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Agenda Date: 1/4/2017

Agenda Placement: 9A

Continued From: 7/20, 8/17, 10/16 & 11/2, 2016

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: John McDowell, Deputy Planning Director - 299-1354

SUBJECT: Mountain Peak Winery - Use Permit P13-00320

RECOMMENDATION

MOUNTAIN PEAK WINERY / MOUNTAIN PEAK VINEYARDS, LLC - USE PERMIT NO. P13-00320-UP AND ROAD AND STREET STANDARDS EXCEPTION REQUEST

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a Use Permit to allow: 1) Construction of a new 100,000 gallon per year winery including an approximately 33,424 square foot cave, approximately 8,046 square foot tasting and office building, and approximately 6,412 square foot covered outdoor crush pad and work area; 2) demolition of the existing single family residence; 3) installation of twenty-six parking spaces; 4) construction of two (2) new driveways and private access roads with ingress/egress from Soda Canyon Road; 5) installation of a High Treatment wastewater treatment system and community non-transient potable water supply sourced from on-site private wells including two (2) 100,000 gallons water tanks for vineyard irrigation and one (1) 20,000 gallon water tank for domestic supply; 6) disposal of all cave spoils on-site within existing vineyards; 7) nineteen (19) full time employees, four (4) part-time employees and four (4) seasonal harvest employees; 8) wine tours and tastings by prior appointment only for a maximum of eighty (80) visitors per day and a maximum of 320 visitors per week; 9) a marketing plan including three (3) events per month for up to twelve (12) visitors, three (3) events per month for up to twenty-four (24) visitors, four (4) events per year for up to seventy-five (75) visitors, and two (2) events per year for up to 125 visitors; and 10) on premises consumption of wines produced on site in the tasting room and outdoor terrace in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5. The project also includes a request for an exception to the Napa County Road and Street Standards (RSS) to increase the maximum slope on a portion of the commercial access road to the covered crush pad and cave portals from 16% to 19.6%. The project is located on a 41.76-acre parcel on the northwest side of Soda Canyon Road, approximately 6.1 miles north of its intersection with Silverado Road, 3265 Soda Canyon Road, Napa, CA, 94558; APN: 032-500-033.

Staff Recommendation: Adopt the Negative Declaration and approve the Road Exception and Use Permit Request, as conditioned based upon the applicant's revised proposal.

Staff Contact: John McDowell, (707) 299-1354 or john.mcdowell@countyofnapa.org

Applicant / Property Owner Contact: Steven Rea, 1114 Petra Drive, Napa, CA 94558, (310) 913-0742

CONTINUED FROM JULY 20, 2016, AUGUST 17, 2016, OCTOBER 19, 2016, and NOVEMBER 2, 2016 REGULAR MEETINGS

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Negative Declaration based on Findings 1 - 7 of Attachment A; and
2. Approve the request for a Road and Street Standards Exception based on Findings 8 - 9 of Attachment A, and Use Permit No. P13-00320-UP based on Findings 10-14 of Attachment A, subject to the recommended revised conditions of approval (Attachment B).

Discussion:

The applicant is seeking approval to construct a new 100,000 gallon per year winery with a visitation and marketing program located near the end of Soda Canyon Road. This item was initially heard by the Commission on July 20, 2016, and continued to provide time to respond to comments received. After several additional continuances and to accommodate all parties, this hearing date of January 4, 2017 was selected.

At the July 20th hearing, the applicant's representative voluntarily requested reductions to the proposed visitation and marketing program detailed below. This staff report contains a brief description of the revised project; a summary of additional correspondence and evidence submitted after the July 20, 2016 hearing; responses to comments; and updated revised conditions of approval (attached) that reflect changes proposed by the applicant. Refer to the July 20th staff report for details on the overall request as well as all components of the administrative record through the hearing of July 20, 2016. Administrative record materials received after July 20th are attached to this report.

Staff is recommending approval of the project as amended and subject to the revised conditions of approval. Staff believe the applicant has addressed issues raised during the public hearing process to date. Attached to this report is an updated winery comparison chart reflecting how the revised project compares to other similarly sized wineries.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration proposed. Refer to July 20, 2016 Planning Commission staff report attachments.

