



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 11/20/2019

Agenda Placement: 7A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Emily Hedge, Planner III - 259-8226
SUBJECT: Fontanella Family Winery Major Modification

RECOMMENDATION

THE JEFFREY & KAREN FONTANELLA TRUST / FONTANELLA FAMILY WINERY / MAJOR MODIFICATION #P18-00431

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Major Modification for an existing 30,000 gallon winery to allow the following: a) tours and tastings by appointment only for 14 visitors per day (increase from four per day); b) an annual marketing plan (modified) including fifty events with a maximum of eight guests per event, six events with a maximum of 30 guests per event, one event with a maximum of 75 guests per event, and one event with a maximum of 150 visitors; c) on-premises consumption of wine in the tasting room and outdoor patio; d) employment of six full-time employees (increased from three full-time and two part-time); e) demolition of the existing 1,500-square foot winery office building; f) construction of a replacement, approximately 2,900-square foot office building; g) driveway improvements to widen the access road to County Road and Street Standards (remove use of loop road); h) a total of nine parking spaces (increased from five); i) increase the outdoor work area to 3,000 square feet (existing 2,100 square feet); j) permanent installation of tanks on the existing outdoor work area; and k) removal of previous restriction on temporary events. The project is located on a 26.44 acre parcel, located at 1721 Partrick Road, Napa within the Agricultural Watershed (AW) zoning district. APN 050-010-018.

Staff Recommendation: Adopt the proposed Negative Declaration and approve the requested Use Permit Major Modification as conditioned.

Staff Contact: Emily Hedge, Planner III, (707) 259-8226 or emily.hedge@countyofnapa.org

Applicant Contact: Karen Fontanella, Fontanella Wines, LLC, (707) 252-1017

Representative Contact: Beth Painter, Balanced Planning, (707) 337-3385 or beth@bpnapa.com.

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Negative Declaration based on recommended Findings 1-7 in Attachment A; and
2. Approve Use Permit P18-00431 based on recommended Findings 8-12 in Attachment A, and subject to the recommended conditions of approval in Attachment B.

Discussion:

On July 5 2006, the Planning Commission approved Use Permit P06-0113-UP for a new 30,000 gallon winery with an approximately 5,000 square foot winery building and approximately 2,600 square feet of outdoor work area. The approval permitted three full-time and two part-time employees, tours and tasting by appointment only for four visitors per day with an average of 10 visitors a week, and an annual marketing plan of nine events. Use Permit Minor Modification P07-00280 was approved by the Director to reduce the winery building size to approximately 3,500 square feet, the outdoor work area to 2,100 square feet, and convert an existing, approximately 1,500 square foot barn to a winery office. The property has two approved erosion control plans and is planted in approximately 5.4 acres of vineyards. In December 2018, the property entered into an Agricultural Preserve Contract with the County. The current application for a major modification was submitted December 6, 2018.

The Major Modification would permit the following operational changes and physical improvements to the existing winery. Increase existing visitation from four visitors per day to 14 visitors per day. The marketing program would add small, eight-person events, occurring with a frequency of approximately one per week with a total of 50 per year; have six events with a maximum of 30 visitors (reduced from 9 events); one event with a maximum of 75 visitors; and one event with a maximum of 150 visitors. These two larger events will replace the one existing Wine Auction event for 100 visitors. Increase the number of employees from three full-time and two part-time employees to six full-time. Approval of on-premises consumption in the winery tasting room and the outdoor patio is also proposed. Physical improvements include demolition of the existing 1,500-square foot winery office building and construction of a replacement, approximately 2,900-square foot office building. The new building would be located in approximately the same location on the existing outdoor work area, southwest of the existing building it is replacing. The existing driveway will be widened to meet County Road and Street Standards, which will remove the need for winery visitors to utilize the loop road through the property. The driveway will remain for use of the residence. Four new parking spaces will be added for a total of nine spaces. The existing outdoor work area will have wine tanks permanently installed. There is no proposed change to annual production.

Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. The proposed winery visitation is comparable to other wineries approved to produce around 30,000 gallons per year. Implementation of the proposed project, would result in minimal potential environmental impacts. Based on these reasons, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Property Owner: The Jeffrey & Karen Fontanella Trust, (707) 252-1017, karen@fontanellawines.com.

Applicant: Fontanella Wines LLC, (707) 252-1017, karen@fontanellawines.com.

Representative Contact: Beth Painter, Balanced Planning, (707) 337-3385 or beth@bpnapa.com.

Zoning: Agricultural Watershed (AW)

General Plan Designation: Agriculture, Watershed, and Open Space (AWOS)

Application Filed: December 6, 2018; **Resubmittals Received:** March 21, 2019; July 9th and 30th, 2019; **Deemed Complete :** August 16, 2019

Parcel Size: 26.44 acres

Existing Development: Existing on-site development includes the winery, winery office building, outdoor work area, driveway looped road, and associated winery parking, as well as a residence and an irrigation reservoir. The property is planted in approximately 5.4 acres of vineyards.

Winery Characteristics:

Approved/Existing Winery Buildings Sizes: Winery 3,600 square feet; Office 1,500 square feet (to be removed); Crush pad 2,100 square feet

Proposed Winery Buildings Size: Winery - No change; Replacement Office 2,900 square feet; Crush pad 3,000 square feet

Approved Production Capacity: 30,000 gallons of wine per year

Existing Production Capacity: Approximately 23,500 in 2017

Proposed Production Capacity: No change

Approved/Existing Winery Development Area: Approximately 9,430 square feet; 0.22 acres

Proposed Winery Development Area: Approximately 9,350 square feet; 0.21 acres

Approved/Existing Winery Coverage: Approximately 33,500 square feet; 0.77 acres; 2.9% of the site (maximum 25% allowed)

Proposed Winery Coverage: 32,100 square feet; 0.74 acres; 2.8% of parcel

Approved/Existing Accessory to Production Ratio: 38.4% (approximately 2,000 square feet Accessory area and 5,200 square feet Production area; maximum 40% of production area allowed)

Proposed Accessory to Production Ratio: 37.84% (2,600 square feet Accessory area and 6,900 square feet Production area)

Approved/Existing Number of Employees: 3 full-time and 2 part-time

Proposed Number of Employees: six full-time

Approved/Existing Visitation: four visitors per day with Food and Wine Pairings. Weekly average 10 visitors

Proposed Visitation: 14 visitors per day with Food and Wine Pairings. Weekly maximum of 98 visitors

Approved/Existing Annual Marketing Program: Nine events with a maximum of 30 people and 1 event with a maximum of 100 people; no Temporary events

Proposed Annual Marketing Program: 50 events with a maximum of eight people, six events with a maximum of 30 people, one event with a maximum of 75 people, and one event with a maximum of 150 people. Event hours 11 a.m. to 10 p.m. Catered Food may be provided. Remove restriction on temporary events.

Approved/Existing Hours of Operation:

Non-harvest Production hours – 7:00a.m. to 5:00 p.m. - Monday - Friday

Visitation – 10:00 a.m. to 4:00 p.m. - Monday - Sunday

Proposed Hours of Operation: No change

Approved/Existing On-site Parking: 5 spaces

Proposed On-site Parking: 9 spaces

Setbacks Required: 20 feet from property lines and 300 feet from the centerline of Partrick Road.

Existing Setbacks: The existing winery and office building meet all setback requirements. The closest portion of the existing office building is approximately 175 feet from the eastern property line (closest).

Proposed Setbacks: There are no changes to the location of the existing winery building. The proposed replacement office building will be located approximately 220 feet from the eastern property line (closest).

Adjacent General Plan Designations/Zoning Districts/Land Uses:

All surrounding properties have a General Plan designation of Agriculture, Watershed, and Open Space (AWOS) and a Zoning designation of Agricultural Watershed (AW). Surrounding development includes residences and vineyards, with some oak-bay woodlands to the north, south, and west, and undeveloped grasslands to the east.

