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Agenda Date: 8/21/2013

Agenda Placement: 9A

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Hillary Gitelman - Director  
Planning, Building and Environmental Services  
**REPORT BY:** Sean Trippi, Principal Planner - 299-1353  
**SUBJECT:** Cliff Lede Vineyards

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### RECOMMENDATION

#### **CLIFF LEDE VINEYARDS / CLIFF LEDE / YOUNTVILLE CROSSROADS INC. - USE PERMIT MAJOR MODIFICATION P13-00116-MOD**

**CEQA status:** Consideration and possible adoption of a Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act, Class 1, which exempts alterations to existing facilities and Section 15303, Class 3, which exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a modification to previous use permit approvals for the Cliff Lede Vineyards winery to allow the following: 1) increase annual production from 80,000 gallons to 120,000 gallons; 2) convert approximately 1,086 sq. ft. of an existing 1,900 sq. ft. mechanical/storage building to winery production use; and, 3) allow on-premise consumption pursuant to the Evans Bill (AB2004). The winery is located on a 25.3 acre parcel on the southeast side of Yountville Cross Road, approximately 1/4 mile southwest of its intersection with Silverado Trail within an Agricultural Preserve (AP) zoning district. APN: 031-220-023. 1473 Yountville Cross Road, Yountville.

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

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**Applicant Contact:** George Monteverdi (707) 761-2516 or [George@MonteverdiConsulting.com](mailto:George@MonteverdiConsulting.com)

### 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 Modification No P13-00116 based on Findings 2-6 of Exhibit A and subject to the recommended conditions of approval (Exhibit B)

**Discussion:**

This application proposes a modification to a winery use permit first approved in 1979 and modified several times over the years (see History, below) chiefly to allow an increase in production from 80,000 to 120,000 gallons annually, conversion of an existing mechanical/storage area to production use, and allowing on-premise consumption pursuant to the Evans Bill (AB2004). The existing facility pre-dates the Winery Definition Ordinance (WDO), a portion of which is located within the road setback. Expansion of pre-WDO facilities are permitted upon grant of a use permit modification contingent upon all expanded aspects complying with the WDO. The proposed project appears consistent with these requirements, and therefore, approval of the modification is recommended.

**FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

The proposed project is Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act, Class 1, which exempts minor alterations to existing facilities and Section 15303, Class 3, which exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The request proposes to increase annual production from 80,000 gallons to 120,000; convert approximately 1,086 sq. ft. of an existing 1,900 sq. ft. mechanical/storage building to winery production use; and, allow on-premise consumption pursuant to the Evans Bill (AB2004). There is no increase to the number of employees, visitors for tours and tastings, or visitors for marketing activities. The proposed production increase would result in an additional 2.7 truck trips annually, 2.1 for grape on-haul during the 36 days per year associated with crush activities and 0.6 truck trips for additional supplies. The existing onsite wastewater system for process and domestic waste has the capacity to accommodate the production increase, and the additional water use is within the winery's water allocation from the Town of Yountville. Other than the minor alteration of an existing structure, no physical improvements to the winery or site are proposed. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**BACKGROUND AND DISCUSSION**

**Owner:** Cliff Lede Vineyards

**Representative:** George Monteverdi

**Zoning:** AP (Agricultural Preserve)

**General Plan Designation:** AR (Agricultural Resource)**Filed:** April 8, 2013**Complete:** July 15, 2013**Production Capacity (approved):** 80,000 gallons per year**Production Capacity (proposed):** 120,000 gallons per year**Winery Size:**

Development Area (existing / proposed): approximately 26,430 sq. ft. / No Change

Winery Coverage (existing / proposed): approximately 57,730 sq. ft. or 1.3 acres (+/- 0.05% of parcel) / No Change  
(winery coverage is a maximum of 25% of parcel or 15 acres, whichever is less)Production Facility (existing / proposed): approximately 47,200 sq. ft. (includes 31,300 sq. ft. of caves) / No Change  
(convert approximately 1,086 sq. ft. of an existing 1,900 sq. ft. winery storage/mechanical building to winery production. No new structures are proposed)

Accessory Use (existing / proposed): approximately 8,322 sq. ft. / No Change

Accessory to Production Ratio (existing / proposed): 17.6% / No Change

(accessory to production ratio is a WDO maximum of 40%)

**Visitation:**

Marketing (existing / proposed): 18 events per year ranging from 15 to 400 guests with catered food / No Change

Tours and Tastings (existing / proposed): 145 visitors per day or 1,015 per week maximum (125 pre day drop-in plus 20 per day by-appointment) / No Change

Number of Employees (approved / proposed): 11 full-time / No Change

Days &amp; Hours of Operation (existing / proposed): 7 days a week, 8:00 AM to 5:00 PM (Visitation 10 AM to 4 PM) / No Change

Parking (existing / proposed): 42 spaces / No Change

**Setbacks:**

The two existing winery administrative buildings are setback approximately 75 to 115 feet from the centerline of Yountville Cross Road. The original project approval, allowing the 115-foot setback, predates the requirement for a 300-foot setback from the centerline of Yountville Cross Road. A variance was granted in 2003 allowing the setback to be reduced to 75 feet. The production facility, located at the base of the hill, is setback approximately 565 feet from the centerline of Yountville Cross Road. No new structures are proposed with this application.

**Setting:**

The 25.3 acre project site is located approximately 1/4 mile southwest of the Silverado Trail/Yountville Cross Road intersection with access from Yountville Cross Road. The winery is split into two distinctive areas; administrative offices (including the tasting area); and, the production facility (including the caves). The administrative

office/tasting area is served by three driveways. Two driveways provide looped access to the visitor parking area with full left-turn access. The third driveway provides access to the employee parking area. The production area is located at the base of a wooded knoll. The knoll extends onto the adjoining property to the south and includes a single-family home and guest cottage perched atop the knoll. The primary point of access to this area is provided by a driveway to the west of the administrative offices/tasting area, which also provides access to the aforementioned home. A fourth driveway, further west of the driveway to the production area, provides access to the winery's wastewater ponds. These areas are interconnected by on-site access drives. The balance of the property is planted in vines. 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 Kapscandy and Goose Cross Cellars on State Lane, which intersects Yountville Cross Road about 700-feet west from the driveway to the production area. There are also a number of wineries along Silverado Trail including Paraduxx, to the north and Robert Sinskey Vineyards, Baldacci Family Vineyards, Shafer Vineyards, Stag's Leap and Quixote to the south and east. There are also a few approved but not yet built wineries in the vicinity, Annapurna winery to the southwest, Pillar Rock to the southeast, Poetry to the east, and Perata to the north.

#### Nearby Wineries:

Winery	Address	Floor Area (square feet)	Production Gallons/year	Tour & Tastings visitors/week	Employees
Kapcsandy	1001 State Lane	11,820 sq. ft.	20,000	36	2.5
Goose Cross Cellars	1119 State Lane	2,500 sq. ft.	30,000	350	6
Paraduxx	7257 Silverado Trail	124,400 sq. ft.	200,000	350	38.5
Robert Sinskey	6320 Silverado Trail	19,685 sq. ft.	65,000	820 (public)	7.5
Baldacci Family	6236 Silverado Trail	21,640 sq. ft.	50,000	10	1
Shafer Vineyards	6154 Silverado Trail	44,433 sq. ft.	200,000	105	14.5
Stag's Leap	6150 Silverado Trail	70,108 sq. ft.	315,000	10	2.5
Quixote	6126 Silverado Trail	8,050 sq. ft.	20,000	70	3.5
Annapurna*	1467 Yountville Cross Road	15,950 sq. ft.	12,000	60	3
Pillar Rock*	6110 Silverado Trail	13,313 sq. ft.	16,000	40	3
Poetry*	6390 Silverado Trail	9,428 sq. ft.	12,000	25	5
Perata*	1278 State Lane	4,120 sq. ft.	20,000	50	2.5

\* - Approved but not producing

#### Adjacent General Plan Designation/ Zoning / Land Use:

##### North:

AR General Plan designation, AP zoning -

To the north of the project site are three properties totaling about 68 acres with the majority of the acreage planted in vines. The property furthest to the west of these three properties is the Kapscandy winery. There are also two homes located in this area.

South:

AR General Plan designation, AP zoning -

There is an 18 acre property adjoining the south side of the production area that has one home. The project site also surrounds a home on a 1.2 acre site that fronts on Yountville Cross Road.

East:

AR General Plan designation, AP zoning -

S. Anderson Vista owns the 24.5 acre vineyard to the adjoining the east side of the project site. This property includes solar panels that provide electricity to the Lede Vineyards production facility.

West:

AR General Plan designation, AP zoning -

The west side of the property adjoins a 44.3 acre property planted in vines with a single family home.

**History:**

The winery was established in 1979, prior to adoption of the Winery Definition Ordinance, and has been in continuous operation since that date and has also been known as S. Anderson Vineyards or Stanley Anderson Vineyards.

April 4, 1979 – The Planning Commission approved Use Permit (#U-247879) for the Stanley Anderson Vineyards winery which allowed a 24,000 gal/yr winery with approximately 4,700 sq. ft. of floor area. No public tours or tastings or tours and tastings by prior appointment were approved.

June 3, 1987 - Use Permit (#U-438687) was approved by the Planning Commission for S. Anderson which allowed a production increase to 30,000 gallons per year, tours and tastings by appointment only, 6,000 sq. ft. cave, and adding 2,500 sq. ft. of floor area to an existing 1,700 sq. ft. building for a new total 4,200 sq. ft. of floor area.

July 6, 1988 – Use Permit (#U-438687) Modification #1 was approved by the Planning Commission for the Stanley Anderson Vineyards winery. The Use Permit modification allowed public tours and tastings.

January 24, 1992- Use Permit Modification (#91266) was approved by the Zoning Administrator which allowed a 110 sq. ft. building addition to the existing tasting room to be used for storage.

May 14, 2003 – Use Permit Modification (#02494) was approved for the Cliff Lede Vineyards winery by the Zoning Administrator which allowed a new cave portal an approximately 2,600 sq. ft. cave expansion and an access road to the new portal for emergency vehicles.

July 16, 2003 - Use Permit Modification (#02606) and Variance (#02605) were approved by the Planning Commission which allowed the remodel and conversion of an existing 2,564 sq. ft. former residence into winery uses and a new parking area located within the 300-foot setback from Yountville Cross Road (approximately 75-foot from the roads centerline). This approval also recognized the following existing pre-1990 marketing activities: 12 annual events for 15 guests; 2 annual events for 200 guests; one annual events for 75 guests; one annual event for 300 guests; one annual event for 350 guests; and, one annual auction-related event for 400 guests.

March 17, 2004 - Use Permit Modification (#03496) was approved by the Planning Commission. The approval allowed among other things a new 12,000 sq. ft. production building, 24,500 sq. ft. of new caves, a production increase from 30,000 to 60,000 gallons annually, a new 1,200 sq. ft. crush pad and conversion of 2,916 sq. ft. portion of a winery building to wine related storage.

August 7, 2006 - Use Permit Modification (P06-01059) was approved by the CDPD Director for Cliff Lede Vineyards to allow two wastewater ponds with a capacity of 353 million gallons each.

March 21, 2012 - Use Permit Modification (P11-00438) was approved by the Planning Commission which allowed a production increase from 60,000 to 80,000 gallons per year, the remodel and conversion of an existing an existing 1,102 sq. ft. storage room into a wine tasting area for by appointment only tours and tastings visitors, and tours and tasting by appointment only for 20 visitors per day with food pairings.

### 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:

Use Permit Modification - The use permit modification currently before the Commission includes an increase in annual wine production from 80,000 gallons to 120,000 gallons, conversion of approximately 1,086 sq. ft. of an existing 1,900 sq. ft. winery storage/mechanical building to winery production, and allow on-premise consumption pursuant to the Evans Bill (AB2004). No increase to tours and tastings or marketing visitors are proposed. No new construction, other than the interior remodel, site improvements or expansion of the wastewater treatment system would be required as part of this request. Prior to adoption of the WDO the winery had an approved annual production capacity of 30,000 gallons. Subsequent modifications increased production to it's currently approved level of 80,000 gallons per year. As a result, any production above 30,000 gallons annually, which would be 90,000 gallons, is subject to the County's 75% grape source rule.

Annual Production Increase - The existing production facility has adequate floor area, if new tanks are needed, to accommodate the increase in annual production with regards to fermentation, barrel storage and case good storage. Environmental Health has determined that the existing winery wastewater system will be sufficient in area to accommodate the 40,000 gallon production increase and increased visitation. The projected water use is within the allotment provided by the Town of Yountville.

Although no increase to tours and tasting or marketing activities are proposed staff has provided a table comparing marketing and tours and tastings visitation at similarly sized wineries below. The existing visitation program falls roughly into the upper end amongst its peer group of wineries producing between 100,000 and 120,000 gallons per year.

### Comparison Wineries:

Winery	Approved Production	Tours & Tastings	Tours & Tastings Avg/week	Marketing Events Per year
Darioush	100,000	Public / Appt	350 / 400	428
Dominari	100,000	Appt	50	18
Pahlmeyer Winery*	100,000	Appt	70	18
Moss Creek Winery	100,000	Public	600	0**
Monticello Vineyards	100,000	Public	84	0**
Andretti Winery	100,000	Public	100	0**
CE2V Winery (Cosentino)	100,000	No	20	36
Trinchero Napa Valley	100,000	Public	1,000	12

Carevan Serai Winery	100,000	Appt	2,800	288
Round Pond Winery*	100,000	Appt	90	30
Black Stallion	100,000	Public	350	0**
Swanson Winery*	100,000	Appt	1,400	6
Caymus Vineyards	110,000	Public	180	0**
Opus Winery	110,000	Appt	100	0**
Zapolski-Rudd Winery (Airport Area) *	120,000	Appt	2	0**
Joel Gott Wines	120,000	Appt	85	0**
Palisades Winery*	120,000	Appt	60	24
Peju Province Winery	120,000	Appt	450	1
Flora Springs Winery	120,000	Appt	175	0
<b>Cliff Lede Vineyards</b>	<b>120,000</b>	<b>Public / Appt</b>	<b>875 / 140</b>	<b>18</b>

\* - Approved but not producing

\*\* - No marketing proposed or approved

Greenhouse Gas Reduction Strategies - In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds related to greenhouse gas emissions (GHG) for new development. Although the thresholds were challenged in court and set aside, they were based on substantial evidence and still appropriate for evaluating proposed projects. The District's screening table (BAAQMD Air Quality Guidelines, Table 3.1) suggests that similar projects such as a quality restaurant and light industrial uses with less than 9,000 sq. ft. and 121,000 square feet of floor area, respectively, would not generate GHG in excess of the significance criterion (1,100 metric tons of carbon dioxide equivalents per year). By comparison a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses. The conversion of approximately 1,086 sq. ft. of an existing 1,900 sq. ft. storage/mechanical area to winery production use is well below the screening levels for similar uses in the District's Guidelines, therefore the proposed use would not generate GHG above the significance threshold established by the District, and further analysis (and quantification) of GHG emissions is not warranted.

In addition to the project being below the Air District's thresholds of significance and screening criteria, the applicant has installed solar panels providing power to the winery production facility in 2010/2011, energy conserving lighting and water efficient fixtures throughout the facility, and uses reclaimed water for irrigation. The winery also plans on utilizing steam for barrel/tanks cleaning in the near future which will result in reduced water use. GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including those winery features noted above would combine to further reduce emissions resulting from the project.

Grape Sourcing - Cliff Lede Vineyards currently owns 80 acres and has another 43.5 acres under contract within Napa County. The existing and proposed production increase from 80,000 gallons/year to 120,000 gallons/year will be accommodated by existing vineyards located on-site, and off-site vineyards owned or under contract by Cliff Lede Vineyards.

**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 . Previous Conditions of Approval
- E . CEQA Determination
- F . GHG Best Management Practices Checklist
- G . Application Submittal Materials
- H . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell