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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: Wyntress Balcher, PBES

Date: March 4, 2017 Re: ZD Wines Use Permit Modification #P16-00026
Categorical Exemption Determination
Assessor Parcel #030-200-005

Background

Pursuant to Section 303 of Napa County’s Local Procedures for Implementing the California Quality Act (CEQA), the Planning, Building and Environmental Services Department has prepared this environmental evaluation for the proposed ZD Wines Use Permit Modification Application (File No. P16-00026). The project is located on a 5.75± acre parcel on the west side of Silverado Trail, approximately one mile northwest of Skellenger Lane and one mile southeast of Sage Canyon Rd., within the Agriculture, Watershed and Open Space General Plan area and within the Agricultural Preserve zoning district. 8383 Silverado Trail, Napa. APN: 030-200-005.

The project requests approval of a Major Modification to an existing 70,000 gallon winery (#U-697778 and #U-90-42) to allow the following: a) re-allocate and rearrange the 33 existing parking spaces and add approximately ±729 sq. ft. of pervious surfaces to the existing asphalt surface to allow all parking stalls a full nineteen feet in length; b) re-allocate 56 sq. ft. of existing building area to expand the 815 sq. ft. second floor tasting room area to a total of 871 sq. ft.; c) remodel and expand the existing 622 sq. ft. second floor deck, adding a partial covering for a total of 1,228 sq. ft. in area; d) to confirm 25 full-time employees, 10 part-time employees; e) to confirm the daily visitation of 225 visitors; and f) to modify the on-premises consumption of wine condition (Permit #P14-00041 VMM) to include the “Vineyard View Room” with “Deck A and Deck B”, in accordance with Business and Professions Code Sections 23358, 23390 and 2.3396.5 (AB 2004-Evans Bill). There is no expansion in the footprint of the winery building nor is there an increase in production.

The 25,000 gallon winery was established on a ±5.75 acre parcel with the approval of Use Permit #U-697778 on August 16, 1978. The approved ±5,000 sq. ft. winery building was located at least 90 feet from centerline of Silverado Trail with no public tours and tastings; a minimum of five (5) parking spaces; 1 full-time, and 4 part-time employees.

A modification of the use permit (U-697778 Mod#1) was approved by the Board of Supervisors on January 6, 1990 on appeal to: increase winery production from 25,000 to 50,000 gallons; establish public tours and tasting with expected 50 visitors on the busiest day and a 350 maximum per week; install at least 18 parking places (12 available to visitors on a dust-free all-weather surface); 8 full-time, 7 part-time employees (a total 15 employees); 32 mitigation measures, including the following on-going measures: only one bus per day (between 9:00 AM -4:30 PM); installation of a left turn lane; a maximum of 60 visitor-carrying vehicles per day; provide at least 18 improved parking spaces; production outdoor noise limited to 8:00 AM to 5:00 PM, except during crush; and outdoor visitation activities to cease at 6:00 PM weekdays, 3:00 PM on Saturdays and Sundays, except for one event per year.

A modification request #U-90-32 was approved by Planning Commission on February 6, 1991 to: increase production to 70,000 gallons; construct a new 13,500 sq. ft. building addition; convert 1,000 sq. ft. of an existing second floor storage area into an equipment room and office space; convert 1,856 sq. ft. the former covered crush pad into case storage; established a marketing plan of private lunches for retailers and restaurateurs (average 10 guests, 6 times per year); construct 21 parking spaces; and outdoor activities were required to cease by 6:00 PM weekdays and by 3:00 PM weekends except one event was allowed outside these hours. No other changes were proposed.

A very minor modification was approved on March 31, 2014 (#P14-00041) to allow on-premises consumption of wine produced on-site and purchased from the winery in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises." The conditions also stated "any and all visitation associated with on-premise consumption shall be subject to the 50 person maximum daily tours and tastings visitation limitation and/or applicable limitation of a permittee's marketing plan."

Under this current major modification, the applicant is requesting confirmation of their total number of employees, number of visitors allowed, and the total number of parking spaces under their use permits.

CEQA Exemption Criteria and Analysis

Because the project proposes minimal construction to an existing facility, no increase in production and no increase in visitation or employees than currently exists, the Planning Division finds the project to be categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 Existing facilities and the Local CEQA Guidelines Appendix B, Class 1, Existing Facilities, Section (1) (a).

Class 1: Existing Facilities *[State CEQA Guidelines §15301 Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination]*

Class 1, Existing Facilities *[Local CEQA Guidelines, Appendix B, Section (1) (a) which identifies an exemption for existing roads, streets, highways, bicycle and pedestrian paths, and appurtenant facilities. Repair, maintenance, reconstruction, replacement and minor expansion including, but not limited to: (a) reconstructing, resurfacing and/or seal coating of the pavement.]*

Analysis: The project proposes to relocate existing employee parking spaces on the east side of the winery building to existing paved areas south of the winery building. This will include a portion of the existing paved area, 81 feet in length but at ±35 in width is insufficient to accommodate the length of a parking space plus aisle. The applicant proposes an additional 9 ft. be added for the parking spaces, utilizing permeable pavers instead of expanding the pavement. There is currently gravel in the area. Southwest of the winery, there are 9 existing stalls, and the applicant proposes to add two more spaces; the one adjacent to the unpaved area will be extended to the 8 foot stall width with the installation of a 4 ft. wide permeable pavers. The expansion of the parking area will not involve the removal of grapevines. Therefore, the project proposes a very minor physical expansion to an existing paved surface, the expansion will not result in an increase in pervious surfaces, and there will be no expansion of the existing use.

The project also proposes to expand the second floor decks ±1 – 3' in width, covering a portion of the existing deck; to reallocate a portion of the existing building to expand an existing storage room adjacent to the vineyard view room; and to add the "Vineyard View Room" with "Deck A and Deck B". These activities will occur within the existing building or will expand existing decking attached to the building. The deck additions will result in less than 2,500 sq. ft. in area and the expansions to the building will not result in an increase in the building footprint. The inclusion of the "Vineyard View Room" as an area designated for on premise consumption will not result in an increase in visitation or use.