Nearby Wineries (within one mile of project site):

The Winery Comparison Analysis two wineries within one mile of the project. Renteria Winery is on the adjacent property to the west and Mt. Veeder Springs Winery is on the property to the south.

Parcel History:

On July 5 2006, the Planning Commission approved Use Permit P06-0113-UP for a new 30,000 gallon winery with an approximately 5,000 square foot winery building and approximately 2,600 square feet of outdoor work area. The approval permitted three full-time and two part-time employees, tours and tastings by appointment only for four visitors per day with an average of 10 visitors a week, and an annual marketing plan of nine events. Use Permit Minor Modification P07-00280 was approved by the Director to reduce the winery building size to approximately 3,500 square feet, the outdoor work area to 2,100 square feet, and convert an existing, approximately 1,500 square foot barn to a winery office. The property has two approved erosion control plans and is planted in approximately

5.4 acres of vineyards. In December 2018, the property entered into an Agricultural Preserve Contract with the County. The current application for a major modification was submitted December 6, 2018.

Code Compliance History:

There are no current code violations related to this property.

Discussion Points:

Setting – The 26.4-acre property is located approximately three miles west of the City of Napa in the western foothills of the valley. Existing on-site development includes the winery, winery office building, outdoor work area, and associated winery parking, as well as a residence and an irrigation reservoir. The property is planted in approximately 5.4 acres of vineyards. A blue line stream, containing oak-bay woodland, begins approximately 200 feet south of the winery building and drains easterly to the adjacent parcel to the east. There is a drainage that flows in and out of the irrigation reservoir, converging with the stream south of the winery.

Viewshed – Although the project is not visible from a scenic highway, it is located on Partrick Road, a designated Viewshed road. The existing winery and proposed improvements are not located on slopes greater than 15 percent. Therefore, the project is not subject to review under Napa County Zoning Ordinance, Chapter 18.106 (Viewshed Protection Ordinance).

Modifications to Winery Operations – The applicant has requested to increase existing visitation and modify the marketing program to increase the total number of events per year (see Visitation and Marketing Program section below). Approval of on-premises consumption in the winery tasting room and the outdoor patio is also proposed. In addition the proposal seeks to increase the number of employees from three full-time and two part-time employees to six full-time.

Replacement Office Building and Site Improvements – Demolition of the existing 1,500-square foot winery office building and construction of a replacement, approximately 2,900-square foot office building. The new building would be located in approximately the same location on the existing outdoor work area, southwest of the existing building it is replacing. Due to the relocation of the office building, the existing 2,100-square foot outdoor work area will increase to approximately 3,000 square feet. Wine tanks will be permanently installed on this area. The existing driveway will be widened to meet County Road and Street Standards (RSS), which will remove the need for winery visitors to utilize the loop road through the property. The loop driveway will remain for use of the residence. The gate will be widened to meet the RSS. Four new parking spaces will be added for a total of nine spaces.

Noise – The proposed increase in employees and the level of visitation and marketing would potentially increase the number of people onsite at one time, which could result in elevated ambient noise levels. Wine tasting occurs in the tasting room and on the adjacent outdoor patio. The patio is proposed for on-premise consumption and events. Trees and landscaping surround this outdoor area, which faces west toward vineyards and a winery on the adjacent parcel. The existing on-site residence is located on a small knoll between the winery development and the closest off-site residence (approximately 300 feet to the northeast). The County has not received any noise complaints in the past.

Visitation and Marketing Plan – The proposed increase in visitation to 14 visitors per day, is less than both the average and median calculations of other 30,000-gallon wineries. The annual marketing plan includes 50 events with a maximum of eight people; six events with a maximum of 30 visitors (reduced from 9 events); one event with a maximum of 75 visitors; and one event with a maximum of 150 visitors. The event program is somewhat unique in the proposal for 50 small events per year. This could be spread out to approximately one per week, although the applicant notes frequency will likely vary with the seasons. The applicant estimates one to two events per week in the high season and zero or one event per week in the low season. In comparison with other wineries producing

30,000 gallons, the total of 58 events is close to double the average of 33 events. Despite the difference in number of events, the total event visitation (805 visitors) is not significantly higher than the average (730 visitors). The original Use Permit was approved with a Categorical Exemption for a small winery, which includes a restriction on holding temporary events. This approval would remove that ban, and the winery could apply for events pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

Wastewater – According to the Wastewater Feasibility Study prepared by Applied Civil Engineering, November 18, 2018, the wastewater flows associated with the proposed project can be accommodated within the capacity of the existing sanitary and process wastewater treatment and dispersal system. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.