BACKGROUND AND DISCUSSION**Public Hearing Record**

July 20, 2016 - Planning Commission conducted the initial public hearing, and continued the item to August 17, 2016 to provide staff an opportunity to review and respond to materials submitted prior to and at the hearing.

August 17, 2016 - At the request of the applicant the Planning Commission continued the project to the October 16, 2016 regular meeting.

October 16, 2016 - Prior to the hearing, additional materials, including a biological analysis and hydrological analysis, were submitted by the attorney representing several neighbors. The applicant requested continuance of the item to the November 16, 2016 Commission meeting to allow time to review and respond to the materials, but the neighbor's attorney indicated they were not available for that meeting. Since the Commission was split 2-2 on a new hearing date, the Commission vote to continue the item to November 2, 2016 to allow the full Commission to determine a new hearing date.

November 2, 2016 - The scope of discussion on November 2, 2016 was limited to determining the new hearing date. After input from neighbors and the applicant, the Commission voted to continue the item January 4, 2016.

Project Revision

Refer to the July 20, 2016 staff report for details on the request and all components of the administrative record submitted through July 20, 2016. (<http://services.countyofnapa.org/AgendaNet/GranicusMeetingDocuments.aspx?id=4775>)

At the July 20, 2016 hearing, the applicant's representative introduced reductions to the proposed visitation and marketing plan during her verbal presentation. After the meeting, the applicant's representative provided Staff with a copy of an email detailing the changes (see attached) summarized below:

Production - No change to the proposed 100,000 gallon annual production.

Visitation - Reduce maximum daily visitors from 80 to 60; and reduce maximum weekly visitors from 320 to 275.

Marketing - Reduce marketing events from 78 events annually to 3 events annually as follows: A) Elimination of 36 events for 12 guests; B) Elimination of 36 events for 24 guests; C) Reduction of 75 guest events from 4 to 2; and D) Reduction of 125 guest events from 2 to 1.

Building / Site Improvements - No changes are proposed to the site and building improvements presented on July 20, 2016.

Summary of Information Received After July 20, 2016

Attached is a comprehensive master list of all correspondence and submissions encompassing this project's administrative record. Materials provided prior to the July 20, 2016 hearing are included with the staff report issued for that hearing. All materials received after the July 20, 2016 hearing are attached to this report. Materials received

after July 20, 2016 include but are not limited to:

1. Correspondence from interested parties;
2. Neighbor's attorney letter, Anthony Arger, with attachments dated October 11, 2016;
3. Neighbor's Hydrological Report - Kamman Hydrology & Engineering dated October 11, 2016, "*Review of Initial Study and Negative Declaration Mountain Peak Winery: Use Permit #P13-00320-UP*" (Kamman);
4. Neighbor's Biological Report - Teejay O'Rear, Amber Manfree Et al. dated October 11, 2016, (Manfree);
5. Applicant's Hydrological Response Report - Richard C. Slade & Associates LLC dated November 30, 2016, (Slade) "*Response to Public Comments Proposed Mountain Peak Winery (Application #P13-00320) 3265 Soda Canyon Road, Napa County, California*".

Discussion Items

Traffic Safety - Materials submitted by neighbors contained evidence of past accidents and historical accident data, as well as evidence of large trucks and vehicles impeding Soda Canyon Road. Although this evidence demonstrates the existing constraints to vehicle movement on Soda Canyon Road, this evidence does not correlate to their assertion that the proposed project would substantially impact that existing condition. The project traffic engineer, Mark Crane (Crane) and County Roads Commissioner (CRC) have reviewed all evidence submitted, as well as all accident location data and details along Soda Canyon Road between Silverado Trail and the Mountain Peak Winery site for the years 2011 to 2015. Crane concluded that no two accidents along Soda Canyon Road occurred at the same location other than at Silverado Trail. After reviewing the detailed records of the 13 total accidents along Soda Canyon Road, it was determined that there were 6 where speed signing may have been helpful to reduce vehicle speeds. Five of the 6 had unsafe speed as the cause of the accident and 5 of the 6 were in the downhill direction. The CRC will be available at the hearing to respond to Commission inquiries.

Traffic Volume - Concerns were raised that the visitor and employee traffic would adversely impact the operation of Soda Canyon Road. Both the CRC and Crane analyzed the proposed additional traffic to the roadway resulting from the project and concluded that increases would not change the level of service on Soda Canyon Road, which is presently a free flowing roadway with low daily and peak hour volumes. The traffic study also concludes that traffic increases to the intersection of Soda Canyon Road and Silverado Trail would be less than 1% of the current volume of the intersection and thus not a substantial change to the function of that intersection, and thus not result in a cumulatively considerable contribution to a traffic impact pursuant to the County's significance criteria. Traffic increases fall within service levels allowed by the County General Plan. It should also be noted that the conclusions on traffic volume increases falling below thresholds were based on the original larger project prior to the applicant's proposal to reduce both visitation and marketing.

Fire Safety - Commenters noted that Soda Canyon is a high fire hazard area prone to wildfire, and intensifying land use like the proposed project is a great concern. The County Fire Marshal has reviewed the project and found that it complies with design standards and will be built with fire safe materials. The vineyard land surrounding the project site provides a natural fire break, and the extensive cave complex represents a potential safe haven in the event fire traps area residents from escape routes. There are two evacuation routes from upper Soda Canyon consisting of Soda Canyon Road itself, and a less direct route through the Circle S Ranch property to Atlas Peak Road. The Fire Marshal and CRC concluded that additional traffic to Soda Canyon Road would not substantially increase the risk of fire from motor vehicles. A large proportion of the rural roads in Napa County are in hillside settings with high fire hazard, and many of these roads carry much larger volumes of daily traffic, including visitor traffic, without the vehicles causing significant threat of wild land fire.

Water Availability - Commenters expressed concerns that the project would deplete groundwater supplies and noted that some existing groundwater resources in the vicinity of the project are currently in distress. In addition, Kamman asserts that the Bartelt Water Availability Analysis (WAA) and initial Slade hydrological analysis ("*Updated Summary of April 2014 Constant Rate Pumping Test Existing Onsite Water Well, 3265 Soda Canyon Road, Napa*

County California") (see July 20th report attachments) improperly evaluates both water demand and groundwater availability.

In response, Bartelt Engineering confirmed that the 14.86 AF/YR water demand vineyard irrigation number is accurate, and was calculated as follows: (1) 45,440 vines the amount of vines remaining after vines taken out as a result of the project), (2) multiplied by 104 gallons/vine (which is the amount of gallons that would be used in the future through vineyard irrigation reduction due to vine maturity (from the 129 gallons per vine in current use that are "of right" vineyard irrigation uses that would be permitted to continue with or without the project), (3) divided by 325,851 (gallons per acre/foot), which results in 14.5 AF/YR. The 14.86 AF/YR was arrived at by conservatively adding a small amount (0.36 AF/YR) for possible wintertime frost protection on about 8 acres of the vineyard, amounting to a total water demand for vineyard irrigation of 4,843,058 gallons or 14.86 AF/year. (These detailed calculations are also set forth in the Bartelt March 2016 Wastewater Feasibility Study previously submitted to the County; these are to be read in conjunction with the March 2016 Bartelt WAA.)

Groundwater extraction totals for the property (pumped from the existing Mountain Peak Well report by the applicant) by calendar year indicate that the 2016 extraction volume through December 14, 2016 is 15.72 AF. This volume of water was used to meet irrigation demand at the property as well as water demands associated with the onsite residence. After accounting for non-vineyard water use, 2016 vineyard water use is below 15 AF (a significant decrease in current water use in 2016 from 2015). Bartelt's 14.86 AF/yr. calculation very closely approximates the actual 2016 property vineyard water use of less than 15 AF/year.

While Mountain Peak is not required to go from 129 gallons per vine (current and existing "of right" use) to a proposed voluntary reduction to 104 gallons per vine in the future, Mountain Peak's vineyard manager reports that the lower projected future water demand is due to several factors, including, a change in winemaking goals; later spring rains (more normal season) when compared to previous "drought" years; vine maturity; and active attempts to reduce water usage in the vineyard (including disking every other row in parts of the vineyard to reestablish permanent cover crop), growing less canopy, hedging earlier, picking earlier, and training vines to use less water. This season's water use is considered similar to an "average year".

In Slade's November 30, 2016 response, the project's net water use "delta" (existing conditions without the project versus existing conditions plus project conditions) will result in a net delta of 0.5 AF/YR less water use than under current non-discretionary conditions. The removal of 2.96 acres of vineyard as part of the project will result in a reduction of existing vineyard irrigation by 2.1 AF/YR using data from the Bartelt March 2016 report, calculated as follows: $(50,826 \text{ existing vines} - 45,440 \text{ future vines}) \times 129 \text{ gal/vine existing water use} = 694,794\text{-gallon reduction each year (or 2.1 AFY)}$. Since the actual existing permitted use is 129 gallons/vine, it is appropriate to calculate any reduction from taking out the three acres of vineyards based on the 129 gallons/vine existing use, not a proposed (voluntary) future use of 104 gallons/vine. But even if the 104 gallons/vine were used in lieu of 129 gallons/vine in any reduction calculation, there would still be a 1.7 AF/YR vineyard water use reduction as opposed to 2.1 AF/YR, or a reduction from 0.5 AF/YR to 0.1 AF/YR less water use than under existing conditions.

The reuse of winery process water will result in an additional 1.84 AF/YR reduction in water use. While it is true that the amount of winery process water that will be used for the project in the first instance would not be directly reused in the project winery itself, the reuse of winery process water will offset water use that would have otherwise been used for vineyard irrigation (an existing "of right" water use that will continue if the project were not approved). Thus, the reuse of process water with the LYVE or comparable systems is a water-neutral situation. Slade's calculations of net groundwater demand change (the delta set forth on page 2 of Slade's November 30, 2016 response), the 1.84 AF/YR of project process water use is completely offset by the 1.84 feet of reuse for vineyard irrigation. Thus if winery process water demand is proportionately less, reuse would also be correspondingly less, and thus there would not be any net change in the project-favorable delta.

Subsequent analysis of water loss in the recycled water system was also evaluated. Bartelt's experience and

available data regarding the LYVE system (though the project has not definitively committed to LYVE versus other pre-treatment systems) indicates at most a 3-5% water reuse reduction factor for "sludge removal" would be reasonable, and even then, additional sludge de-watering presses are available that could be used, if needed, to bring the reuse closer to 100%. In reference to the calculations set forth in page 3, item (f)(i) of Slade's November 30, 2016 response, a 3-5% reduction of the 1.84 AF/YR process water reuse is only 0.05-0.09 AF/YR (against a total delta of 0.5 AF/YR). Again, the project would result in less groundwater use than under existing conditions.

While as a joint obligation to support the maintenance of the community road shared by all neighbors, Mountain Peak has been supplying water for road maintenance purposes. This is not anticipated to be significant and would be limited by the annual conditions of the road and maintenance required each year and is not related to, and is not anticipated to have any effect on existing vineyard or anticipated project related water use demands. In this way, any ongoing water use for community road maintenance purposes will have no impact on the difference of water use due to the project. The total water use from the project will be less than the existing uses before or without the project.

Slade calculated the average recharge for the property at 17 AF/YR. By definition, the average recharge includes both periods of ample rainfall (an above "normal" year) and periods of drought (below normal rainfall). The static well levels have remained relatively stable over approximately 25 years (from 1991 when the well was originally constructed) until the April 2014 Slade pumping test (and the fact that any recent minor decreases appear to correlate with historic and recent drought periods). As stated in page 21 of the October 31, 2015 Slade Memo:

"When the existing onsite well was constructed, a static water level of 15 ft to 20 ft was reported by the driller (See Figure 7). Recently, just before the start of the constant rate pumping test, a water level of 19.6 ft was measured (remember that this water level was collected during a drought year, when below-average rainfall and groundwater recharge had occurred). Further, water level data collected beginning in April 2014 through September 2015 (see Figure 7) reveal static (non-pumping) water levels have remained relatively constant over time, and have fluctuated on a seasonal basis between the approximate depths of 15 ft to 24 ft bgs. These static water levels illustrate that water levels have remained essentially unchanged since the well was constructed in 1991. In addition, recall that the water use at the subject property will decrease as part of the proposed new project. Therefore, the essentially unchanged water levels over time, coupled with a small future increase in water use at the subject property [water use at the property was reduced further following issuance of the October 31, 2015 memorandum] suggest that the average annual groundwater recharge estimated for the subject property is sufficient to support the proposed project. Further, actual well extraction volumes measured at Well 1 beginning in August 2014 through September 2015 that are on the order of 23 AF/yr suggest an even higher existing annual extraction volume is possible, as evidenced by relatively stable water levels in Well 1 over that same period."

