance Control.** Identify measures and controls to manage potential nuisances such as fugitive dust, noise, light, glare and odor.
  - b. **Traffic and Parking Management.** Identify measures and controls to manage traffic arriving and departing the site as well as controls to assure the efficient movement of vehicles in the parking areas.
  - c. **Food and Beverage Service.** Describe the types of food and beverage services available to the public and identify all necessary permits and licenses which must be obtained prior to conducting the event.
  - d. **Emergency Response Plan.** Identify measures and controls to manage any emergency which might reasonably arise during an event. Provide a list of emergency contacts for various responders to all staff and volunteers. Identify a central location on the property which will serve as an emergency center with communications and fire and first-aid equipment.
  - e. **Storm Water Management.** Identify measures and controls to manage storm water to prevent storm water pollution.
  - f. **Sanitation and Waste Management.** Identify measures and controls to manage all forms of liquid and solid waste on the site.
  - g. **Approval of the Event Management Plan.** The permittee shall not commence any uses of buildings or the land for events until the Director has approved the Event Management Plan.

### Planning Division Conditions

28. **Production Reporting.** The winery operator shall report at the end of each calendar year to the Department of Resource Management, the total gallons of wine and spirits produced, in bulk and bottles combined, during the calendar year. Such reporting may alternatively include proof of payment of the annual license renewal fee to the Department of Alcoholic Beverage Control (ABC), including the dollar amount of the fee paid.
29. The proposed winery is subject to minimum development standards which are enumerated in Section 28.23. The proposed winery shall be developed in compliance with the development standards enumerated in Table 28.23b and Table 28.23C.

### Building and Safety Division

30. **Certificate of Occupancy.** No building shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy. Exception: *The existing winery building.*
31. **Site Accessibility Requirements.** The site and all facilities shall meet all of the accessibility requirements found in Chapter 11B of the California Building Code. The Designer is required to design for the most restrict requirements between ADA Federal Law and the California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale reflecting all site accessibility. The site shall be developed in a manner consistent with the state and federal requirements for accessibility for disabled persons, including all parking areas, aisles and paths of travel and structures. The Applicant shall submit accessibility analysis prepared by a Certified Access Specialist (CAS). The analysis must state that the inspected structures and other site features meet both state and federal accessibility requirements or specify what corrections are necessary to comply. The permittee shall make any necessary corrections that are necessary to comply. All accessible paths of travel and parking areas shall be a hard-scaped surface as specified by the CAS specialist and shall meet all the worst-case requirements between Chapter 11 B of the California Building Code and ADA Federal law. Exception: *the existing approved footprint.*
32. **CalFire State Responsibility Area.** The Project site is located in a Moderate State Responsibility Area for fire safety. The Project shall provide roadway widths, turnarounds and surfaces as outlined in the Fire Safe Regulation Checklist ([blobdload.aspx \(solanocounty.com\)](http://blobdload.aspx(solanocounty.com))).
33. An automatic commercial fire sprinkler shall be installed throughout any new buildings.

### Environmental Health Division

34. **Potable Water Requirements.** The facility shall provide potable water as evidenced by a Public Water System (PWS) permit issued from the Division of Drinking Water of the State Water Resources Control Board, pursuant to Health and Safety Code (HSC) Section 116275(h). The facility shall remain in compliance with all operating, monitoring, and reporting requirements of the Division of Drinking Water PWS permit for the duration of the Use Permit and comply with all Division of Drinking Water directives regarding the water system. Activities or events providing bottled water as the sole source of potable onsite water are prohibited.

35. **Sewage Disposal Requirements.** For domestic wastewater, the facility shall construct and maintain adequate onsite wastewater treatment systems (OWTS) in compliance with the Solano County Code Chapter 6.4: Sewage Standards and designed to handle the daily maximum projected wastewater flows. The facility shall remain in compliance with all operation, maintenance, and reporting requirements of Environmental Health regarding the OWTS system for the duration of the Use Permit.
36. **Hazardous Materials Requirements.** The facility shall comply with all hazardous materials management, storage, handling and reporting requirements. If the facility handles any hazardous material in quantities equal to or greater than 55 gallons of liquids, 200-cubic feet for gases and/or 500 pounds solids, then the applicant shall create a Hazardous Materials Business Plan (HMBP) and upload the HMBP to the online California Environmental Reporting System (CERS) within 30-days of exceeding the hazardous materials threshold quantities. The HMBP includes requirements for reporting the facility information, hazardous materials inventory, site diagram, emergency response plan, and an employee training plan.
37. **Solid Waste.** The facility shall maintain adequate commercial garbage service onsite to prevent disease, vector attraction, odors and other nuisance factors. A minimum collection of weekly service is required.
38. **Food Service.** A winery may be exempt from a food facility permit if the wine is manufactured onsite and the facility is owned and operated by the manufacturer. The service or sale of food is limited to crackers, pretzels, and less than 25 square feet of pre-packaged non-potentially hazardous foods. Anything not explicitly meeting this exemption requires a permit to operate from the Solano County Division of Environmental Health.
39. A food permit for a "Host Facility" shall be obtained if the facility meets the applicable requirements to support a catering operation that provides food directly to individual consumers for a limited period of time of no longer than four hours in any one 12-hour period. Contact the consumer protection program at (707)784-6765 for the application and guidelines for this requirement.
40. **Pool or Spa Use.** Any existing onsite pools or spas are not approved for public use, including use by employees, visitors, or guests, under this Use Permit. Such use requires a Minor Revision or Amendment to the Use permit, issuance of a recreational health permit by the Environmental Health Division and may incur additional construction requirements from the Building and Environmental Health Divisions.

### **Public Works Engineering**

41. The permittee shall apply for, secure, and abide by the conditions of a grading permit for any grading on the property including, but not limited to, building site preparation, access improvements, parking areas and walkways, as well as any onsite grading exceeding a total of 5,000 square feet. In addition, Grading Permits shall be secured for any future grading or drainage improvements on the property. Public Works Engineering will require the submittal of a drainage plan showing all offsite and onsite improvements necessary to manage storm water issues related to this development. Agricultural soil cultivation does not require a grading Permit.

**Local, Regional, State and Federal Agencies**

- 42. The Applicant shall obtain all required permits from other Agencies. The use of lands and buildings may be subject to additional permits from the County of Solano or other public agencies. Prior to conducting any land use authorized under this Permit, the Applicant shall obtain any other federal, state, or local permits required for construction or operation of the proposed winery/distillery and Special Event facility.
- 43. The Applicant shall supply documentation verifying that it has approval from the San Francisco Regional Water Quality Control Board (SF-RWQCB) for the method of its process for winery wastewater management and disposal. A Wastewater Discharge Requirement (WDR) permit or Notice of Applicability (NOA) for a General Order for winery discharge may be required.
- 44. The facility shall maintain compliance with the requirements of the Cordelia Fire District, including but not limited to fire suppression and emergency vehicle access.

**Permit Term**

- 45. The Use Permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of December 2026 and the uses shall remain the same and in compliance with the Conditions of Approval.

**Complaints**

- 46. **Investigation of Complaints.** The Department of Resource Management shall investigate all complaints received regarding any activities or matters authorized by this permit. Upon receiving notification of a violation of these permit conditions, the permittee shall take the necessary action to abate the condition creating the violation and to comply with the permit condition. Upon receiving an invoice, the permittee shall reimburse the Department for all time expended to investigate and obtain compliance with the permit conditions, based on the adopted rate established by the Board for hourly work by the Department.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on December 16, 2021.

TERRY SCHMIDTBAUER, DIRECTOR  
RESOURCE MANAGEMENT

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Allan M. Calder, Planning Manager  
Department of Resource Management





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