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CEQA MEMO



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Planning, Building & Environmental Services

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David Morrison
Director

MEMORANDUM

To: Planning Commission	From: Wyntriss Balcher, PBES
Date: May 4, 2016	Re: Canard Vineyard Winery #P15-00249 Categorical Exemption Determination Assessor Parcel #020-150-027

Background

Pursuant to Section 303 of Napa County’s Local Procedures for Implementing the California Quality Act (CEQA), the Planning Department has prepared this environmental evaluation for the proposed Canard Vineyards Winery Use Permit Application (File No. P15-00249).

The project proposes:

Approval of a use permit (#P15-00249) to establish a 10,000 gallon per year winery with the following components:

- the conversion of the 925 sq. ft. lower floor of an existing 2-story garage for winery production where the second story will continue for private, residential, personal use only;
 - the construction of an 800 sq. ft. covered crush pad which will also serve as a mobile bottling truck processing area;
 - installation of 10,000 gallon water tank;
 - the construction of a 1,280 sq. ft. pad for wine fermentation and storage tanks, and loading and unloading of supplies and materials;
 - the construction of a 460 sq. ft. outdoor tasting area adjacent to the winery building;
 - three full time employees-weekdays; One employee-weekends
- hours of operation:
- Production, 7:00am to 6:00 pm;
 - Hospitality, 10:00 am to 6:00 pm;
- visitation will be a maximum of 10 visitors per day; maximum 70 per week;
- a Marketing Program: 8 events per year for a maximum 30 guests (all Marketing events will be catered); and,
- on-premise consumption and sale of wine produced onsite and purchased from the winery in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004-Evans Bill) for consumption within the tasting room and within the 460 sq. ft. outdoor tasting area.

Existing Setting

The project is located on a 24.69-acre parcel and on the northwest side of the intersection Dunaweal Lane and Silverado Trail. The General Plan land use designation is Agricultural Resource and is within the Agricultural Preserve (AP) zoning district; 1016 Dunaweal Lane, Calistoga; APN: 020-150-027.

Development on the property includes: a single family residence with associated landscaping and pool; garage; barn; storage building; a waste disposal system; two wells; three wind machines; and twenty-two (22) acres of vineyards. The residential use generates 10 traffic trips. Access to the property is from Dunaweal Lane via an unpaved driveway. There are two residences near the project site: to the south, approximately ±670 feet (but at elevation 100 ft. above project site); to the east, ±720 feet.

CEQA Exemption Criteria and Analysis

Because of the minimal construction and limited operations, the Planning Department finds the project to be categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15303, Class 3 (New Construction or Conversion of Small Structures) and Appendix B of Napa County's Local Procedures for Implementing the California Environmental Quality Act under Class 3: New Construction or Conversion of Small Structures, #10 for the construction and operation of small wineries, other agricultural processing facilities, and farm management uses that:

- (a) are less than 5,000 square feet in size excluding caves;
- (b) will involve either no cave excavation, or excavation sufficient to create no more than 5,000 additional square feet with all of the excavated cave spoils to be used on site;
- (b) will produce 30,000 gallons or less per year;
- (c) will generate less than 40 vehicle trips per day and 5 peak hour trips except on those days when marketing events are taking place;
- (d) will hold no more than 10 marketing events per year, each with no more than 30 attendees, except for one wine auction event with up to 100 persons in attendance; **and**
- (e) will hold no temporary events.

a) are less than 5,000 square feet in size excluding caves.

Response: The project proposes the conversion of a portion of the lower story of an existing 925 sq. ft. existing garage to winery uses; the upper story will remain a residential use. The project also proposes the construction of an 800 sq. ft. covered crush pad and a 1,280 sq. ft. pad for wine fermentation and storage tanks and loading and unloading of supplies and materials. Therefore, the ultimate proposal proposes a total 925 sq.ft. winery building.

b) will involve either no cave excavation, or excavation sufficient to create no more than 5,000 additional square feet with all of the excavated cave spoils to be used on site.

Response: There is no proposal for caves on this project site.

b) will produce 30,000 gallons or less per year.

Response: The applicant proposes to produce up to 10,000 gallons/year.

- c) will generate less than 40 vehicle trips per day and 5 peak hour trips except on those days when marketing events are taking place.

Response: The original project proposed three full-time employees year round and one part-time employee during harvest and 10 visitors daily for tours and tastings, with an average of four visitors on a weekday and six on the weekend. Based upon the Napa County Winery Traffic Information/Trip Generation Sheet, the maximum number of visitors during the PM peak hours (4:00PM – 6:00 PM) would be five visitors on weekdays; four visitors on weekends. The originally proposed marketing events included four wine club events with up to 75 attendees and 2 wine auction events with up to 100 attendees. Evening events and wine auction events would begin no earlier than 6:00 PM and end no later than 11:00 PM.

A Traffic Impact Study was prepared for the Canard Winery project by W-Trans (dated December 30, 2016) and submitted with the project. According to the Traffic Impact Study who utilized the County of Napa's Winery Traffic Information/Trip Generation Sheet, the proposed project's daily traffic volumes and weekday peak hour trips have been calculated to be: 12 vehicle trips with and 5 trips occurring the PM peak hour (4:00 PM – 6:00 PM), weekdays; 13 vehicle trips with 7 trips occurring during the PM peak hour, weekends. The infrequent marketing event trips, which would occur outside peak periods, would result in an estimated 18 trips during any single hour in each direction on Dunaweal Lane north and south of the project, but, given that the events would be infrequent, would occur outside of the peak periods, and result in a minimal increase in traffic, the marketing events were not included in the daily trip generation and resulting intersection analysis in the study.

Subsequent to the report, however, the project was revised to reduce the number of weekend employees to three on weekdays; one on the weekend, plus the on-site residing family members. And, the number of events was reduced to eight per year with a maximum number of 30 guests attending the events.

With the proposed reduction in marketing events and employees, based upon the County Traffic Information/Trip Generation Sheet, the revised project would generate 12 daily vehicle trips. 4.56 vehicle trips will occur during the weekday PM peak period. 7 weekend trips will occur with 4 vehicle trips during the weekend PM peak period. The revised project will, therefore, generate less than 40 trips per day and will generate less than 5 peak hour trips.

- d) will hold no more than 10 marketing events per year, each with no more than 30 attendees, except for one wine auction event with up to 100 persons in attendance.

Response: The revised project proposal request to host a maximum of eight Marketing Events per year for a maximum of thirty guests. The revised proposal does not include participation in an Auction Napa Valley wine auction event.

- e) will hold no temporary events.

Response: The project description for the Canard Vineyards Winery clearly states that there will be no temporary events applied for in the future.

Under Section 15300.2 of the California Environmental Quality Act, a Class 3 (Section 15303) exemption cannot be used if environmental sensitivities exist at the site or if there will be cumulative impacts. According to the

County's resource maps, there are no environmental sensitivities, scenic resources, hazardous waste sites, nor historic resources identified on the site. The conversion of the existing small structure from one use to another is minimal modification of the structure and the proposed visitation and marketing will not create a cumulative significant traffic impact. With the location of the closest receptor residences ± 670 feet and ± 720 feet away, potential noise impacts from periodic bottling activities (mobile bottling line) would have a less than significant impact on local residences. Recent noise studies of bottling activities measured 50 feet from the activity itself found the noise levels to be 65 dBA. (Draft Environmental Noise Impact Report For: Bell Wine Cellars Use Permit Modification, RGD Acoustics, November 16, 2015). The noise studies further state that such point source sound levels are reduced with distance in accordance with the "inverse square law", which yields a six dB sound reduction for each doubling of the distance from the source.

Based upon the measurements and calculation stated in that study, the receptor residences located ± 670 feet and ± 720 feet away, the noise level for the mobile bottling line at the adjacent residences would be approximately 23 decibels lower than the measured 65 dBA noise level 50 feet from the bottling line, or 42 dBA. Additionally, the proposed eight marketing events for up to thirty people will generate vocal noise (amplified music will be prohibited). But, by using the noise measurements taken at a winery event with an attendance of 85 people (plus music) in the previously mentioned report, 60 dBA at 123 feet, it can be calculated that at the 670 feet and the 720 feet distances, the noise level for an event would be 15 dB lower, or 45 dBA. The calculated noise levels do not exceed the County's Noise Ordinance "Exterior Noise Limits" at the nearest residence (45dBA).

A Habitat Assessment was prepared and submitted with the project by Wildlife Research Associates (dated July 29, 2015), which found that no special plants were observed during the site visit and none are expected as the proposed site does not support any natural plant communities and is dominated by vineyard and landscaped ornamental plants; no special status vegetation communities were found; the current conditions of the parcel allow for movement of wildlife without impendence; and no special status wildlife species were observed.

Therefore, based upon the above analysis there is no reasonable possibility that the project will have a significant effect on the environment, or damage scenic resources because there will be only minor changes to the existing structure and any noise generated by the project will not exceed the levels established by the County Noise Ordinance.

Based upon the project's compliance with the criteria established for a small winery and based upon the above indicated determination indicated above regarding significant impacts, it can be determined that this proposal meets the Categorical Exemption discussed above, and the project is exempt from CEQA.