



A Tradition of Stewardship  
A Commitment to Service

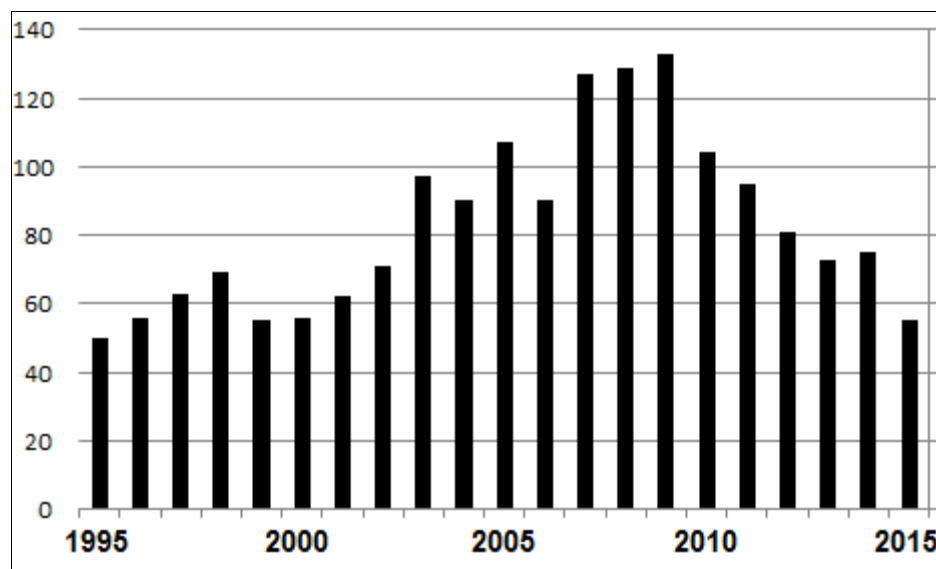
## MEMORANDUM

To: Napa County Planning Commission	From: David Morrison, Director
Date: November 4, 2015	Re: Final APAC Recommendations Supplemental Memo

### Temporary Events

The number of approved temporary events in Napa County has declined from its peak of 133 events in 2009, to 75 in 2014. In general, the chart below shows the clear impact of the Great Recession beginning in 2008 and continuing to today. Recently, the number of annual temporary events has dropped to levels not seen since 2002.

For 2015, the number of events was 55 on June 1st. Annualized out, 2015 is on track to reach 132 events this year, although temporary events are generally seasonal. The bulk of temporary events are filed between the last weekend in February and the first weekend in November.



Unfortunately, many of the older records for temporary events do not list the number of people attending. We do have entries for over 460 temporary events, nearly all of them approved in recent years. Of those with attendees listed, 56 percent of the events have fewer than 200 guests. Another 35 percent had between 200 and 400 guests. The remaining 9 percent had more than 400 attendees. A total of 5 events had more than 2,000 guests each.

Over the past 20 years, the venues with the most temporary event permits are as follows:

Location	Total Number of Event Permits
Castillo di Amarosa	41
St. Supery	35
Rubicon	29
Inglenook	29
Silverado	26
Mondavi	24
Judd's Hill	20
Clos Pegase	18
Frog's Leap	16
Zahtila	16

It should be noted that venues at the top of this list are only averaging 1 to 2 events annually. In addition, the list is not exclusive to wineries. Other venues that have held at least one event per year on average include The White Barn and the Di Rosa Gallery.

As previously stated by staff, temporary events are not regulated under the zoning code, but instead come under the Business Taxes, Licenses and Regulations Code. Temporary events may include actions that include constitutional issues related to freedom of assembly, freedom of religion, and freedom of speech. They hold a different status than typical planning matters, in that they are not an entitlement that runs with the land, but instead are based on the impacts of the activity wherever it may be located. Because of their unique status, and due to the low numbers of temporary events that have been approved historically, staff does not recommend that they be integrated into a Use Permit project description.

## **Outdoor Visitation Areas**

At the September 30, 2015, meeting, Commissioners requested staff to clarify the difference between “winery development area” and “winery coverage area.” In order to do so, a review of the County Code is needed.

Section 18.104.210 of the County Code defines “Winery Development Area” as follows:

The winery development area of a winery shall be contiguous to and shall not exceed one hundred percent of the winery area calculated according to subsection (B) of this section which is existing as of the date of adoption of the ordinance codified in this section.

The winery area shall be the aggregate paved or impervious or semipermeable ground surface areas of the production facility, storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees.

Construction of additional facilities beyond the winery development area without compliance with Section 18.104.250 may be permitted only if required by the director to correct emergency health and safety conditions not related to expansion of production.

Section 18.104.250 of the County Code requires:

All existing wineries which expand beyond their winery development area shall be subject to the following additional limitations:

1. At least seventy-five percent of the grapes used to make that portion of the winery's still wine which is produced as a result of the expansion shall be grown within the county of Napa.
2. At least seventy-five percent of the grapes used to make the still wine used to make the sparkling wine that is produced as a result of the expansion shall be grown within the county of Napa.

Section 18.104.220 of the County Code states:

The maximum coverage of new or expanded wineries shall be twenty-five percent of the existing parcel or fifteen acres, whichever is less. Coverage for the purposes of this measure shall be the aggregate paved or impervious ground surface areas of the production facility, storage areas (except caves), offices, laboratories, kitchens, tasting rooms, paved areas and access roads to public or private roads or rights-of-way and aboveground sewage disposal systems.

So there are two primary differences between “winery development area” and “winery coverage area.” The first is in definition. Winery coverage area includes aboveground sewage disposal systems, which the winery development area excludes. The second difference is in usage. Winery development areas are used to determine the legal conforming rights of pre-WDO wineries in partially determining whether or not modifications of the use permit require compliance with the 75 percent rule. In contrast, winery coverage area is used to determine the maximum extent to which a parcel may be used for winery purposes.

## **Effective Date for New Requirements**

One of the remaining recommendations from the APAC that has not yet been addressed by the Planning Commission is the following:

Limit the implementation of the recommended new requirements for winery use permits, including maximum winery development area, small winery use permit approval processes, and hold and haul restrictions to new use permit applications for wineries submitted after January 1, 2016.

One of the questions previously raised by this item is whether new zoning ordinance and/or General Plan policy changes enacted as a result of the APAC recommendations would apply to both use permits for new wineries and use permit modifications for existing wineries. After consultation with County Counsel, staff believes that any new ordinances and policies will apply equally to both any new permits and modification of existing permits including those of pre-WDO wineries. The legal permitted status of wineries approved prior to the enactment of the APAC recommendations would not be affected by new ordinances and policies. In other words, if an existing winery already exceeded a future regulation, it would not be required to come into compliance with the new standard. However, the winery would only be allowed to expand beyond its permitted status to the extent that it conformed with the new requirements. To be clear, these new ordinances and policies will apply to existing permits only with regards to the request made in modification: staff strongly recommends that they not apply to the legal conforming rights of existing wineries.

In addition, any new ordinances and policies resulting from the APAC recommendations will likely not be enacted until late summer or autumn of 2016. Wineries will be in the middle of harvest, which would make it difficult to begin immediately complying with any new requirements. Staff believes that a more appropriate effective date would be January 1, 2017.

## **Sonoma County Winery Regulation Comparison Chart**

An updated chart prepared by Sonoma County, comparing winery land use regulations in counties throughout California, is included with this memo.

**Winery Approval Chronology**

The Planning Commission has asked to be annually updated on various metrics as they relate to the wine industry, including:

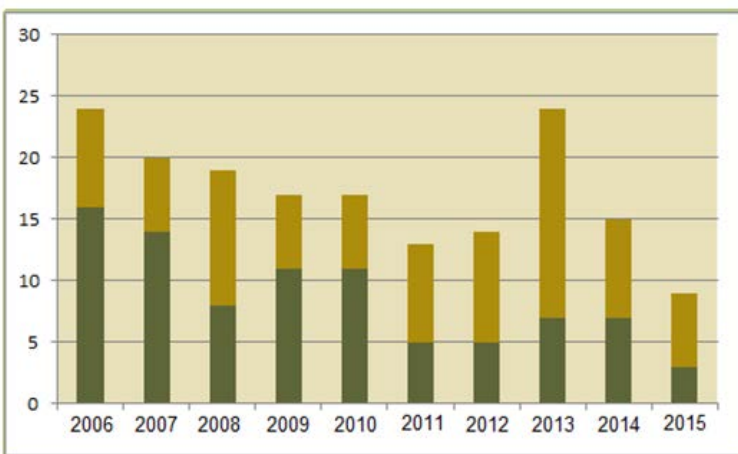
- Average and median calculations for groups of wineries based on production level;
- Annual and cumulative loss of both vineyards and farmland
- Total permitted and actual wine production
- Total percentage of local grapes used in local wine production.

In addition, the Commission has asked for an ongoing tally of winery use permit approvals. That chronology is attached to this memo. A summary of the data, organized by year, is provided below

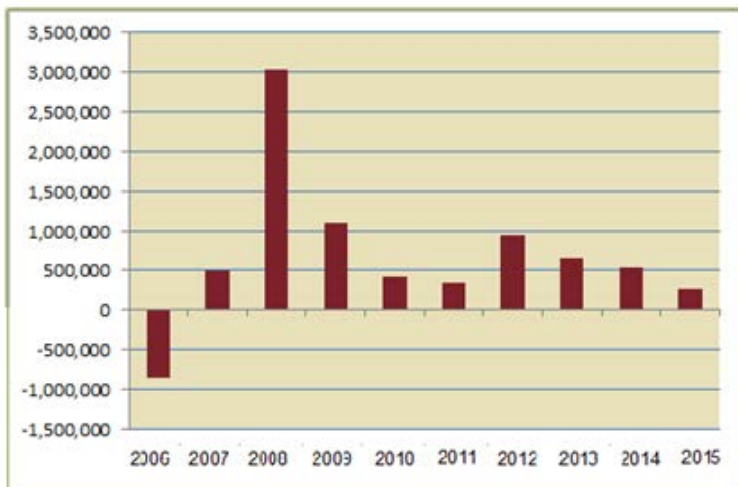
	New Permits	Permit Modifications	Production Increase	Tasting Visitor Increase	Marketing Visitor Increase	Variances
2015	4	6	345,700	222,204	13,702	1
2014	7	8	530,800	201,070	19,627	6
2013	7	17	648,500	224,112	18,947	3
2012	5	9	940,000	259,411	16,651	2
2011	5	8	349,800	218,458	21,283	1
2010	11	6	421,475	91,624	18,561	5
2009	11	6	1,100,00	91,330	40,266	3
2008	8	11	3,025,000	93,430	54,205	3
2007	14	6	525,400	573,786	105,899	4
2006	16	8	-862,500	72,381	39,665	4
<b>TOTALS</b>	<b>88</b>	<b>85</b>	<b>5,924,175</b>	<b>2,047,806</b>	<b>348,806</b>	<b>32</b>

To provide a different perspective, the data is shown in the following three charts:

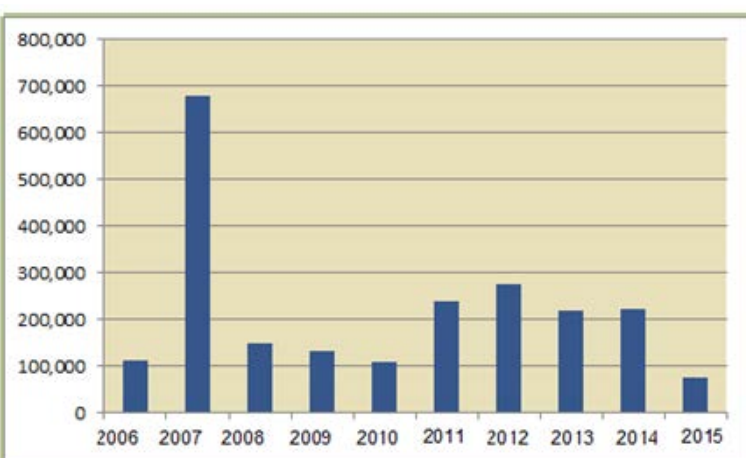
**TOTAL NUMBER OF WINERY USE PERMIT APPROVED ANNUALLY 92006-2015):**



**ANNUAL INCREASE OR DECREASE IN TOTAL PERMITTED WINE PRODUCTION:**



**ANNUAL INCREASE IN TOTAL PERMITTED VISITATION (TASTING ROOM PLUS MARKETING):**



CHRONOLOGY OF WINERY PERMITS CONSIDERED BY THE PLANNING COMMISSION SINCE JANUARY 1, 2006:

Date	Winery	New Permit or Modification	Net Increase in Production (Gallons)	Net Increase in Annual Tasting Room Visitation	Net Increase in Annual Marketing Visitors	Variances
10/21/2015	Girard	DENIED	200,000	28,860	1,600	No
10/07/2015	Hudson	New	80,000	156,416	2,528	No
09/16/2015	Materra	Mod	35,000	0	0	No
	Dalla Valle	Mod	0	0	0	No
06/17/2015	Markham	Mod	129,000	0	0	No
	Reverie	Mod	4,200	9,360	282	Except
05/06/2015	Custom Crush	DENIED	0	0	0	No
	Bell	Mod	20,000	17,888	8,392	No
	Leaf and Vine	New	18,500	7,020	200	No
	Sawyer	New	10,000	2,920	400	No
03/04/2015	Melka	New	10,000	1,560	160	Yes
01/21/2015	Larkmead	Mod	39,000	27,040	1,740	No
2015		10	345,700	222,204	13,702	1
11/19/2014	Robert Foley	Mod	20,000	3,120	100	No
10/15/2014	Relic	Mod	0	0	0	No
07/16/2014	Long Meadow Ranch	New	100,000	17,160	1,400	Yes
07/02/2014	Yountville Hill	New	100,000	52,000	3,400	Yes
05/21/2014	Castellucci	New	30,000	11,220	530	Yes
05/07/2014	Titus	New	24,000	21,900	1,700	Yes
	Goosecrosss	Mod	0	0	50	Yes
04/02/2014	Rombauer	New	120,000	0	0	No
03/19/2014	Sinegal Estate	Mod	46,800	6,188	780	Except
02/19/2014	Diogenes Ridge	New	30,000	4,680	1,020	No
02/05/2014	Silverado Trail	New	60,000	10,920	1,020	No
01/15/2014	Pardigm	Mod	0	5,460	0	No
	Brand Napa Valley	Mod	0	1,966	1,870	Except
	Domaine Carneros	Mod	0	57,200	6,000	No
	Martini	Mod	0	9,256	1,757	Yes
2014		15	530,800	201,070	19,627	6
12/18/2013	Farm Collective Winery	New	80,000	10,920	1,300	No
12/04/2013	Theorem	Mod	0	0	0	No
11/06/2013	Ideology Cellars	New	30,000	5,460	240	
	Corona	New	100,000	17,472	2,428	Yes
	Wools Ranch	New	50,000	18,200	4,640	Except
10/16/2013	Black Cat	New	12,500	7,280	120	No
10/02/2013	Kitchak	Mod	10,000	2,920	200	Except
	Fantesca	Mod	0	5,200	1,045	Except
	Outpost	Mod	20,000	9,048	100	No
09/18/2013	Darioush	Mod	0	0	0	No
09/04/2013	Keenan	Exist	0	0	0	Except
	Cosentino	Mod	0	0	0	No
08/21/2013	Clif Lede	Mod	40,000	0	0	No
07/17/2013	Dunn	Exist	15,000	988	0	No
	Araujo	Mod	0	5,270	5	Except
07/03/2013	Davis Estates/Frostfire	Mod	10,000	6,810	2,520	Except
06/05/2013	Hartwell	Mod	24,000	26,280	244	No
	Honig	Mod	150,000	32,850	400	No
	Coquerel	Mod	0	3,650	1,260	No
05/01/2013	White Cottage Ranch	Mod	0	5,200	1,557	Except
04/17/2013	Inglenook	Mod	0	0	0	Yes
04/03/2013	Stags Leap	Mod	0	10,950	0	Except
03/20/2013	Tamber Bey	New	60,000	7,280	1,360	Yes
03/06/2013	B Cellars	Mod	35,000	18,250	780	No
01/16/2013	Arkenstone	Mod	12,000	7,300	408	No
2013		25	648,500	201,328	18,607	3
12/05/2012	H & L Winery	New	30,000	7,280	400	No
10/17/2012	Odette	Mod	0	43,304	6,795	No
09/05/2012	Chateau Lane	New	20,000	1,872	460	No
06/06/2012	Cairdean	New	50,000	9,125	2,673	Yes
	Krupp	New	50,000	21,900	3,370	Except
	Larkmead	Mod	0	0	0	0
05/16/2012	Swanson	New	100,000	73,000	3,378	Yes
05/02/2012	Rombauer	Mod	0	0	1,000	Except

04/18/2012	Hall	Mod	0	0	0	No
03/21/2012	Reata	Mod	600,000	0	0	No
	Envy	Mod	30,000	0	900	No
	Cliff Lede	Mod	20,000	7,280	0	No
03/07/2012	Domaine Carneros	Mod	0	88,400	3,600	No
	Paraduxx	Mod	40,000	7,250	-5,925	No
2012		14	940,000	259,411	16,651	2
11/16/2011	Lodestone	New	20,000	12,740	390	Yes
10/19/2011	Silver Oak	Mod	77,500	0	0	No
09/21/2011	Faust House	New	10,000	5,200	600	Except
	Eagle Eye	New	30,000	5,840	1,452	No
08/17/2011	Chappellet	Exist	0	0	2,345	Except
07/06/2011	Seven Stones	Mod	900	264	218	Except
	Diamond Heights	Exist	0	5,460	420	No
	Rasmussen Carneros	Exist	80,000	-8,736	-575	No
06/01/2011	Gateway	Mod	0	0	0	No
	Carevan Serai	Mod	0	136,900	3,656	No
04/20/2011	Timothy Mondavi	Mod	21,400	730	450	Except
04/06/2011	Quintessa	Mod	0	24,700	150	No
03/02/2011	Morlet	Mod	0	0	0	No
02/02/2011	Rogers	New	30,000	6,240	400	No
01/19/2011	Rasmussen Ramsay	Mod	60,000	17,472	977	No
01/05/2011	Rocca	New	20,000	11,648	10,800	No
2011		16	349,800	218,458	21,283	1
12/01/2010	Vineyard 22	New	10,000	2,600	270	No
11/17/2010	Kelham	Mod	0	5,720	240	No
10/06/2010	Ca'Nani	New	48,000	10,400	1,146	Yes
09/15/2010	McBride	New	25,000	0	250	Yes
08/18/2010	Relic	New	20,000	6,240	350	Except
08/04/2010	Hyde	New	30,000	6,240	400	No
	Frogs Leap	Mod	0	2,600	0	No
	Sinskey	Mod	78,000	0	2,820	No
	MJA	Mod	20,475	3,900	420	Except
07/07/2010	Sandpoint Wines	New	30,000	5,824	785	No
06/16/2010	Shutters	New	50,000	2,080	1,000	Yes
	Ceja	New	45,000	8,736	1,285	Yes
04/21/2010	Wallis	New	30,000	5,616	225	No
04/07/2010	J Cellars	New	30,000	27,300	4,560	No
	Mumm Napa	Mod	0	0	4,450	No
	Feather Horse	Mod	0	0	120	No
01/20/2010	Kitchak	New	5,000	4,368	240	Yes
2010		17	421,475	91,624	18,561	5
12/02/2009	Venge	New	20,000	7,280	180	Except
	Hunnicut	Mod	40,000	8,736	2,120	No
11/18/2009	Marciano	New	20,000	3,900	375	No
10/21/2009	Fisher	New	30,000	2,600	575	No
	Grgich Hills	Mod	0	0	19,440	No
09/16/2009	Wheeler	New	50,000	11,648	1,452	Yes
	Mansfield	New	20,000	6,240	624	No
08/05/2009	Lake Ridge	New	10,000	3,120	0	No
07/15/2009	Carver Sutro	New	20,000	6,240	370	Yes
07/01/2009	Busby	New	50,000	0	0	No
06/17/2009	Round Pond	Mod	80,000	14,040	11,470	No
	Suscol Creek	Mod	400,000	1,560	0	No
06/03/2009	Bourassa	Exist	0	2,340	500	No
05/06/2009	Pavitt	New	10,000	1,456	110	No
04/01/2009	Lincoln Ranch	New	50,000	15,600	1,950	Yes
02/04/2009	Laird	Mod	250,000	0	0	No
01/07/2009	Saviez	Mod	0	0	0	No
	Cunat	New	50,000	6,570	1,100	No
2009		18	1,100,000	91,330	40,266	3
12/17/2008	Cimarossa	New	10,000	2,080	400	Except
	Pavitt	DENIED	0	0	0	Yes
	Lynch	Mod	0	10,400	1,285	No
11/19/2008	Alpha Omega	Mod	50,000	47,150	2,800	Yes
	Vasser	New	36,000	1,872	300	Except
10/15/2008	Spelletich	New	60,000	0	0	No
07/16/2008	Futo	Mod	5,000	0	0	No
06/04/2008	Mumm Napa	Mod	350,000	0	0	No

