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Planning, Building & Environmental Services

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Director

MEMORANDUM

To: Planning Commission	From: Graham Hannaford, Planner II
Date: June 20, 2018	Re: Boyd Vineyard Winery #P17-00379 Categorical Exemption Determination Assessor Parcel #036-190-003

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 Boyd Vineyards Winery Use Permit Application (File No. P17-00379).

The project proposes:

Approval of a Use Permit (#P17-00379) to establish a 30,000 gallon per year winery with the following components:

- a) The construction of a 4,200 square foot winery production building with an additional 400 square foot covered crush pad and 400 square foot outdoor tasting area. Bottling and processing to occur within the winery;
- b) Improvements to an existing driveway to meet Napa County Road and Street Standards in most sections;
- c) Construction of seven (7) parking spaces;
- d) A new sanitary sewage wastewater management system and a new hold-and-haul wastewater disposal system;
- e) Employment of two (2) full-time and two (2) part-time employees during normal operations and up to six (6) full-time and four (4) part-time employees during harvest;
- f) Establishment of hours of operation:
Production: 10:00 am-6:00 pm. Daily; Hospitality: Monday-Sunday 10:00 am-6:00 pm Daily;
- g) Visitation for a maximum of 15 persons per day and an average of 40 persons per week;
- h) Establishment of a marketing program: 10 events annually for 30 guests maximum and 1 event annually for 100 guests maximum;
- i) Use of existing vineyard avenues for overflow parking during marketing events.
- j) Installation of a commercial kitchen. All food service for marketing events will either be prepared in the licensed commercial kitchen or catered;
- k) Construction of code compliant water and waste water, storm drainage, and fire suppression facilities;

- l) Installation of on-site landscaping; and
- m) Installation of solid waste and recycling storage area; and
- n) On-premises consumption of wines produced on site located on the tasting patio in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004 -Evans Bill).

The project also includes a request for an exception to the Napa County Roads and Streets Standards for a reduction in commercial roadway width to a one-way road for 138 feet of the private drive length located immediately in front of the neighbors' residence (APN 036-190-002).

Existing Setting

The project is located on a 21.88 acre parcel on the east side of Big Ranch Road, approximately one mile south of its intersection with Oak Knoll Road. The General Plan land use designation is Agricultural Resource (AR) and is within the Agricultural Preserve (AP) zoning district; 4042 Big Ranch Road, Napa; APN: 036-190-003.

The existing development on the property includes: a single two bedroom residence, a one bedroom guest cottage, a mound septic system northeast of the residence into the lawn area, a 100 gallon-per-hour water well located south of the residence and 13.68 acres of vineyards. Access to the property is from Big Ranch Road via a paved driveway. The proposed winery building will be located southwest of the existing residence and west of Big Ranch Road.

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;
- (c) will produce 30,000 gallons or less per 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;
- (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; **AND**
- (f) 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 4,200 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 30,000 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 Big Ranch Road. 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.

Based on the focused trip generation analysis prepared by Omni-Means for this project, the project as proposed is forecast to generate 14 Average Daily Trips (ADT) on weekdays and 5 trips during the peak p.m. hours (4-6 p.m.) during regular operations, figures which are comparable to that a single-family residence. Weekend trip generation is estimated at 19 ADT with 5 peak p.m. trips during regular operations and 39 ADT during crush. The project may be considered to have a less-than-significant increase on the route due to the project generating less than 40 trips daily and less than 5 trips during the p.m. peak hours, 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 Big Ranch Road, 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 100 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 4,200 square foot winery building qualifies as the construction of a small structure and the proposed visitation and marketing would not create a cumulative significant traffic impact. The location of the closest receptor residence is approximately 400 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 ± 400 feet away from this proposed winery's bottling activity would be approximately 17 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 400 foot distance, the noise level for an event would be 33 dB lower, or 27 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 could temporarily exceed the County's Noise Ordinance "Exterior Noise Limits" at the nearest residence (50 dBA) from 7:00 am to 10:00 pm, 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:

Furthermore, in accordance with Roads & Street Standards (RSS) Section (3) Exception to Standards and Section (5) Local Responsibility Area Exception, the project also includes a Road & Street Standards Exception request for a reduction in commercial roadway width to a one-way road for 138' of the private drive length located immediately in front of the neighbors' residence (APN 036-190-002). The subject parcel falls entirely within the Local Responsibility Area (LRA) and is not designated as being in a Very High Fire Hazard Severity Zone (VHFHSZ). Permanent measures such as implementation of horizontal and vertical vegetation management to create defensible space and signage for safely directing ingressing and egressing traffic to and from the winery to Big Ranch Road, including yield signage will be provided. This exception have been reviewed by the County Engineering Services Division and the Fire Marshal. As

stated in the Engineering Services Division Memorandum, dated June 8, 2018, it has been determined that the requested Exception complies with the required finding that the proposed project will provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property.

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 4,200 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.