



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 8/6/2014  
Agenda Placement: 10C

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for David Morrison - Director  
Planning, Building and Environmental Services  
**REPORT BY:** David Morrison, Director, Planning, Building & Environmental Servi - (707) 253-4805  
**SUBJECT:** Winery Definition Ordinance Status Report

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### **RECOMMENDATION**

#### **WINERY DEFINITION ORDINANCE STATUS REPORT**

**CEQA Status:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**Request:** Response to request made by Commissioner Phillips regarding various aspects of the Winery Definition Ordinance (WDO), the impacts of the WDO as currently drafted, as well as, its implementation.

**Staff Recommendation:** Informational Item. No action necessary.

**Staff Contact:** David Morrison, Director (707) 253-4805: [david.morrison@countyofnapa.org](mailto:david.morrison@countyofnapa.org)

### **EXECUTIVE SUMMARY**

#### **Proposed Action:**

This is an informational item; no action is proposed.

#### **Discussion:**

At the regularly scheduled July 16, 2014, meeting of the Napa County Planning Commission, a request was made of staff by Commissioner Phillips regarding various aspects of the Wine Definition Ordinance (WDO), the impacts of the WDO as currently drafted, as well as, its implementation. Furthermore, Commissioner Phillips asked that staff bring back a timetable for both the analysis and workshop discussion, including the items raised during the Joint Meeting of the Board of Supervisors and Planning Commission held on May 20, 2014, at the next regularly

scheduled meeting of August 6, 2014.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

At the regularly scheduled July 16, 2014, meeting of the Napa County Planning Commission, a request was made of staff by Commissioner Phillips regarding various aspects of the Wine Definition Ordinance (WDO), the impacts of the WDO as currently drafted, as well as, its implementation. Specifically, Commissioner Phillips requested analysis of the following:

1. Permitted production capacity (in gallons) in relation to current wine grape production capacity, as reflected in the 2013 California Department of Food and Agriculture (CDFA) Grape Crush Report;
2. Permitted and planned winery hospitality compared with the assumptions used in the General Plan Environmental Impact Report (EIR) by permitted capacity and in total;
  - a. Future hospitality projections with a conservative assumption scaffolding up from 10 acres, with 100,000 gallons and up to 50,000 visitors;
3. Cumulative traffic and status of traffic study; and
4. Water and wastewater in the context of the GRAC.

Commissioner Phillips also requested a future discussion by staff and the Planning Commission regarding a range of topics including:

5. Staff's interpretation of wineries' proposed ratio of area devoted to hospitality as a percentage of area dedicated to production, specifically as it relates to the inclusion of unenclosed spaces, in order to define a more consistent administrative standard;
6. The appropriate metric to measure hospitality as an ancillary use to production within the WDO (e.g., area, activity);
7. The appropriateness of permitting the use of winery rooftops for hospitality purposes;
8. The display of public art in the Agricultural Preserve and its relation to the Sign Ordinance;
9. Assessment of the validity of Napa County's Stage 1 water analysis; and
10. Prohibiting projects from trucking in water should on-site water sources prove insufficient.

Commissioner Phillips' comments were a follow-up to prior direction given to staff during the joint meeting of Planning Commission and Board of Supervisors, which occurred on May 20, 2014. The direction from that meeting included:

11. Noticing procedures;
12. Winery visitation and marketing;
13. Cumulative growth impact analysis;

14. Environmental Impact Report process;
15. Climate Action Plan status; and
16. Other Commissioner/Supervisor comments or concerns:
  - a. Moratorium on new wineries and/or modifications;
  - b. Variance process;
  - c. Public art;
  - d. Annexation; and
  - e. Carrying capacity.

Commissioner Phillips asked that staff bring back a timetable for both the analysis and workshop discussion, including the items raised during the joint meeting, at the next regularly scheduled meeting of August 6, 2014.

#### Next Steps:

At the joint meeting of Board of Supervisors and Planning Commission held on May 20, 2014, staff indicated that they would return at the next joint meeting of the Board and Planning Commission, tentatively scheduled in October, with responses to the various issues raised. However, the level of interest and concern in these issues continue to increase, particularly those involving tourism and its regulation under the WDO.

Consequently, staff will be bringing forward to the Board of Supervisors on August 19, 2014, a proposal to provide this analysis within the context of a community forum so that the community can also engage in this important issue. The proposal will also include a recommendation for a process to develop policy and regulatory options to address these concerns. At the regularly scheduled Planning Commission Meeting of August 20, 2014, staff will provide a report on the outcome of discussion and direction provided by the Board of Supervisors.

#### **SUPPORTING DOCUMENTS**

None

Napa County Planning Commission: Approve

Reviewed By: John McDowell