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Agenda Date: 8/3/2016

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: JASON HADE, PLANNER III - (707) 259-8757
SUBJECT: Taylor Family Vineyards - Use Permit P15-00291

RECOMMENDATION

TAYLOR FAMILY VINEYARDS / TAYLOR FAMILY VINEYARDS - USE PERMIT P15-00291-UP

CEQA Status : Consideration and possible adoption of Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, which exempts construction and operation of small wineries; Section 15305, Class 5, which exempts minor lot line adjustments that do not result in the creation of any new parcel; and Appendix B, Class 3 of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. 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 Use Permit to establish a 15,000 gallon per year winery with the following components: (1) Conversion of an existing 1,600 square foot barn for winery production to include a 400 square foot barrel storage area, 80 square foot restroom, 400 square foot tasting room, 120 square foot laboratory, and 600 square foot production area; (2) Construction of a 400 square foot covered crush pad; (3) Hours of operation: 7:30 AM to 6:00 PM (production hours, except during harvest) and 10:00 AM to 6:00 PM (hospitality hours), seven (7)-days a week; (4) Employment of two (2) employees (one (1) full time and one (1) part-time); (5) Employee hours: 7:30 AM to 6:00 PM, 1 shift; (6) Construction of five (5) parking spaces (four standard spaces and one ADA space); (7) Lot line adjustment with the adjoining parcel to the north (APN 039-040-031); (8) Improvement of the existing driveway to a width of 20-feet from proposed winery to Silverado Trail; (9) Expansion of an in-ground wastewater treatment system; (10) Installation of two 10,000 gallon water tanks; (11) Installation of a left-turn lane from Silverado Trail to the project driveway; (12) Visitation of a maximum of 17 visitors per day; maximum 119 visitors per week; and (13) Marketing Program to include ten events per year for a maximum of 30 guests per event and one (1) wine auction event per year with a maximum of 75 guests. The project is located on a 21.1 acre parcel within the Agricultural Preserve (AP) zoning district and accessed via a private driveway located off Silverado Trail; 5991 Silverado Trail, Napa, CA 94558; APN: 039-040-016.

Staff Recommendation: Find the project Categorical Exempt and approve the Use Permit, as conditioned.

Staff Contact: Jason R. Hade, AICP, Planner III, (707) 259-8757 or jason.hade@countyofnapa.org

Applicant Contact: Sandra Taylor Carlson, 1194 Jerome Way, Napa, CA 94558, (707) 225-7254

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Find the project Categorical Exempt based on Findings 1-3 of Attachment B; and
2. Approve Use Permit No. P15-00291-UP based on Findings 4-8 of Attachment B and subject to the recommended conditions of approval (Attachment C).

Discussion:

The proposal is for the construction of a new 15,000 gallon per year winery with a small visitation and marketing program.

Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. Implementation of the proposed project would result in minimal potential environmental impacts as it consist of the conversion of a 1,600 square foot existing barn to a winery production building with a 400 square foot tasting room. If approved, a lot line adjustment would be completed with the adjoining parcel to the north, Silverado Vineyards. This would eliminate the need for the initially requested Variance application as the winery building would meet the minimum required 20-foot side yard setback.

Based on the reasons stated above, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and possible adoption of Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, which exempts construction and operation of small wineries; Section 15305, Class 5, which exempts minor lot line adjustments that do not result in the creation of any new parcel; and Appendix B, Class 3 of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner/ Applicant: Taylor Family Vineyards, LLC, P.O. Box 2576, Napa, CA 94558, (707) 255-3593

Representative: Sandra Taylor Carlson, 1194 Jerome Way, Napa, CA 94558, (707) 225-7254

Zoning: Agricultural Preserve (AP)

GP Designation: Agricultural Resource (AR)

Filed: September 4, 2015

Resubmittal Received: December 11, 2015 and March 14, 2016

Deemed Complete: April 29, 2016

Parcel Size: 21.1 acres

Existing Development: Development on the property includes: a single family residence; barn; storage building; a waste disposal system; five wells; four 5,000 gallon water tanks; and 10 acres of vineyards.

Proposed Winery Characteristics:

Winery Size: Conversion of a 1,600 square foot barn for winery production to include: 400 square foot barrel storage area; 80 square foot restroom; 400 square foot tasting room; 120 square foot laboratory; and 600 square foot production area. A 400 square foot covered crush pad is also proposed.

Production Capacity: 15,000 gallons per year.

Development Area: 2,160 square feet or approximately 0.05 acres.

Winery Coverage: 25,680 square feet or approximately 0.03% (Maximum 25% or approximately 15 acres).

Accessory/Production Ratio: 480 square feet accessory/1,540 square feet production - approximately 31.6% (Maximum 40% permitted).

Number of Employees: One (1) full-time employee and one (1) part-time employee; two (2) employees maximum.

Proposed Visitation: Maximum of 17 visitors per day and 119 visitors per week.

Proposed Marketing Program: Ten events per year up to 30 guests per event and one (1) wine auction event per year with up to 75 guests.

Days and Hours of Operation: 7:30 AM to 6 PM daily (production hours) and 10:00 AM to 6:00 PM daily (hospitality hours).

Parking: Five (5) parking spaces (four (4) standard spaces and one (1) ADA space).

Setbacks (Required): 600 feet from Silverado Trail (front yard setback) and 20 feet from all other property lines. (Proposed winery building): The proposed winery building would have a front yard setback of 810 feet, an approximate side yard setback of 575 feet from the southern property line a side yard setback of 20 feet from the northern property line, and a rear yard setback of 363 feet.

Adjacent General Plan Designation/ Zoning / Land Use:

North: Agricultural Resource (AR) /Agricultural Preserve Zoning (AW)/Agricultural use (winery).
South: Agricultural Resource (AR)/Agricultural Preserve Zoning (AW)/large lot residential.
East: Agricultural Resource (AR)/Agriculture Watershed (AW)/Agriculture (vineyards).
West: Agricultural Resource (AR)/Agricultural Preserve (AP)/large lot residential.

Nearby Wineries (located within 1 mile of the project)

Please refer to Attachment A.

Parcel History:

The Taylor family has owned the subject property since 1976 and the vineyard was established in 1980.

Code Compliance History:

None. There are no open or pending code violations for the project site.

Discussion Points:

Setting - Site topography is moderately sloping with slopes of less than 30 percent in most of the site except for the southwestern portion of the property. The site is located within the Napa River watershed and outside of the 100 and 500 year flood hazard zones. The United States Department of Agriculture Soil Conservation Service Soils Map for Napa County indicates the project site is mapped as Perkins gravelly loam, 5 to 9 percent slopes, and Kidd loam, 30 to 75 percent slopes. Based upon the Napa County Environmental Sensitivity Maps (Liquefaction layer) the area of the project site proposed for development has a very low and low susceptibility for liquefaction. Native vegetation of the general area consists of oak woodland and mixed hardwoods. No sensitive plant or animal species were identified on the County's Environmental Sensitivity Maps. The closest residence to the proposed winery structure would be approximately 835 feet. No existing vineyards would be removed as part of the proposal.

Winery Proposal - The proposal consist of a new 15,000 gallon per year winery with an associated winery building (conversion of existing barn) totaling 1,600 square feet. Requested visitation is a maximum of 17 visitors per day. The proposed marketing program would include 10 events per year with up to 30 guests per event and one wine auction event per year with up to 75 guests.

Setbacks - The proposed project meets all applicable minimum setbacks, including the 600-foot minimum winery building setback from Silverado Trail. As mentioned above, if approved, a lot line adjustment would be executed with the adjoining parcel to the north, Silverado Vineyards. This would eliminate the need for the initially requested variance application as the winery building would meet the minimum required 20-foot side yard setback.

Visitation/Marketing Program - The project includes a request for a maximum of 17 visitors per day; maximum 119 visitors per week; and a marketing program to include ten (10) events per year for a maximum of 30 guests per

event and one (1) wine auction event per year with a maximum of 75 guests. As shown in Attachment A, the requested visitation and marketing program is higher than the average and median visitation and marketing program levels for similar production size winery facilities. However, the proposed visitation and marketing program is consistent with the anticipated visitation and marketing program levels permitted under the County's small winery Categorical Exemption criteria. Therefore, staff has no concerns regarding the requested visitation and marketing program.

Traffic and Parking - A Traffic Impact Report was prepared for the Taylor Family Vineyards project by Crane Transportation Group (dated April 12, 2016) and submitted with the project. According to the Traffic Impact Report which utilized the County of Napa's Winery Traffic Information/Trip Generation Sheet, the proposed project's daily traffic volumes and weekday peak hour trips have been calculated to be: 18 vehicle trips with and 1 trip occurring the PM peak hour (4:00 PM – 6:00 PM), weekdays; 15 vehicle trips with 1 trip occurring during the PM peak hour, weekends. The infrequent marketing event trips, which would occur outside peak periods, would result in an estimated 74 trips for the single largest event but, given that the events would be infrequent, would occur outside of the peak periods, and result in a minimal increase in traffic, the marketing events were not included in the daily trip generation and resulting intersection and road segment analysis in the study. The project would also include the installation of a left turn lane on Silverado Trail at the project's driveway because it meets the County's warrants for the installation of left turn lanes.

Based upon the County Traffic Information/Trip Generation Sheet and Traffic Impact Report described above, the project would generate less than 40 trips per day and 5 peak hour trips.

Five onsite parking spaces (4 standard spaces and one ADA space) are proposed. Overflow parking for the requested marketing events would be available near the existing barn and residence. All tastings would be by appointment only. Tastings would not be offered on those days in which marketing events are scheduled. Sufficient parking would be available for the proposed project.

Hold & Haul - The applicant has requested a hold and haul option as outlined in the Septic System Feasibility Report for Proposed Taylor Family Winery, prepared by Theodore J. Walker, Registered Environmental Health Specialist, as a permanent wastewater treatment option. The Engineer for the project has estimated if hold and haul were to be approved, the tanks would be pumped a total of 35 times annually, with no more than two truck trips in a given week, assuming full wine production capacity. Two other options are also proposed. Option two would include converting the hold and haul tank system into a bio microbics MBR system. A third option would consist of dispersing the processed wastewater by integrating it into a proposed domestic wastewater shallow trench pressure distribution system. The applicant would like to utilize the hold and haul option until additional funding becomes available for the more expensive wastewater disposal options described as option two and three above. Current regulations allow hold and haul systems, although the sustainability of allowing hold and haul at wineries has been a major discussion point over the last year as part of the Agricultural Protection Advisory Committee deliberations brought to the Board of Supervisors. The Board of Supervisors has directed staff to return with policy changes to limit the use of hold and haul system. Since this application was submitted prior to the ongoing hold and hold policy discussion, staff does not oppose approval of a hold and haul for this project. However, it is within the discretion of the Planning Commission to require an on-site disposal system if deemed appropriate for these circumstances.

Groundwater Availability - The applicant completed a Tier I Water Availability Analysis. Based upon the site's location within the valley floor area, estimated groundwater availability would be 21.1 af/yr (21.1 acres x 1.0). "Groundwater is currently used to irrigate approximately 10 acres of vineyard and residence minimal landscape" at the project site (Tier I Water Availability Analysis for the Taylor Family Vineyards, 2015). The estimated project water demand of 3.263 af/yr, representing an increase of 0.413 af/yr over the existing condition, is far below the 21.1 af/yr estimated annual parcel groundwater recharge. The proposed project would not result in a substantial increase the demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater

level. According to Napa County environmental resource mapping (*Water Deficient Areas/Storage Areas*), the project site is not located within a water deficient area and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area.

Grape Sourcing - The applicant plans to make estate grown wines from the 10 acres of planted vineyards on the property. A small amount of grapes would be purchased from a grower in the Yountville region, as well as, a grower in the Oak Knoll region.

Greenhouse Gas Emissions - The County requires project applicants to consider methods to reduce Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department's Best Management Practices Checklist for Development Projects, which is attached to this report as Attachment F. The project would incorporate the following voluntary best management practices: energy conserving lighting; installation of water efficient fixtures; water efficient landscaping; and alternative work schedules for employees.

GHG Emission reductions from local programs and project level actions, such as the 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 reduce emissions.

Public Comments - At the time of staff report preparation, two public comment letters had been received in support of the proposed project.

Consistency with Standards:

Zoning - The project is consistent with AP (Agricultural Preserve) Zoning District regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.20.030) are permitted in the AP District with an approved use permit. The project as conditioned complies with the Napa County Winery Definition Ordinance and all other requirements of the Zoning Code as applicable.

Environmental Health Division - Recommends approval with standard conditions in the attached Memorandum, dated May 20, 2016.

Engineering Services Division - Recommends approval of the project with standard conditions in the attached Memorandum, dated May 16, 2016.

Public Works Department (Traffic) - Recommends approval in the attached Memorandum, dated September 15, 2015.

Fire Department - Recommends approval with standard conditions in the attached Memorandum, dated January 6, 2016.

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. Decision making options also include a no project alternative and a reduced project alternative.

Disposition - This option would result in approval of the proposed 15,000 gallon per year winery.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, which were found to be categorically exempt. Project implementation would result in minimal potential environmental impacts because it consists of the conversion of an existing barn to a winery production building with a 400 square foot tasting room. Sufficient grapes and water supplies are available to serve the proposed project and there is no history of code compliance issues at the project site. The requested visitation and marketing program is higher than similar production size winery facilities, but qualifies as a Categorically Exempt small winery project. Staff recommends this option based upon the reasons discussed above.

Option 2 - Reduced Project Alternative

Disposition - This option would reduce the scope of the project via a reduced visitation and marketing program.

Action Required - Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to require a reduction in the requested visitation and marketing program. If major revisions of the conditions of approval are required, the item will need to be continued to a future date.

Option 3 - Deny Proposed Project

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of a Use Permit, Commissioners should identify what aspect or aspects 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. Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence supporting denial of the project.

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

Option 4 - Continuance Option

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

SUPPORTING DOCUMENTS

- A . Winery Comparison Analysis
- B . Findings
- C . Recommended Conditions of Approval
- D . Agency Comments
- E . CEQA Memorandum
- F . Public Comments
- G . Use Permit Application Packet
- H . Water Availability Analysis

I . Wastewater Feasibility Study

J . Traffic Study

K . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell