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A Commitment to Service

Agenda Date: 12/5/2012

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for Hillary Gitelman - Director
Planning, Building and Environmental Services
REPORT BY: Sean Trippi, Principal Planner - 299-1353
SUBJECT: H & L Winery, Use Permit P12-00272

RECOMMENDATION

TREFETHEN FAMILY VINEYARDS, LTD. / JOHN TREFETHEN / H & L WINERY - USE PERMIT # P12-00272

CEQA status: Categorically Exempt pursuant to Appendix B, Class 3, of the Napa County Local Procedures for Implementing the California Environmental Quality Act which exempts the construction and operation of small wineries. This project is not on any of the lists of Hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Use Permit to establish a new 30,000 gallon per year winery with: 1) a +/- 4,500 sq. ft. building; 2) a +/- 500 sq. ft. covered crush pad; 3) up to 4 employees; 4) 13 parking spaces (including 1 ADA-accessible space); 5) by-appointment tours and tastings including food/wine pairings with a maximum of 20 visitors per day and a maximum of 140 visitors per week; 6) visitation hours from 10 am to 6 pm, daily (non-harvest production hours 6 am to 6 pm); 7) Evans Bill (AB2004) on-premise consumption; 8) an annual marketing plan with ten (10) 30-person events per year and one (1) 100 person event per year; 9) new on-site domestic wastewater treatment and disposal systems; 10) connection to existing off-site treatment ponds for process waste; 11) a 50,000 gallon water storage tank and pump house; 12) improvement of existing vineyard roads to comply with Napa County Road and Street Standards; and, 13) installation of an eastbound left-turn lane on Oak Knoll Avenue at the winery driveway. The 41.15 acre parcel is located north of Oak Knoll Avenue, west of Big Ranch Road, within the AP (Agricultural Preserve) zoning district. APN: 036-150-062 (formerly 036-150-054). 1216 Oak Knoll Avenue, Napa.

Staff Recommendation: Find the project categorically exempt and approve the requested use permit as conditioned.

Staff Contact: Sean Trippi, 707-299-1353 or sean.trippi@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Actions:**That the Planning Commission:**

1. Find the project categorically exempt, as set forth in Finding 1 of Exhibit A.
2. Approve Use Permit No. P12-00272 based on Findings 2-6 of Exhibit A and subject to the recommended conditions of approval (Exhibit B).

Discussion:

The applicant requests approval of a use permit to allow construction of a new 30,000 gallon per year winery in an approximately 5,000 sq. ft. building including a covered crush pad on a 41.2 acre parcel near the northwest of Oak Knoll Avenue and Big Ranch Road intersection. The proposed winery would have up to 20 by-appointment tours and tastings visitors daily and a marketing plan with 10 events annually for up to 30 guests and one annual event for up to 100 guests. Staff recommends approval of the project as conditioned.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is Categorically Exempt pursuant to Appendix B, Class 3 of the Napa County Local Procedures for Implementing the California Environmental Quality Act which allows for the construction and operation of small wineries uses that are less than 5,000 sq. ft.; produce 30,000 gallons or less of wine per year; hold no more than 10 marketing events per year with less than 30 attendees, except for one wine auction event with up to 100 persons; and hold no temporary events. It should be noted that the less than 5,000 sf criteria is only applicable to fully enclosed structures.

BACKGROUND AND DISCUSSION

Owner/Applicant: Trefethen Family Vineyards, Ltd. (John Trefethen)

Applicant's Representative: Rob Anglin, (707) 927-4280

Zoning: Agricultural Preserve

General Plan Designation: Agricultural Resource

Filed: August 16, 2012, additional information received October 25, and November 5, 2012

Declared Complete: November 5, 2012

Proposed Production capacity: 30,000 gallons per year

Proposed Building size: +/- 4,500 sq. ft. of floor area with a +/- 500 sq. ft. covered crushpad.

Development Area - proposed: approximately 6,654 sq. ft.

Winery Coverage - proposed: approximately 95,382 sq. ft. or 2.2 acres (+/- 5.3% of parcel)
(winery coverage is a maximum of 25% of parcel or 15 acres, whichever is less)

Production Facility - proposed: approximately 3,693 sq. ft.

Accessory Use - proposed: approximately 1,207 sq. ft.

Accessory to Production Ratio - proposed: 35.4%
(accessory to production ratio is a WDO maximum of 40%)

Proposed Marketing: Ten (10) events per year for a maximum of 30 guests and one (1) event per year with a maximum of 100 guests. All food for the proposed marketing events will be catered.

Proposed Visitation: Tours and tastings with food pairings by appointment only for a maximum of 20 visitors per day (15 per day on average) with a maximum of 140 visitors per week (120 on average) are proposed.

Number of employees: 4 full-time

Hours of operation: Visitation 10 AM - 6 PM (7 days a week); Non-Harvest Production 6 AM - 6 PM

Parking: 13 off-street spaces (application form states 14, site plan shows 13) plus a gravel area that could accommodate 10 vehicles for marketing events.

Setbacks: The proposed winery building is setback approximately 1,250 feet from the centerline of Oak Knoll Avenue (300-foot minimum), approximately 1,350 feet from Big Ranch (600-foot minimum), and approximately 975 feet and 2,250 feet from the shared access road, to the north and west of the winery, respectively (300-foot minimum). The proposed winery building is also setback approximately 430 feet from the south property line.

Setting: The 41.15 acre project site is located approximately 840 feet north of Oak Knoll Avenue and about 400 to 760 feet west of Big Ranch Road, save a narrow portion of the site that fronts on Big Ranch Road. The site is located on the valley floor and is generally flat and planted in vines as are most of the surrounding properties. Irrigation for the vineyard comes from a pond located north of the property under the same ownership as the project site. Access to the property is provided via an access drive off Oak Knoll Avenue. Surrounding uses include single-family homes, vineyards, and a number of wineries (see below).

Other producing wineries within about a mile of the project site include Trefethen Vineyards and Kavis-Newlan Vineyards to the west, Kates Vineyard to the north, James Cole Winery to the east, and Monticello Vineyards, Andretti Winery, and Domaine Montreaux to the south and southeast. There are also two approved but not yet built wineries in the vicinity, Christina Vineyards adjoining the project site to the south and Matera Winery to the southeast.

Nearby Wineries:

Winery	Address	Floor Area	Production Gal / Year	Tours & Tastings (Visitors / Week)
Trefethen Vineyards	1160 Oak Knoll Avenue	50,300 sq. ft.	500,000	800 (public)
Kavis-Newlan Vineyards	5225 Solano Avenue	25,782 sq. ft.	72,000	280 (appt)
Kates Vineyard	5211 Big Ranch Road	1,200 sq. ft.	20,000	0*

James Cole Winery	5012 Silverado Trail	3,333 sq. ft.	10,000	72 (appt)
Monticello Vineyards	4242 Big Ranch Road	11,500 sq. ft.	100,000	84 (pub)
Andretti Winery	4162 Big Ranch Road	13,400 sq. ft.	100,000	100 (pub)
Domaine Montreaux	4101 Big Ranch Road	7,956 sq. ft.	20,000	0*
Christina Vineyards	1300 Oak Knoll Avenue	4,865 sq. ft.	20,000	12 (appt)
Materra Winery	4324 Big Ranch Road	17,115 sq. ft.	50,000	40 (appt)

*- Older Winery - No Visitation and/or Marketing Plan proposed or approved.

Adjacent General Plan Designation/ Zoning / Land Use:

North:

AR General Plan designation, AP zoning -

To the north of the project site is a 40-acre parcel owned by Trefthen Family Vineyards planted in vines. There are two properties to the northeast of the project site totaling just under 15 acres with a home and vineyards on each property.

South:

AR General Plan designation, AP zoning -

There are three parcels south of the project site, two parcels of about 13.6 acres and the third with 9.7 acres. All three parcels are planted in vines, two parcels have homes and a third has a home and the approved, but not yet constructed Christina Vineyards winery.

East:

AR General Plan designation, AP zoning -

There are four properties to the east of the project site ranging in size from 1.3 acres to 9.5 acres. Each property has a home and three of the properties are planted in vines.

West:

AR General Plan designation, AP zoning -

Trefthen Family Vineyards owns seven properties between the project site and State Highway 29 totaling about 352 acres. The majority of the properties are planted in vines. There are also three homes, a farm/vineyard management use, irrigation ponds and the Trefthen winery, approximately 3,200 feet west of the project site.

Compliance History:

Based on a review of the Planning Division's files, there are no records of any code compliance issues on this property.

Discussion:

1. Use Permit - The applicant is proposing a 30,000 gallon per year winery located in a new 5,000 sq. ft. structure. The proposed winery will be housed in a single-story building approximately 26-feet high measured to the roof's ridgeline, with a covered crush pad on the south elevation. The building features a tower feature on the north elevation, rising above a portion of the tasting area. Although the tower is approximately 33-feet high, it includes no second floor. The building includes all winemaking activities and accessory uses. The buildings would be primarily clad in clear cedar board and batten siding with a stone base (wainscotting) and a corrugated metal roof. The lower portion of the tower has horizontal wood siding; the upper portion is board and batten matching the rest of the building. A paved driveway provides access to the employee and visitor parking areas west of the building. A

water storage tank and pump house are proposed south of the building. A gravel road intersects the paved driveway providing a loop around the winery for emergency vehicle access and access to the water storage tank.

2. Visitation and Marketing

Tours and tastings visitation to the proposed H & L Winery would be by-appointment, with a maximum of 20 visitors per day with a maximum of 140 week (120 per week average). In addition, a moderately-sized marketing program is proposed for the facility, including ten 30-person private promotional tastings with meals annually and one 100-person release event.

Staff has provided a table comparing marketing and tours and tastings visitation at other wineries with annual production of 30,000 gallons, below. The proposed visitation program falls roughly into the middle amongst its peer group of wineries with an approved production capacity of 30,000 gallons per year.

Winery	Approved Production	Tours & Tastings	Tours & Tastings Avg/Week	Marketing Events Per Year
Anthem Winery & Vineyards	30,000	None	1*	0**
Cade Winery	30,000	Appt	75	15
Corbett Vineyards	30,000	Appt	60	14
Cosentino Winery	30,000	Public	350	0**
Eagle Eye winery	30,000	Appt	112	9
Fischer Winery	30,000	Appt	50	23
Fontanella Winery	30,000	Appt	10	9
Hillview Vineyard	30,000	Appt	112	3
Hourglass Winery	30,000	Appt	22	15
Hyde Winery	30,000	Appt	120	10
Judd's Hill Winery	30,000	Appt	28	0**
Robert Foley Vineyards	30,000	None	0	0
Rogers Winery	30,000	Appt	120	11
Sandpoint Winery	30,000	Appt	112	28
Snowden Vineyards	30,000	Appt	6	12
Star Vineyards	30,000	Appt	20	0**
Toad Hall Cellars	30,000	None	0	0
Wallis Family Estate	30,000	Appt	108	3
Waugh Winery	30,000	Appt	70	17
H & L Winery (proposed)	30,000	Appt	140 (maximum) 120 (average)	11

* - Use permit allowed occasional wine tastings for trade representatives, average one per week.

* - Older Winery - No Marketing Program proposed or approved.

3. Access - Access to the proposed winery will be along an existing vineyard road which runs from the proposed winery building up to the property's north property line then west to an existing paved access drive that provides access to the Trefethen winery, then south to Oak Knoll Avenue. The vineyard roads will be improved to meet

County Road and Street Standards.

4. Greenhouse Gas Reduction Strategies – The applicant team has completed the Department’s Greenhouse Gas Emission Reduction Worksheet, which is attached to this report. The County’s Draft Climate Action Plan would require discretionary projects to reduce their GHG emissions to 38% below “business as usual” volumes as of 2020 through the application of a combination of State, local, and project-specific programs and policies. Because the Draft Climate Action Plan has not yet been formally adopted, it cannot be considered a formal threshold of significance for CEQA purposes. Nonetheless, the project was analyzed for consistency with the Draft Climate Action Plan.

The project’s “business as usual” emissions were calculated by Planning staff using CalEEMod GHG modeling software, resulting in modeled annual emissions of 297 metric tons of and carbon dioxide equivalents (MT CO₂e). The applicant intends to incorporate into the proposed project GHG reduction methods including: water efficient landscaping irrigation, planting over 60 new trees, and native plants. In addition, the applicant also intends to provide solar panels, electric vehicle charging station, and exceed minimum Title 24 of the California Building Standards by 15%, which were added after filing the GHG Reduction Worksheet. Given the proposed reduction measures incorporated into the project combined with local programs such as application of the CalGreen Building Code, and tightened vehicle fuel efficiency standards, the applicant would be able to reduce emissions just below the “business as usual” level by approximately 3 MT CO₂e.

Consistency with Standards:

Zoning -

The project is consistent with AP (Agricultural Preserve) zoning district regulations. A winery (as defined in Napa County Code § 18.08.640) and uses in connection with a winery (see Napa County Code § Section 18.16.030) are permitted in the AP district with an approved use permit. This application complies with the Winery Definition Ordinance. The Fire Department, Engineering Services Division, Public Works Department, and Environmental Health Division have all recommended approval of the project as conditioned.

SUPPORTING DOCUMENTS

- A . Findings
- B . Conditions of Approval
- C . Review Agency Comments
- D . GHG Information
- E . Narrative and Application Materials
- F . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina