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Agenda Date: 5/19/2021

Agenda Placement: 7A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Brian Bordona for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: MELANIE JACKSONCOUCH, PLANNER III - 707-259-8194

SUBJECT: Taplin Cellars Winery Use Permit - P20-00165-UP

RECOMMENDATION

TAPLIN ASSOCIATES, LLC / TAPLIN CELLARS WINERY / USE PERMIT NO. P20-00165-UP

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to §15303 (Class 3, New Construction or Conversion of Small Structures) of the State Guidelines and under Appendix B of Napa County's Local Procedures for Implementing CEQA (Additional Categorically Exempt Projects in Napa County), Item No. 10 – 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 within all of the excavated cave spoils to be used on site; (c) will produce 20,000 gallons of wine 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 5) hold no temporary events.

Request: Approval of a use permit would allow for the following: 1) establishment of a 20,000 gallon per year winery within an approximately 3,615 square foot portion of an existing, approximately 5,800 square foot agricultural structure; 2) tours and tastings for up to 12 guests per day/80 guests per week during harvest season and up to 16 guests per day/90 persons per week during non-harvest season; 3) up to eight (8) marketing events per year with up to 30 guests per event and one (1) annual wine auction event for up to 100 guests; 4) catered food during events; onsite wine consumption (AB 2004) within the winery coverage area; 5) two full-time employees, with an additional two part-time employees during harvest season; 6) production hours between 9:00 a.m. and 5:00 p.m. Monday through Sunday and visitation hours between 10:00 a.m. and 5:00 p.m. Monday through Sunday; 7) road improvements, consistent with the Napa County Road and Street standards, beginning at the intersection of Lewelling Lane and State Highway 29 and ending at the entrance to the proposed winery; 8) replacement of the existing, manual gate on Lewelling Lane with an electronic gate; 9) construction of a parking area with six (6) parking stalls, one of which will be ADA compatible; and 10) the addition of a 1,036 square foot covered crush pad to the northwest side of the existing, 5,800 square foot agricultural structure. The subject property is comprised of

approximately 20 acres, is zoned Agricultural Preserve (AP) with a General Plan land use designation of Agricultural Reserve (AR) and is located at 1677 Lewelling Lane in the St. Helena area, APN 027-100-005.

Staff Recommendation: Find the project Categorically Exempt from CEQA and approve Use Permit P20-00165, as conditioned.

Staff Contact: Melanie Jackson, Planner III, (707) 259-8194; melanie.jackson-couch@countyofnapa.org

Applicant Contact: Bill Taplin, Taplin Associates, LLC., (707) 696-9962; bill@taplincellars.com

Applicant Representative Contact: George Monteverdi, Monteverdi Consulting, LLC., (707) 761-2516; George@monteverdiconsulting.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Find the project to be Categorically Exempt from CEQA, as set forth in recommended Finding 1 of Attachment A; and
2. Approve Use Permit P20-00165 based on recommended Findings 2-6 of Attachment A, subject to recommended Conditions of Approval included in Attachment B.

Discussion:

The project applicant requests approval of a use permit to allow for the establishment of a 20,000 gallon per year winery within an approximately 3,615 square foot portion of an existing, 5,800 square foot agricultural structure. The winery would include a visitation and marketing plan that would allow up to 12 visitors per day, with a maximum of 80 per week, for tours and tastings during the harvest season, and 16 visitors per day, with a maximum of 90 per week, during the off-season. Visitation would occur Monday through Friday, between the hours of 10:00 a.m. and 5:00 p.m. The winery would hold up to eight (8) events per year with up to 30 guests per event and one annual wine auction event with a maximum of 100 guests. Food served at events would be prepared offsite by a licensed caterer. The project would also include construction of an approximately 1,036 square foot covered crush pad addition to the north side of the existing structure, a six-stall parking lot, including one ADA compatible stall and driveway improvements. Additional improvements would include improving the access from Lewelling Lane onto St. Helena Highway and widening the stretch of Lewelling Lane beginning at the intersection of Lewelling Lane and St. Helena Highway and ending at the project site. The project also includes the replacement of an existing manual gate on Lewelling Lane with an electronic gate.