Groundwater Use – A Water Availability Analysis (WAA) was completed by O’Conner Environmental Inc. Current water use on the project parcel includes the 30,000 gallon per year winery, irrigation of about 5.4 acres of on-site vineyard, and one single family residence. The project parcel has two wells, one serving the winery and one serving as irrigation for the vineyards. There is a perennial spring on the parcel, providing domestic water to the residence and the residence on the adjacent parcel to the east, and irrigation to off-site vineyards owned by the winery. An increase in water use will result from the increase in employees, visitation, and marketing, while water use associated with production, vineyard irrigation, and the on-site residence will remain unchanged. The reports calculated estimates based on Napa County’s WAA Guidance Document, dated May 2015 (Napa County, 2015) in combination with the winery’s metered water use data.

The proposed increase in employees and visitation results in an increase in winery water use from 0.89 ac-ft/yr to 1.15 ac-ft/yr. for a total increase of 0.26 ac-ft/yr. Using the County calculations and the winery’s metered water use data, the total proposed groundwater use on the property is 2.7 ac-ft/yr. The report utilized the Soil Water Balance (SWB) method to produce an estimate of annual recharge on the project parcel for both an Average Water Year (7.7 ac-ft/yr) and a Dry Water Year (3.1 ac-ft/yr.) The WAA demonstrates that the proposed project will not exceed potential recharge. Project specific conditions of approval will be included to require a Groundwater Demand Management Program to meter all wells servicing the property to ensure that the total water usage on the parcel does not exceed the proposed estimate.

Traffic, Site Access, and Parking – A Traffic Impact Study, prepared by W-Trans, July 29, 2019, reviewed Level of Service (LOS), sight distance, County left-turn lane warrant, and parking. An Addendum to the Traffic Impact Study was prepared on October 4, 2019, to modify the analysis of the project with a smaller number of proposed parking spaces (nine reduced from 17).

Based on the current Use Permit parameters, the site is currently generating six trips during the weekday p.m. peak hour and nine trips during the weekend midday peak hour. The proposed changes to the Use Permit would be expected to result in a total of 14 trips during the weekday p.m. peak hour and 19 trips during the weekend midday peak hour, for an increase of eight and ten trips during the two peaks, respectively. The modified Use Permit would be expected to result in an average of 19 additional daily trips during a Crush Saturday, including 11 trips during the peak hour. These trips represent an increase in traffic associated with the proposed use permit compared to currently permitted conditions. The report concludes that the traffic estimate represents a nominal increase in trips, and would therefore reasonably be expected to have a minimal impact on traffic operation. In order to analyze the potential highest volume, long-term conditions, the study analyzed the Future plus Project plus 150-Person Event Conditions Future volumes for the horizon year 2040. A typical weekday p.m. peak period and crush Saturday peak period were analyzed and under these highest volume conditions, the study intersection of Browns Valley Road is expected to continue operating acceptable at LOS A overall and LOS C, with the eastbound study segment of Partrick Road operating acceptably at LOS B and the westbound segment operating acceptably at LOS C during both peaks.

The study found that sight distance on Partrick Road from the project driveway is adequate to the west, but

inadequate to the east to meet the applied criteria for both entering and exiting movements based on the prima facie speed limit (As Partrick Road does not have a posted speed limit in the general vicinity of the project driveway the prevailing prima facie speed limit of 55 mph would apply). The study notes that considering the winding roadway configuration, most drivers travel at lower speeds. The study recommends that the applicant install a right-turn only sign for vehicles exiting the project driveway and a "combination curve/side road" (W1-10) sign along the north side of Partrick Road in advance of the project driveway. The County Public Works Traffic Engineer has reviewed the study and concurs with the findings and recommendations, which have been incorporated as conditions of approval. The existing driveway will be widened to meet County Road and Street Standards (RSS), which will remove the need for winery visitors to utilize the loop road through the property. The entry gate will be widened to meet the RSS. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned.

Four new parking spaces will be added for a total of nine spaces. The Traffic Impact Study Addendum was submitted in order to determine whether the proposed parking supply of nine parking spaces would be sufficient for the anticipated daily demand during harvest conditions as well as during events. It is understood that the crush pad area and unpaved drive aisle shoulders could be used for temporary overflow parking for events. Based on the study parameters that there should be one space per on-site employee and parking stalls for approximately 25 percent of the expected daily tasting room visitors, the proposed parking is sufficient to meet the anticipated parking demand and avoids providing excess parking.

Vehicle Miles Traveled (VMTs) Reduction Strategies – The winery's efforts to reduce vehicle miles traveled (VMT) include: during the reservation process, guests and larger groups are encouraged to carpool and information on group transportation options are provided; staff is encouraged to bring lunch, space is provided to eat onsite, and occasionally the winery provides meals for employees. It is also noted that approximately 10,000 to 12,000 gallons of the total production is able to be produced from the vineyards on site and on the adjacent property, limiting trips associated with grape on-haul. Additionally, the owners live on site reducing the trips of two employees.

Greenhouse Gas (GHG) Reduction Strategies – The applicant proposes the following strategies: installation of solar hot water heating, energy conserving lighting, water efficient fixtures, water efficient landscaping, composting 75% food and garden material. The winery already has shade trees in close proximity to the south side of the buildings and works to educate staff and visitors on sustainable practices. The vineyards are Napa Green certified and best management practices include use 70-80% cover crop, and retention of biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site.

Grape Source – The applicant estimates that the approximately 5.4 acres of vineyards on site produces approximately 4,000 gallons. The applicant owns approximately 6.4 acres of vineyards on the adjacent property, which produces approximately 6,000 gallons. The approximately 12 acres of vineyards on both properties produces approximately 10,000 - 12,000 gallons, which represents approximately 1/3 of the total permitted production. The applicant submitted the grape source form demonstrating that their wine production will comply with the County 75% rule.

Public Comments – Public comments received as of publishing this report are attached.

Decision-Making Options:

As noted in the Executive Summary Section above, staff is recommending approval of the project with conditions of approval as described in Option 1 below.

Option 1: Approve Applicant's Proposal (Staff Recommendation)

Discussion – Approval of the project would allow the requested changes to the existing winery.

This option has been analyzed for its environmental impacts, which were found to be less than significant. Furthermore, the project as proposed meets all County Code requirements and regulations, and complies with General Plan policies. Furthermore, sufficient water is available to implement the changes, the applicant proposes to incorporate GHG and VMT reduction measures, and there will be no significant environmental impacts to the site.

Action Required – Follow the proposed actions listed in the Executive Summary.

Option 2: Reduced Project Alternative

Discussion - This option could result in a potential decrease from the requested visitation or number of marketing events.

Action Required – Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to place limits on use. If major revisions of conditions of approval are required, the item will need to be continued to a future date.

Option 3: Deny the Applicant's Proposal

Discussion - In the event the Commission determines that the project does not, or cannot meet the required findings for grant of the Use Permit, Commissioners should articulate what aspect or aspects of the project are in conflict with required findings. State law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed use permit modification is not being approved.

Action Required – Commission would take a tentative motion to deny project and remand the matter to staff for preparation of required finding to return to the Commission on specified date.

Option 4: Continuance Option

The Commission may continue an item to a future hearing date, at its discretion.

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Memos
- C . Previous Project Conditions
- D . Intial Study Negative Declaration
- E . Use Permit Application Packet
- F . Water Availability Analysis
- G . Wastewater Feasibility Report
- H . Traffic Impact Study
- I . Winery Comparison Analysis and Summary of Changes
- J . Graphics
- K . Public Comments

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona