

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* 8/20/15
DATE: GREGORY P. PRIAMOS

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

111B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
08/19/15

SUBJECT: (FTA 2014-06) CONDITIONAL USE PERMIT NO. 3711, CHANGE OF ZONE NO. 7848, ORDINANCE NO. 348.4809, and NOISE EXEMPTION NO. 00007 – Intent to adopt a mitigated negative declaration – Applicant: Lytton Vineyard and Winery – Engineer/Representative: OZ Bratene – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Agriculture: Agriculture (AG: AG) (10 Acres Minimum) – Temecula Valley Wine Country Policy Area – Winery District (20 Acres Minimum) – Location: The project site is located south of Rancho California Road, westerly of Calle Contento, northerly of Calle Bella Loma, and east of Anza Road.- 22.6 Gross Acres – Zoning: Citrus/Vineyard - 10 acres minimum (C/V-10) Zone. REQUEST: The project includes amending the zone classification from Citrus Vineyard -10 acre min (C/V-10) Zone to Wine Country - Winery (WC-W) Zone, modifying uses associated with an existing winery which will classify the winery as a Class V Winery under the WC-W Zone, and Noise Exemption to permit the use amplified sounds during special events (outdoor concerts and indoor weddings/receptions). The Class V Winery will include the previously

(continued on next page)

Departmental Concurrence

[Signature]
Steve Weiss, AICP
Planning Director

[Signature]
Juan Perez
TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: _____ **Budget Adjustment:** _____
For Fiscal Year: _____

C.E.O. RECOMMENDATION:

APPROVE
[Signature]
 BY: Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.:

District: 3

Agenda Number:

16-1

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The project modifies the permitted uses associated with the winery. The modifications will result in a Class V Winery as defined in the Wine Country - Winery Zone that includes the following uses:

- 1) Building A one bedroom-bed and breakfast inn - reservation only used for weddings - 768 SF and 158 SF patio area;
- 2) Building B Winery and special occasion facility: wine tasting area, production areas, special occasion facility, office space, storage, catering prep area, grounds keeper quarter, includes an outdoor concert area. Special events includes one hundred and twenty-five (125) weddings, twenty-four (24) Ticketed Events, twelve (12) outdoor concerts and four(4) association events. Outdoor concerts will have approximately 350 attendees, while the other events will have up to 150 guests per event. Outdoor concerts will be held in the afternoons (9,702 SF with a 2,467 SF patio area).
- 3) Building C restaurant, outdoor fireplace, office space, storage; (4,786 SF with 3,615 SF a patio area).
- 4) Building D special occasion facility used to host special occasion events such as wine club events. Wine Tasting area and serving area; 24 wine club event per year with 150 guests per event. May be utilized to host events listed under Building B (1,632 SF with a 2,467 SF patio area).
- 5) Establish an overflow parking area to add 95 parking spaces; Project site will accommodate 172 parking spaces total with an additional 4 Limo spaces.
- 6) Include a pond near the center of the project site. The existing storage facility "Building E" (1,632SF) and the marketplace located in Building C approved under PP6934 and PP12661 will remain operating on site. The Class V Winery will operate within the same development envelop. Additional buildings or structures are not proposed with this project. Nor does the project include additional grading.

Per year, the special occasion facility will be used to host the following special occasions: 12 outdoor evening (amplified sounds with up to 350 guests), 125 weddings or receptions (indoor music with up to 115 guests), 24 ticketed events (no amplified music with up to 150 guests), 24 wine club events (no amplified music with up to 150 guests), and 4 Association Events (no amplified music with up to 150 guests).

The hours of operation associated with the incidental uses associated the Class V winery are limited to:

- Shipping Operations: 9:00 a.m. - 7:00 p.m.
- Wine Tasting: 9:00 a.m. - 7:00 p.m.
- Special Occasion Facility 10:00 a.m. - 12:00 a.m., except for outdoor concerts where the hours are limited to 4:00 p.m. - 10:00 p.m. Outdoor events are prohibited after 10:00 p.m.
- Marketplace and restaurant 9:00 a.m. to 10:00 p.m.

WC-W Zone development standard, Ordinance No. 348 Section 14.93 C 4, prohibits the use of amplified sounds during special events unless an exception to the Ordinance 847 Regulating Noise is granted. Ordinance No. 847 permits sound amplifying equipment and live music between the hours of 8 a.m. to 10:00 p.m. and prohibits sound emanating from sound amplifying equipment or live music shall not be audible to the human ear at a distance greater than two hundred (200) feet from the equipment or music. Noise Exemption No. 00007 seeks to permit continuous events with amplified sounds for the special occasion events.

In terms of noise impacts, the nearest sensitive receptor is a residential unit that is located 650 feet north of the project site. Potential noise impacts will be mitigated through site-specific noise-attenuating features and site design. All live amplified music/bands/DJ equipment must face in a south or southeast direction, outdoor speakers for all scheduled events shall be oriented toward the center of the winery property and away from adjoining land uses, live bands and DJs must be positioned as far away as possible from the project site's

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entitled uses: a winery, wine tasting area, retail wine sales, and gift sales area, and the following new uses a special occasion facility, one bedroom-bed and breakfast inn, and a restaurant. The winery building will include a grounds keeper unit located on the second floor. The project will establish the overflow parking area to include 95 additional parking spaces and a pond in the center of the project site. The project site will provide 172 parking spaces and 4 limo spaces total to accommodate these uses. The Class V Winery will operate within the existing development envelop. No additional grading or structures or buildings are proposed with this project. Special events include 12 outdoor events per year (amplified sounds), 125 weddings (indoor music), 24 ticketed events (no amplified music), 24 wine club events (no amplified music), and 4 Association Events (no amplified music). The previously permitted uses also include a marketplace, vineyard and a storage barrel room will continue to operate onsite and will not change as part of this project.

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT** a MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42724 , based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,
2. **APPROVE** CHANGE OF ZONE NO. 7848, amending the zoning classification for the subject properties from C/V-10 Zone to WC-W Zone, in accordance with Exhibit #3, based upon the findings and conclusions incorporated in the staff report; and,
3. **ADOPT** ORDINANCE NO. 348.4809 amending the zoning in the Rancho California Area shown on Map No. 2.2377 Change of Zone No. 7848 attached hereto and incorporated herein by reference; and,
4. **APPROVE** CONDITIONAL USE PERMIT NO. 3711, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,
5. **APPROVE** NOISE EXEMPTION NO. 00007, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

Summary

General Plan Amendment No. 1077 (GPA No. 1077), adopted on March 11, 2014 placed the project site within the Wine Country – Winery District of the Temecula Valley Wine Country Policy Area. The project includes a zone change from Citrus Vineyard - 10 min. (C/V-10) Zone to Wine Country - Winery (WC-W) Zone to establish General Plan and Zoning consistency. Under the WC-W Zone, the proposed project will classify the existing winery into a Class V Winery. The WC-W Zone development standards for a special occasion facility prohibit the use of outdoor amplified sounds unless an exemption is granted through Ordinance No. 847. The Noise Exemption No. 00007 seeks to permit the use of amplified sounds for 12 outdoor evening events.

The winery currently operates under approved plot plans Plot Plan No. 6934 and Plot Plan No. 12661, approved respectfully in 1982 and 1992. The uses associated with the existing winery operate in 5 existing buildings. Building A is used as an office (768 SF) with a 158 SF patio area, Building B includes a wine tasting area and production facility (9,702 SF) with a 5,611 SF patio area, Building C includes a Marketplace (retail area and delicatessen) (4,786 SF) and a 3,615 SF patio area, Building D is used as an office (1,632 SF) with a 2,467 SF patio area, and Building E is used as a barrel storage facility (1,536 SF). The total development envelop area is 5.40 acres. The project site also has 16.21 acres planted in vineyard. The site has 77 paved parking spaces to accommodate these uses with an additional unpaved parking area for overflow used during winery events.

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northern property line, live amplified music and DJ equipment should be located within an enclosed structure after 10:00 p.m., all special event vendors shall be notified regarding noise conditions of approval, outdoor special events shall be limited to hours of 8:00 am to 10:00 pm Monday through Sunday and clean-up activities associated with special events shall terminate no later than midnight, and padding/carpeting shall be installed under music speakers for early absorption of music for indoor special occasion facility.

To further safeguard the community from excessive noise, the project has been conditioned that after issuance of two code violation notices for excessive noise, noise measurements shall be performed during every event to determine if the Noise Ordinance and project conditions are being followed during the special events. If violations of the Noise Ordinance or project conditions are found, the County shall reconsider allowed hours of operations, number of guests, and frequency of special events per year or approval of the special occasion facility.

Implementation of these site specific noise-attenuating features will dampen the potential noise impacts therefore the project would not be detrimental to the health, safety or general welfare of the community.

The project was granted fast tract status by the Economic Development Agency because the renovation of the existing winery will create 60 full time jobs, 50 construction jobs (remodel effort), and provide a capital investment of \$8,000,000.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process.

ATTACHMENTS:

- A. Ordinance No. 348.4809**
- B. Staff Report**