



Legislation Text

File #: 23-1412, **Version:** 1

TO: Board of Supervisors

FROM: Brian D. Bordona - Director of Planning, Building and Environmental Services

REPORT BY: Trevor Hawkes, Supervising Planner

SUBJECT: Duckhorn Vineyards Appeal - Continuance Requested to Date Uncertain

RECOMMENDATION

PUBLIC HEARING 10:30 A.M. - DUCKHORN VINEYARDS WINERY APPEAL (USE PERMIT MAJOR MODIFICATION NO. P19-00097-MOD) - CONTINUED FROM JULY 25, 2023.

Consideration and possible direction regarding appeals filed by (1) Appellant Water Audit California and (2) Appellant John Murphy on behalf of Preserve Lodi Lane concerning the Duckhorn Vineyards Winery Use Permit Major Modification Application No. P19-00097-MOD submitted by Duckhorn Wine Company, DBA Duckhorn Vineyards (Applicant) and the decisions made by the Napa County Planning Commission on May 3, 2023, to: (1) adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and (2) approve Use Permit Major Modification No. P19-00097-MOD. The project site is an existing pre-WDO winery on a 10.67-acre parcel, at the corner of Lodi Lane and Silverado Trail, located at 1000 Lodi Lane, St. Helena. The property is zoned Agricultural Preserve and general plan designated Agricultural Resource and Agricultural, Watershed and Open Space on Assessor's Parcel Numbers 022-130-010, 022-100-033, 022-100-034 and 022-100-035. (APPLICANT AND STAFF REQUEST A CONTINUANCE TO A DATE UNCERTAIN DUE TO THE APPLICANT CONSIDERING MAKING CHANGES TO THE PROJECT SCOPE. BOTH APPELLANTS DO NOT OBJECT TO THE REQUEST FOR A CONTINUANCE.)

EXECUTIVE SUMMARY

The matter before the Board involves two appeals filed by Appellants to a decision by the Napa County Planning Commission on May 3, 2023 to: (1) adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and (2) approve Use Permit Major Modification No. P19-00097-MOD submitted by the Applicant.

Pursuant to the County's appeals ordinance (Napa County Code Chapter 2.88), a public hearing on the appeal must be scheduled not less than fifteen days nor more than ninety calendar days from submittal of an appeal. On July 25, 2023, in order to accommodate the schedules of all parties involved, the Applicant, both Appellants, and Staff requested a continuance to November 7, 2023; that request was granted by the Board.

Due to the applicant considering making changes to the project scope, the applicant and staff, with no objections from either appellant, request that the Chair introduce the item, open the public hearing, and request

a motion for continuance to a date uncertain. Staff presentation and public testimony regarding the appeals will not occur at the today's hearing.

Once a future hearing date is identified, the public hearing will be formally scheduled, the item re-noticed, and at that time, public comment may be submitted to Staff for inclusion in the hearing documents.

PROCEDURAL REQUIREMENTS:

1. Chair introduces item and opens the public hearing.
2. Motion by a Board member, second by another Board member, and Board votes to continue the item to a date uncertain.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No
County Strategic Plan pillar addressed: Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following areas: Biological Resources and Cultural Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

The matter before the Board involves an appeal filed by Appellants concerning the Duckhorn Vineyard use permit major modification application (P19-00097-MOD) submitted by Applicant and the decision made by the Napa County Planning Commission on May 3, 2023, to: (1) adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and (2) approve Use Permit Major Modification No. P19-00097-MOD submitted by the Applicant to allow the following: 1) construction of a 58,042 sq. ft. facility ('West Winery') on the West Property (APN 022-100-033) containing 54,722 sq. ft. of production space and 3,320 sq. ft. of office and accessory uses, a 90,000 gallon fire protection water tank, two 158,000 gallon irrigation storage water tanks, a 24,000 gallon domestic water tank, landscaping, driveways, and other winery improvements; 2) construction of a 8,839 sq. ft. expansion to the existing Estate House on the East Property (APN 022-130-010) for a total floor space of 18,162 sq. ft.. At build out the Estate House will consist of 17,810 sq. ft. of accessory space and 352 sq. ft. of production space; 3) removal of the existing combined process and sanitary wastewater system on the East Property and the development of separate process and sanitary wastewater systems on both the East and West Properties connected through Directional Boring under the Napa River; 4) increase onsite parking spaces from 68 to 96; 5) demolition of the existing Tank Shed, Chais 1, 2, 3 & 4 on the East Property; 6) demolition of a single family residence (Red House), portions of the existing gravel driveway and other agricultural and single-family dwelling improvements on the West Property and APN 022-100-034; 7) conversion and expansion of a 16,900 sq. ft. agricultural pond on the West Property to a 20,300 sq. ft. bio-retention pond; 8) removal of approximately 3.55 acres of vineyard on the West Property; 9) removal of approximately 49 trees; 10) increase in maximum annual permitted wine production from 160,000 gallons to 300,000 gallons; 11) increase the existing daily "By Appointment" Tours and Tastings of 82 visitors and voluntarily abandon the winery's existing pre-Winery Definition Ordinance (WDO) entitlement of 50 visitors

per week (no more than 30 on the busiest day) for “Public Tours and Tastings” for a total of 219 daily visitors for By Appointment Tours and Tastings (110 visitors per day for Tours and Tastings without food, 109 per day for Tours and Tastings with food); 12) modification of the existing Marketing Plan allowing Private Tours and Tastings events for up to 20 guests 120 times annually, Wine with Food Pairings events for up to 25 guests 36 times annually, Large events for up to 600 guests twice annually, and Auction-related events for up to 250 guests twice annually as follows: 200 Private Tours and Tastings annually for up to 20 guests, 40 Wine with Food Pairings annually for up to 25 guests, 40 Medium Events annually for up to 60 guests, three (3) Large Events annually for up to 400 guests and one (1) Auction-related event for up to 250 guests; 13) addition of activities in conformity with AB 2004 (on-premise consumption)) on the Estate House porch and landscaped gardens west of the Estate House; and 14) Temporary relocation of approved hospitality activities (Tours and Tastings, Marketing Events, on-premise consumption) in and around the Estate House to the 2,067 sq. ft. of ground floor accessory space and adjacent outdoor areas of the proposed West Winery during the expansion of the Estate House. Hospitality activities to return to the Estate House and East Property upon approval of final occupancy of the Estate House. An Exception to the Napa County Road and Street Standards is also requested from a Left Turn Lane Warrant for east bound traffic on Lodi Lane entering the East Property driveway to avoid significant environmental impacts by preserving unique features of the natural environment.

On May 17, 2023, timely notices of intent to appeal were filed by Appellants and timely appeal packets were submitted on June 1, 2023.

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