Staff has reviewed the proposed project and supports granting approval, subject to the attached findings and recommended conditions of approval included in Attachments A and B, respectively. Wineries are conditionally permitted uses within the Agricultural Preserve (AP) zone district. The project is located within a ½ mile of eight (8) existing wineries and is surrounded with vineyard and agricultural uses on all sides. The majority of the project site is developed with vineyards, which would provide wine grapes for onsite wine production. The proposed winery would be located in a portion of an existing structure and building construction would be limited to interior conversion to the winery use and the addition of the covered crush pad. The majority of the site development, including parking and driveway improvements, would take place within previously disturbed areas presently being utilized for the use being proposed (parking, driveway). The increase in water demand from implementation of the

winery would be approximately five percent of the current water demand and total demand would be approximately half of that amount allotted to subject property. Wastewater disposal would be accommodated by one of three options that were evaluated in the Wastewater Feasibility Report dated March 27, 2020. The winery and improvements as proposed is suitable for the proposed location, considering the existing development, road access and surrounding wineries.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Categorical Exemption to CEQA pursuant to Section 15303, Class 3 - New Construction or Conversion of Small Structures, which exempts the conversion of facilities consisting of no more than 2,500 square feet. The project is also exempt under Appendix B of Napa County's Local Procedures for Implementing CEQA (Additional Categorically Exempt Projects in Napa County), Item No. 10 – 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 within all of the excavated cave spoils to be used on site; (c) will produce 30,000 gallons of wine 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 5) hold no temporary events. The project is not located on a list of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner/Applicant: Bill Taplin on behalf of Taplin Cellars, LLC., bill@taplincellars.com or (707) 969-9962

Representative: George H. Monteverdi, Monteverdi Consulting, LLC., George@monteverdiconsulting.com or (707) 761-2516

Zoning: Agricultural Preserve (AP)

General Plan Designation: Agricultural Resource (AR)

Application Filed: June 5, 2020; **Resubmittal Received:** August 12, 2020; September 30, 2020; October 15, 2020;
Application Deemed Complete: December 22, 2020

Existing Development: 17.5 acres of vineyards, 1,100 square foot single-family residence, 300 square foot guest cottage, three sheds totaling 1,047 square feet and a 5,800 square foot agricultural structure.

Proposed Winery Characteristics:

Proposed Winery Building Size: 3,615 square feet

Proposed Winery Development Area: 7,379 square feet

Proposed Winery Coverage Area: 53,946 square feet or 1.2 acres (maximum allowed: 25 percent or approximately 5 acres)

Proposed Production Capacity: 20,000 gallons

Accessory/Production Ratio: 24 percent (maximum allowed: 40 percent); 901 square feet accessory and 3,750 square feet production

Proposed Number of Employees: 2 full time, 2 part time

Proposed Visitation: Hosted daily, tours and tasting by appointment for a maximum of 12 guests per day and 80 guests per week during harvest season and a maximum of 16 guests per day and 90 persons per week during non-harvest season

Proposed Marketing: up to eight (8) marketing events per year with up to 30 guests per event and one (1) annual wine auction event for up to 100 guests

Proposed Days and Hours of Operation: production hours between 9:00 a.m. and 5:00 p.m. Monday through Sunday and visitation hours between 10:00 a.m. and 5:00 p.m. Monday through Sunday

Parking: six (6) parking stalls, one ADA compatible

Setbacks:

Required road setbacks: 28 feet from the centerline of Lewelling Lane

Required property line setbacks: 20 feet front, 20 feet side, 20 feet rear

Existing Setbacks: the existing structure that would be partially converted into the proposed winery presently meets setbacks. The closest portion of the existing structure is approximately 227 linear feet from the front property line.

Proposed Setbacks: with the installation of the proposed covered crush pad, the structure would be located 197 feet from the front property line.

Adjacent General Plan Designation / Zoning / Land Use:

North: Agricultural Preserve (AP) and General Plan land use designation Agricultural Resource (AR), agriculture, single-family residential, City of St. Helena

South: AP, General Plan land use designation AR, agriculture, single-family residential

East: AP, General Plan land use designation AR, agriculture

West: AP, General Plan land use designation AR, agriculture

Wineries in Vicinity:

Please refer to the winery comparison tables included in Attachment K.

Parcel History:

The site is relatively level and contains minimal tree coverage. The property is served by an on-site well for potable water and a septic system and leach field for on-site sewage disposal. The property is accessed via Lewelling Lane. Prior permits include a building permit for the 5,800 square foot agricultural structure that was approved on October 6, 2006, modified prior to Certificate of Occupancy on June 8, 2010, and construction was completed on August 13, 2010. Permit No. P10-00047, that allowed for a home occupation for a wholesale winery business was approved on February 11, 2010. Permit 12-00345 is an agricultural permit that was approved by the Board of Supervisors on December 18, 2012. Permit P19-00443 was a pre-application meeting for the subject permit. All other permits on the property relate to residential development.

Code Compliance History:

There are no records of prior code violations related to the project site.

Discussion Points:

Interior and Exterior Structural Improvements – The proposed project includes the conversion of an approximately 3,615 square foot portion of the existing, 5,800 square foot agricultural structure located on the project site. The interior remodel of the structure would include accessory and production areas and those areas not part of the winery would be reserved for private use including vineyard and utility storage areas and private offices. The winery area would consist of a 636 square foot tasting room, a 265 square foot restroom, hall and storage areas, and a 2,715 square foot production area to include equipment, mechanical storage and a second restroom area. Proposed exterior structural improvements include the addition of an approximately 1,036 square foot covered crush pad to the north side of the proposed winery.

Road and Access Improvements – The applicant proposes road and access improvements. These improvements include an encroachment on St. Helena Highway from Lewelling Lane, widening of Lewelling Lane between the St. Helena Highway encroachment and the project site, driveway improvements and parking improvements, all of which would be constructed consistent with Napa County Road and Street Standards.

Visitation and Marketing – Consistent with the definition of “marketing of wine” (County Code Section 18.08.370), the applicant proposes a visitation and marketing program to include tours and tastings for up to 12 guests per day/80 guests per week during harvest season and up to 16 guests per day/90 persons per week during non-harvest season. Visitation would be by appointment only and would occur between the hours of 10:00 a.m. and 5:00 p.m., Monday-Sunday. The applicant also proposed eight (8) marketing events per year with up to 30 guests per event and one annual wine auction event for up to 100 guests. Food served during events would be provided by a licensed caterer. Parking would be provided on site. No temporary events would be permitted at this winery.

Water – The applicant proposes use of the existing on site well for water. Per Napa County standards, properties located on the valley floor are allotted a fair share water use factor of one acre-foot of water per acre, per year. Because the subject property consists of approximately 20 acres, the property is allotted 20 acre-feet of water per year (af/yr). Based on the Water Availability Analysis (WAA) prepared by Delta Consulting and Engineering of St. Helena, dated March 27, 2020, placed the existing water demand for uses on the subject property at a total of 10 af/yr (8.75 af/yr for vineyards and 1.25 af/yr for residential). The proposed winery project, which would include two full time employees, two part time employees, visitation and marketing events, would require an additional 0.58 af/yr, or an additional 5% of the existing demand, for a total of 10.58 af/yr. Based upon this figure, the water demand would fall below the established threshold for groundwater use on the property.

Sanitary Waste Disposal – A Wastewater Feasibility Report was prepared by Delta Consulting and Engineering of St. Helena for the proposed project on March 27, 2020. The report provides three options for waste disposal. The first option is a combined winery product waste (PW) and domestic waste (DW) pressure distribution system,

which would involve separate processing for the PW and DW through separate primary settling tanks which would then be combined in a secondary treatment process. Treated effluent would enter a dosing tank for pressure distribution via trenches in the vineyards. The second option is a combined PW and DW, sub-surface drip system. This system would utilize the same treatment system described in Option 1, with the addition of a second filtration stage to meet Napa County subsurface drip dispersal pre-treatment standards. The third option would be a DW conventional system and a PW surface drip irrigation system. This would involve separation of the DW and PW and the treatment of winery DW with a conventional leach field system and treatment of the PW with drip irrigation. The drip irrigation would require pretreatment of the PW waste, which would then be stored in an above ground storage tank and thereafter utilized for drip irrigation of the vineyards. The applicant intends to make the determination of which system to use at the time of project development and the project has been conditioned as proposed. Environmental Health Division staff has reviewed the proposed project and provided conditions of approval to ensure project consistency with state and local water and wastewater utility standards.

Greenhouse Gas Reduction Strategies – The applicant intends to implement voluntary best management practices to reduce GHG emissions resulting from implementation of the project (Attachment D). These practices include use of electric vehicles (EV's) and EV parking, new insulation and cooling system within the winery structure, bike riding incentives and electrical bike charging stations, wastewater disposal by on site percolations and subsurface irrigation, onsite stormwater management, natural lighting (skylights), operation as a green winery, local food production and use of recycled materials.

Grape Sourcing - A total of 140 tons of wine grapes would be required in order to produce 20,000 gallons of wine annually. The applicant intends to source 95 tons of wine grapes from the on-site vineyards and the remaining 45 tons of wine grapes required would be sourced by other wineries within Napa County. If at any point the applicant chooses to source wine grapes outside of Napa County the quantity will not exceed 35 tons or 25 percent of the total grapes.

Noise - The proposed project would result in a temporary increase in noise levels during grading and construction activities and the intermittent increase of ambient noise resulting from wine making and visitation. However, noise generated during by construction activities would be limited to daylight hours and the use of properly muffled vehicles. Ambient noise resulting from wine making and visitation would be intermittent and would only occur within the proposed operation hours of 9:00 a.m. to 5:00 p.m., and the nearest residence to the property is 680 linear feet from the front of the winery structure. No outdoor amplified music is proposed as part of the project.

Setback from Lewelling Lane - Section 18.104.230.A.2 (Wineries located in open space areas - setbacks; Minimum setback for wineries) of Napa County Code provides: "Wineries, or structures containing accessory uses allowed by Sections 18.16.060(G) and (H) and 18.20.030(I), which are located on parcels contiguous to any other public road or private road(s) used by the public: three hundred feet from the centerline of the road. For purposes of this section only, a private road is considered 'used by the public' if it provides primary access to at least one parcel other than the parcel(s) on which the winery is located." Staff reviewed the primary access to each of the parcels located on Lewelling Lane and determined that the stretch of Lewelling Lane that borders the northwest property line of the subject parcel is not a primary road. This determination was made based on the fact that each property owner residing northeast of the subject parcel reach their property access before reaching the subject property and therefore have no need to use that portion of Lewelling Lane. The parcel directly northeast of the subject parcel is also owned by the Taplin's and the primary access to this parcel is located on Duck Hunter Way. All parcels located to the west and southwest of the subject property utilize Duck Hunter Way, via Sulphur Springs Avenue, as their primary access road. As such, the three hundred foot setback from the centerline of Lewelling Lane to the winery structure does not apply.

Public Comments - No public comment letters have been received as of the date of publishing this staff report.

Decision-making Options:

As noted in the introductory paragraphs of this report, staff recommends that the Planning Commission approve the project as proposed, subject to the findings and conditions of approval in Attachments A and B, respectively. However, staff has provided the following options for consideration by the Planning Commission:

Option 1: Approve the Project as Proposed (Staff Recommendation)

Disposition: Staff recommends the Planning Commission approve Option 1, to approve the project as proposed and allow for the establishment of a 20,000 gallon per year winery within an approximately 3,615 square foot portion of an existing 5,800 square foot agricultural structure. The proposed winery is consistent with the standards set forth by the AP zone district and the AR designation of the Napa County General Plan.

Action Required – Follow the proposed action listed in the Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at the time the motion is made. This option has been analyzed for its environmental impacts, and the project was found to be categorically exempt from CEQA.

Option 2: Modify the Applicant's Proposal and Reduce Visitation

This Option includes approving the applicant's proposal for the 20,000 gallon per year winery, with a reduction in the visitation and or marketing requested by the applicant. As proposed, the winery would offer visitation for up to 12 persons per day, seven days a week during harvest season and 16 persons per day, seven days a week during off-season, and would host up to eight (8) marketing events per year, with up to 30 guests and one annual wine auction event for up to 100 guests. Although this project has been determined categorically exempt from CEQA, should the Planning Commission determine that the intensity of the visitation and marketing plan should be reduced, the Commission may take action to reduce the number of daily, weekly, or yearly visitors and/or reduce the number of proposed marketing events.

Action required – Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval and required conditions of approval to reduce the maximum daily visitation and/or number of marketing events. If significant revisions to the conditions of approval are required, the item may be continued to allow staff adequate time to prepare the revised conditions.

Option 3: Deny the Applicant's Proposal:

In the event that the Commission determines that the project does not, or cannot meet the required findings for granting the Use Permit, Commissioners should identify what aspect/s of the project are in conflict with the 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 is not being approved.

Action required – Take tentative action to deny the project and remand the matter to staff for preparation of findings for denial and continue the item to a date specific for final action by the Commission.

Option 4: Continuance Option:

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

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval and Agency Approval Memorandums
- C . Categorical Exemption Determination
- D . Application Materials
- E . Water Availability Analysis
- F . Wastewater Feasibility Study
- G . Stormwater Control Plan
- H . Correspondence
- I . Biological Resources
- J . Graphics
- K . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona