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Categorical Exemption Determination

Stewart Ranch Micro Winery Use Permit P23-00178-UP
Zoning Administrator Hearing - June 25, 2025



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Planning, Building & Environmental Services

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Brian D. Bordona
Director

To: Zoning Administrator

From: Kelli Cahill, Planner III

Date: May 5, 2025

Re: Stewart Ranch Use Permit Micro-Winery
Application P23-00178-UP
Categorical Exemption Determination
2195 Golden Gate Drive
Napa Assessor's Parcel Numbers all of APN
043-190-013 (Winery), 043-103-026 (Well)
and portions of APN 043-190-031 (Winery)

Background

Pursuant to Section 303 of Napa County's Local Procedures for Implementing the California Quality Act (CEQA), the Planning Division has prepared this environmental evaluation for the proposed Stewart Ranch Use Permit Micro-Winery Application (File No. P23-00178-UP).

The Napa County Planning Division has received a request for a Use Permit Micro-Winery for a new winery.

The applicant is requesting Approval of a Micro-Winery Use Permit that would allow for the following: 1) establishment of a 250 gallon per year winery, 2) convert 821 square feet (sf) of an existing structure formerly used as the properties' dairy storefront which will serve as the proposed tasting room, office, dry good storage and combined guest/employee restroom, 3) demolish 862 sf of an existing, deteriorating garage and replace it in-kind with a fermentation building and add 360 sf crush pad and work area, 4) tours and tastings for up to 10 guests per day Monday through Sunday with a weekly maximum of 70 persons during harvest and non-harvest seasons; 5) on-premises consumption of wines produced on-site inside the winery and outside within a 1,200 square foot patio area in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB2004-Evans Bill); 6) one (1) full-time and one (1) part-time employee including ownership during harvest and non-harvest seasons; 7) production hours between 7 a.m. and 7 p.m. Monday through Saturday and visitation hours between 10 a.m. to 6 p.m. Monday through Sunday; 8) improvements to widen the existing driveway from 12 to 22 feet in compliance with the Napa County Roads and Street Standards, 9) construction of a parking area with five (5) parking stalls, one of which will be ADA compatible; 10) additional septic reserve area, 11) installed four (4) 5,000 gallon water tanks for fire protection on the southwest side of the proposed fermentation building with construction of a new retaining wall; and, 12) installation of a new wet draft hydrant.

Existing Setting

The 26.99-acre project site is located at 2195 Golden Gate Drive, approximately 2,000 feet east of the intersection of Golden Gate Drive and Foster Road. The property is zoned Agricultural Watershed District

(AW) and is designated Agriculture Watershed and Open Space (AWOS) by the Napa County General Plan.

The project site has historically been operated as a cattle ranch and dairy. The holding today continues to support cattle and beef operation, 0.40 acre of wine grape vineyard. The vineyard will produce approximately 201 gallons of wine grapes annually, and processed onsite and accounts for 75% of the grapes necessary to produce the requested 250 gallons of wine annually. These grapes would be utilized for the proposed winery once it is established.

The property is currently developed with five barns, three residential structures, and three outbuildings. The property is served by a well located on a separate, but contiguous parcel for potable water and a septic system and leach field for on-site sewage disposal.

CEQA Exemption Criteria and Analysis

Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. The proposed project would be considered exempt under §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 –

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;

The proposed winery facility would consist of approximately 1,683 square feet and 360 square feet of crush pad and outdoor workspace. Thus, the winery area would be less than 5,000 square feet in size and would meet the requirement of 10(a). The remaining area, approximately 1,200 square feet, would be used for an outdoor hospitality patio.

- (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;

The proposed project does not include construction of a wine cave.

- (c) Will produce 30,000 gallons or less per year;

The proposed project will produce 250 gallons of wine 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;

According to the County of Napa's Winery Traffic Information/Trip Generation Sheet, based on the proposed number of employees and daily/weekly visitors, the project's daily traffic volumes during harvest season would be 12 vehicle trips with 5 daily vehicle trips during the p.m. peak hours (4:00 p.m. – 6:00 p.m.). Weekend vehicle trips during harvest season would

be 8 with 5 trips occurring during peak hours (3:00 p.m. to 4:00 p.m.). Therefore, the proposed winery would not generate more than 40 vehicle trips per day and not more than 5 peak hour trips per day.

- (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;

The proposed project does not include marketing events. Micro-Winery projects are not permitted to have marketing events.

- (f) Hold no temporary events.

The proposed project does not include any requests for temporary events at this time. However, such events are permitted under Napa County Code Section 5.36 Temporary Events.

Ground Water – The applicant proposes use of an existing groundwater well located on parcel 043-103-026. A second groundwater well located on the winery parcel is used for the residence located on a portion of parcel 043-190-031 under recorded easement No. 2004-0021762. The Project well presently serves residential uses, irrigation for vineyard, lawn and pasture lands. Future uses will include the proposed winery. The project well is located within the Napa Valley Subbasin and subject to the Tier 1 analysis. The Project well is not located within 500 feet of a neighboring well or spring; therefore, a Tier 2 analysis is not required. The well is located within 1,500 feet of several tributaries to the Napa River considered significant streams which required a Tier 3. The following is a summary of the Tier 1 and 3 analyses:

Tier 1: The parcel and Project well parcel is located within the Napa Valley Subbasin and subject to a Tier 1 analysis. However, the Water Availability Analysis (WAA) dated January 2024, footnote no. 4- Where existing groundwater use exceeds the 0.3 acre-feet per year (ac-ft/ac), No Net Increase in Groundwater use is required (Subject to change by the GSA), and shall be demonstrated through a water demand analysis. The Revised WAA prepared by Applied Engineering, Inc. dated February 28, 2025, calculated a reduction in groundwater demand as the result of a property sale to the Napa County Flood Control District of 52.09 acres that includes approximately 35 acres of vineyard that are currently irrigated using the winery well. The sale of the property will result in the removal of the vineyard and groundwater demand by approximately 66%, from 26.04 acre-feet per year (ac-ft/yr) to 8.92 ac-ft/yr as demonstrated in Table 1.

Table 1

Uses	Existing (acre feet per year)	Proposed (acre feet per year)
Residential	0.70	0.70
Winery	0	0.18
Vineyard irrigation	17.50	0.20
Lawn and Pasture irrigation	7.84	7.84
Total	26.04	8.92

Based upon these figures, the water demand would be a reduction meeting the criteria noted in Footnote 4 of the Napa County WAA Requirements; however, future development would be subject to no net increase above 8.92 ac-ft/yr of groundwater demand. The overall use exceeds 0.3 acre-feet/acre/year; therefore, as noted above, per Napa County standards, the subject property being located in the Napa Valley Subbasin is limited to a no net increase in groundwater and subject to Conditions of Approval 4.20d, 6.15 and 9.9 - of

Attachment B.

Tier 2: There are no known wells within 500 feet of the winery well and therefore a Tier 2 Analysis was not required. Furthermore, a Tier 2 is not required if the project is not proposing to increase groundwater demand.

Tier 3: Public Trust - The public trust doctrine requires the state and its legal subdivisions to “consider,” give “due regard,” and “take the public trust into account” when considering actions that may adversely affect a navigable waterway. (Environmental Law Foundation v. State Water Resources Control Bd. [2018] 26 Cal.App.5th 844, 861, 868; San Francisco Baykeeper, Inc. v. State Lands Com. [2018] 29 Cal.App.5th 562, 569.) There is no “procedural matrix” governing how an agency should consider public trust uses. (Citizens for East Shore Parks v. State Lands Com. [2011] 202 Cal.App.4th 549, 576.) Rather, the level of analysis “begins and ends with whether the challenged activity harms a navigable waterway and thereby violates the public trust.” (Environmental Law Foundation, 26 Cal.App.5th at p. 403.).

Pursuant to the Napa County Application of Public Trust Doctrine to Projects Dependent on Groundwater memorandum, dated January 10, 2024, the Water Availability Analysis (WAA) was prepared by Applied Engineering, Inc. dated February 28, 2025 to document existing and proposed groundwater demand for the proposed project taking into consideration the sale of the aforementioned parcels less 0.28 acres (APN no. 043-103-026) which will be retained by the project applicant which houses the project groundwater well. It is the intent of the Flood Control District to restore the vineyard lands by removing the vineyard to enhance the existing estuary. The WAA took into consideration the overall reduction of groundwater with the sale of irrigated vineyard totaling approximately 35 acres, and the addition of 0.40 acres planted on parcel no. 043-190-013 (winery parcel).

Based on a map provided by Napa County Flood Control District, the project wells are located with, the holding on the east side of State Highway 29, located within the historic Napa River floodplain and associated tributaries. Therefore, there is assumed connectivity to the estuary ecosystem. There would be a reduction in potential harm relative to existing conditions following sale of the 52.65 acres that includes 35 acres of irrigated vineyards that are presently irrigated with project well, reducing the overall groundwater demand by 66%.

Because the projected water demand for the project is below the estimated recharge for the parcel, and the requested Use Permit is consistent with General Plan Goals CON-10, CON-11, and CON-12. The project will not require a new water system or other improvements and will not have a negative impact on local groundwater.

Historical Resources - A Historic Resource Evaluation (HRE) was prepared for the project site, dated January 11, 2023. The HRE determined the project site and individual structures, including the former storefront qualify to be listed in the California Register of Historic Resources, but are not presently listed on the local or state registers. Pursuant to CEQA, the lack of listing does not preclude determination as a historic resource or evaluation as specified under Public Resource Code Section 5024.1 and under Section 21084.1 of the California Environmental Quality Act (CEQA).

The HRE assessed the property including the dairy storefront and garage. Of the two structures, the HRE found that the former dairy storefront as an individual resource meets Criteria 3 of the California Register of Historic Resources (CRHR) for the association with Vernacular architecture, specifically dairy farming design within a period of significance with their construction dates, and aspects of integrity. The garage individually did not qualify under Criteria or integrity.

The CRHR uses four key criteria to determine the eligibility of a resources for listing. Criteria 3 evaluates the Embodiment of Distinctive Characteristics, that the resource(s) must embody the distinctive characteristics of type, period, region, or method of construction, or represent the work of a master, or possess high artistic value.

The former dairy storefront meeting the criteria as distinct to the type, period and region has been taken into consideration as part of the project, including proposed alterations to the structure required to convert from a former dairy storefront to winery use. The alterations would qualify under CEQA Section 15331 that allows for the repair and rehabilitation of historic structures in a consistent manner with the Secretary of Interior Standards for Rehabilitation that include alterations. Based on this commitment consistent with Condition of Approval 6.9, conversion of the former dairy storefront in a manner that preserves the integrity of the building individually, but also as part of the property as a dairy farm dating back to the early 20th century. The proposed project includes the conversion of an approximately 821 square foot portion of the existing barn. The portion to be converted was used as the dairy storefront and retail space. The interior alteration of the structure would include 543 sf of accessory and 278 sf of production area, including tasting room, private office, restroom, retail space and utility/storage. The exterior alteration includes repairing a wall, replacing where needed, the aluminum doors, windows with wooden versions including double hung windows, reframe the awning using wood elements, and replacing metal roofing materials over the wood framing consistent with other structures of the same vintage on the property. All proposed work will be performed in accordance with the Secretary of Interior Standards governing rehabilitation.

Under Section 15300.2 of the California Environmental Quality Act, Exceptions [to findings of exemption], a project cannot be deemed exempt under Section 15303, Class 3 (New Construction or Conversion of Small Structures), if environmental sensitivities exist on the project site. The list of sensitivities identified in Section 15300.2 include: (a) Location; (b) Cumulative Impact; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources. Staff has reviewed the County's GIS Environmental Resource maps (which identify potential environmental sensitivities) in conjunction with Section 15300.2 and determined that such environmental sensitivities do not exist on the project site. This determination was made based on the analysis discussed below:

15300.2. EXCEPTIONS [to Exemption from CEQA]

- (a) Location. Classes 3, 4, 5, 6, 11, and 31 are qualified by consideration of where the project is to be located and historical resources – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The applicant proposes establishing a new, 250-gallon winery on the project site with visitation. Uses within the immediate area of the project site include rural residential, grazing lands, and vineyards. While it is possible that a new winery in the project area would contribute to cumulative impacts, the modest nature of the proposed project would not increase activities in the project area enough to result in significant cumulative impacts to the area. In addition, the property is presently developed with 0.40 acres of grape vineyards, approximately 1.65 acres of development that includes five existing barns, one single family residence, one second dwelling

and four outbuildings. An 821 square foot (sf) portion of an existing barn formerly used as a dairy storefront that will be converted to tasting room, dry good storage and restroom. Alterations proposed to the dairy storefront shall be done in a manner consistent with the Secretary of Interior Standards for Rehabilitation. A second structure, an 862-sf garage will be demolished and replaced in-kind structure, which will be converted into the proposed fermentation with 360 sf of new space outside that will serve as a crush pad and outdoor workspace. The project also proposes a 1,200 sf outdoor patio for hospitality to be located on the east side of the former dairy building. The project development would occur within previously disturbed areas and would cause minimal ground disturbance. Further, the project proposes a visitation program that would produce, at most, 10 vehicle trips to the property on a weekend day during non-harvest, five of which would occur during peak traffic hours of 3:00 p.m. to 4:00 p.m. Therefore, staff has concluded that the project site would not result in cumulative impacts.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no proposed activities on the subject property that would result in a significant effect on the environment due to unusual circumstances. Development of the proposed project would occur within previously disturbed areas on the project site, including an interior remodel to a portion of the existing portion of a barn, demolition of an existing garage in-kind that is in disrepair, the addition of a crush pad and outdoor work area, the driveway widening and the parking area, all of which are presently utilized. No additional development of the property is proposed. In addition, the subject parcel is presently developed and includes 0.40 acres of vineyards, which is consistent with the proposed winery use. As such, there are no unusual circumstances on the subject property that could be subject to impacts resulting from implementation of the proposed project.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR. The subject property is accessed via Golden Gate Drive and State Route 29. Based on the Caltrans State Scenic Highway System Map, this section of Highway 29 from its intersection with Highway 12 to Trancas Street in the City of Napa is not designated as a state scenic highway. The project would result in no tree removal and no rock outcroppings exist on the project site. There are structures that could be listed on the California Register of Historic Resources which will be altered in accordance with the Secretary of Interior Standards for Rehabilitation. As such, the project would not result in damage to scenic resources within a state scenic highway.
- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project is not on any lists of hazardous waste sites.

- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The project proposes conversion of two existing structures, including a former dairy storefront that was identified within a Historic Resource Evaluation. All alterations shall be done in a manner consistent with the Secretary of Interior Standards for Rehabilitation and consistent with Condition of Approval 6.9. No other structural modifications on the subject property are proposed. The property, as well as individual structures have been identified as meeting the criteria for listing on the California Register of Historic Resources and have been considered as part of the project as discussed.

Therefore, based upon the analysis above, the proposed project meets the criteria for a categorical exemption under §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.