	Sage Hill	Mod	15,000	936	125	Except
05/07/2008	Budge Brown	New	16,000	3,900	430	No
	V Madrone	Mod	0	0	0	No
04/16/2008	El Retiro	Mod	0	0	0	No
	Robert Mondavi	Mod	1,400,000	0	0	No
04/02/2008	Craig	Mod	5,000	0	0	No
03/19/2008	Calistoga Artisan	New	48,000	12,480	384	No
03/05/2008	Gateway	New	600,000	10,400	9,000	No
	Elyse	Mod	40,000	0	0	No
02/20/2008	Rudd	New	120,000	0	0	No
02/06/2008	Sage Canyon	New	150,000	2,912	496	Yes
	Sequoia Grove	Mod	100,000	0	38,800	No
01/02/2008	Bryant Morris	Exist	20,000	1,300	185	No
2008		20	3,025,000	93,430	54,205	3
11/07/2007	V. Sattui	Mod	0	444,288	95,400	No
10/17/2007	Spence	New	5,000	0	64	Except
09/19/2007	Grieve	New	15,000	0	100	No
09/05/2007	Whitehall Lane	Mod	75,000	0	0	No
08/15/2007	Broman	New	20,000	520	195	No
08/01/2007	Frank Family	Mod	0	75,400	3,040	No
	Alumbaugh	New	50,000	7,280	244	No
	Lieff	New	3,000	416	60	Yes
07/18/2007	Del Dotto	Mod	0	0	0	No
06/06/2007	D'Ambrosio	New	30,000	7,644	270	No
	Malk	New	2,400	1,456	0	Yes
04/18/2007	Looking Glass	New	30,000	1,144	550	No
	Toad Hall	New	30,000	0	0	No
	Silverado Hill	Mod	150,000	25,550	3,612	Yes
04/04/2007	Foley	New	30,000	0	0	No
03/07/2007	Sage	New	15,000	2,496	484	No
02/21/2007	Miller	New	10,000	1,248	80	No
	Silver Oak	Mod	0	0	0	No
02/07/2007	Hillview	New	30,000	5,824	1,430	No
2007		19	495,400	573,266	105,529	3
12/06/2006	Razi	Mod	0	0	0	No
11/15/2006	Casa las Trancas	New	100,000	7,300	730	No
	Fantesca	Mod	10,000	0	0	No
10/04/2006	Fleming	New	12,000	3,120	490	Except
-	Rockledge	New	15,000	520	280	No
09/20/2006	Meadowood Lane	Mod	28,000	2,184	340	No
09/06/2006	Havens	Mod	85,000	4,345	0	No
08/02/2006	Waugh	New	30,000	3,640	30,000	Except
	Graeser	Mod	0	3,120	245	No
07/19/2006	Gamble	New	12,000	5,200	550	Yes
07/05/2006	Fontenella	New	30,000	520	370	No
06/21/2006	Mt Veeder Springs	New	10,000	0	130	No
	Ulitin	New	36,000	2,600	280	Yes
	Fulton	New	20,000	1,040	300	Yes
06/07/2006	Bekker	New	15,000	416	130	Yes
05/03/2006	Suscol Creek	New	200,000		2,600	Except
	Plumpjack	New	30,000	3,900	750	Except
04/05/2006	Cliff Lede	New	12,000	1,300	400	No
03/15/2006	Cuvaision	Mod	0	27,300	0	No
	Checkerboard	New	15,000	3,900	200	Except
03/01/2006	Sutter Home	Mod	0	1,560	450	No
02/01/2006	Ashe	New	2,500			No
01/18/2006	Clark-Claudon	New	20,000	416	220	No
	Hall	Mod	-1,545,000	0	1,200	No
2006		24	-862,500	72,381	39,665	4