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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: Tendai Mtunga, Planner III
Date: February 22, 2017	Re: Fortunati Vineyards #P16-00043 Categorical Exemption Determination Assessor Parcel #036-180-004

### Background

Pursuant to Section 303 of Napa County's Local Procedures for Implementing the California Quality Act (CEQA), the Planning Division has prepared this environmental evaluation for the proposed Fortunati Vineyards Winery Use Permit Application (File No. P16-00043).

The project proposes:

Approval of a Use Permit (#P16-00043) to establish a 12,000 gallon per year winery with the following components:

- a) A two story 1,500 square feet winery production building which includes a 227 square foot covered crush pad. Bottling and processing to occur within the winery;
- b) An attached 304 square feet covered equipment area;
- c) Installation of three (3) water tanks totaling 20,000 gallons;
- d) Construction of looped access driveway to comply with county standards;
- e) Construction of seven (7) parking spaces;
- f) Employment of one (1) full-time and one (1) part-time employee;
- g) Establishment of hours of operation:  
Production: 7:30 a.m. - 6:00 p.m.; Hospitality: Monday-Sunday 10:00 a.m.- 4:30 p.m.;
- h) Visitation for a maximum of 10 persons per day with food and wine pairings;
- i) Establishment of a marketing program: 10 events annually for 30 guests maximum and 1 event annually for 100 guests maximum. All food service for marketing events will be catered and prepared in a licensed off-site permitted kitchen;
- j) Use of portable toilets for a large marketing event;
- k) Use of existing vineyard avenues for overflow parking during marketing events.
- l) Construction of code compliant water and waste water, storm drainage, and fire suppression facilities;
- m) Installation of on-site landscaping;
- n) Installation of solid waste and recycling storage area; and
- o) On-premises consumption of wines produced on site within the tasting room in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004 -Evans Bill).

### Existing Setting

The project is located on a 10.28 acre parcel on the east of Hunter Ranch Road, west of Big Ranch Road and north of Salvador Avenue. The General Plan land use designation is Agricultural Resource and is within the Agricultural Preserve (AP) zoning district; 986 Salvador Avenue, Napa; APN: 036-180-004.

The existing development on the property includes: a single three bedroom residence, a septic system that runs northwest of the residence into the lawn area, a well located south of the residence and 7.8 acres of vineyards. Access to the property is from Salvador Avenue via a paved driveway. The proposed winery building will be located east of the existing residence and north of Salvador Avenue.

### CEQA Exemption Criteria and Analysis

Because of the minimal construction and limited operations, the Planning Division 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 construction of a new 1,500 square foot winery production and tasting 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.

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

Response: The applicant proposes to produce up to 12,000 gallons/year.

d) 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: A traffic impact study is not needed because of the following characteristics of the project:

The project takes access from Salvador Avenue. This roadway segment is designated a Rural Collector in Napa County General Plan, and is not expected to reach an unacceptable Level of Service under the buildout of the plan.

The project as proposed is forecast to generate 13 Average Daily Trips (ADT) on weekdays, a figure which is comparable to that of a single-family residence. Weekend trip generation is estimated at 9 ADT, less than that for weekdays due to the configuration of the project. The project may be considered to have a less-than-significant increase on the route due to these figures and the forecast Level of Service as noted above.

**Left-Turn Lane not required.** Based on the forecast of traffic to be generated by proposed project, and the volume of traffic on Salvador Avenue, this project will not require the installation of a left-turn lane at the location of the project access driveway.

**Encroachment Permit required.** The plans indicate a new driveway connection to Salvador Avenue, a County maintained road. An encroachment permit will be required during the building permit phase.

- e) 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 project proposal requests to host a maximum of ten (10) Marketing Events per year for a maximum of 30 guests as well as one wine auction event with up to 75 persons in attendance.

- f) will hold no temporary events.

Response: No temporary events are proposed as part of the project.

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 construction of a 1,500 square foot winery building would result in minimal construction impacts and the proposed visitation and marketing would not create a cumulative significant traffic impact. The location of the closest receptor residence is approximately 65 feet away; potential noise impacts from periodic bottling activities would be less than significant 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 (6) dB sound reduction for each doubling of the distance from the source.

Based upon the measurements and calculation stated in that study, the noise level for the receptor residence located approximately ±65 feet away from this proposed winery's bottling activity would be approximately 62.7 dBA. Additionally, the proposed 10 marketing events for up to 30 people and one wine auction event for up to 100 people would generate vocal noise (amplified music would 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 65 foot distance, the noise level for an event would be 5.5 dB greater, or 65.5 dBA. The Napa County Noise Ordinance, which was adopted in 1984, sets the maximum permissible received sound level for a residence in a rural area as 45 dBA between the hours of 10 p.m. and 7 a.m. and 50 dBA between the hours of 7 a.m. to 10 p.m. Although, the calculated noise levels would

temporarily exceed the County's Noise Ordinance "Exterior Noise Limits" at the nearest residence (50 dBA) from 7:00 a.m. to 10:00 p.m., the standard conditions of approval require that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. No events would occur between the hours of 10 p.m. and 7 a.m. and all bottling activity would occur within the proposed winery building. The temporary increase in the ambient noise levels during crush activities on the proposed outdoor crush pad would be short term in nature. In addition to the standard condition of approval mentioned above, the following project design features would be incorporated into the project as conditions of approval to reduce potential noise impacts:

- All bottling activity would take place within the winery; the floor plan has been modified to include a tai folding acoustical panel to allow access to the crush pad and can be folded or removed when not needed. This acoustic panel is designed to reduce noise from the crush pad.
- The tai folding acoustical panel is designed to match the walls, and will be attached on a track to the underside of the East balcony beam.

Therefore, based upon the above analysis there is no reasonable possibility that the project would have a significant effect on the environment, or damage scenic resources because there would be minimal impacts from the construction of the proposed 1,500 square winery building and any noise generated by the project would not exceed the levels established by the County Noise Ordinance with adherence to the recommended conditions of approval and project design features.

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.