Indeed, because the property water levels are relatively stable onsite, and existing water-use was higher in the past than is proposed, actual recharge in the area must be higher than the conservative 14% recharge rate calculated by Slade using the available data from public sources, including the Napa Hydrogeologic Conceptual Model Report prepared for Napa County by Luhdorff & Scalmanini (L&S) and MBK Engineers. As Slade points out, actual water level data from an onsite well when available is a more reliable indicator of the long-term stability of an aquifer system(s) than comparing groundwater use with estimates of groundwater recharge for a specific property. As Mountain Peak actually used more water in 2014-2015 than the standard guideline numbers for irrigation, the well data suggests that recharge rates may even be higher since higher water pumping did not translate into a material change in water levels at the property and thus that the Mountain Peak existing well can support an even greater water extraction rate than the conservative rate Slade used. As Slade points out, the fact that water levels have not decreased over time (from the time the onsite well was constructed in 1991 until the period of the well pumping test in 2014-2015) suggests that the water level is stable over time and Kamman's assertions regarding a different recharge rate are unsupported. The project has no impact, let alone a potentially significant impact, because the future total groundwater demand for the project is less than the total groundwater use without the project, and the existing use will continue with or without the project. To the extent any purported recharge

deficiency is claimed to already exist, it will not be made worse by the project.

In addition, the groundwater volume in storage (116.9 AF) calculated in the Slade October 31, 2015 Memorandum (as of May 18, 2015) considered only the total length of the perforations in the Mountain Peak well (very conservative), and used very conservative assumptions for the specific yield of the local aquifer system(s). This conservative calculation is probably smaller than the actual volume of groundwater in storage even following five years of drought.

Biological Resources - The attached Manfree biological resources report indicates that there are several special status species residing within Rector Creek and riparian areas up stream of Rector Reservoir. The project site is within the upper reaches of the Rector Creek drainage with one intermittent drainage crossing the northern part of the property and another intermittent drainage located on the property adjoining the project site to the west. The Kamman report indicates that the wetted channel for Rector Creek is located on the adjoining property to the west approximately 900 ft. from the existing vineyard well on the subject property. Kamman asserts that groundwater pumping has the potential to impact the wetted channel. Manfree indicates that even a small draw down of the wetted channel could negatively impact species within the channel, and concludes that an EIR should be required for the project due to this situation.

The main premise of the Manfree argument is based on an increased draw down due to the project. Since the project actually will decrease total water use, there is no increased draw down potential. Therefore, the project has no potential to impact the wetted channel. The existing water use will continue with or without this project. To the extent any purported recharge deficiency already exists at all, it will not be made worse by the project.

The Slade calculations show only the theoretical water level draw down that might occur during pumping events at the Mountain Peak property, using standard hydrogeologic methods (i.e., the Theis equation). These small (less than one foot) theoretical values calculated for the purported spring sites assume an idealized, homogeneous, isotropic aquifer. In reality, the site is underlain by a fractured volcanic rock aquifer system that is highly variable. As stated on page 13 of the Slade November 30, 2016 Memo "in our long-term experience in the field monitoring of water levels in wells during actual pumping tests, Slade has typically found that theoretically-calculated [draw down] values are virtually always greater than the actual field-monitored values". That is, actual draw down, if any, would be less than the theoretical values, i.e., less than 0.35 ft of 0.79 ft, and essentially would be immeasurable and difficult to attribute solely to pumping at the Mountain Peak Well (due to the effects of well pumping and onsite septic discharge at properties closer to the purported sensitive receptors). Simply put, pumping at the onsite well would not have a water level interference effect at the locations of the spring fed pond, particularly considering the fact that future pumping rates at the property are proposed to be lower than existing pumping rates.

Manfree asserts that climate change will result in less ground water recharge that has not been evaluated. This climate change assertion also is entirely speculative and is not supported with any factual foundation. Slade is prepared to state that not all climate change prediction models include "less rain, and more intense events". Some models predict an increase in rain in the North Bay area. In response to a similar comment by the Napa Sierra Club on the Walt Ranch project, Slade responded (equally applicable here):

"The [Sierra Club] letter states that: 'Estimation of sustainable rates of groundwater withdrawal cannot rely on past averages. While general effects of climate change, such as warmer weather, more intense storms and sea level rise, are widely agreed upon, the effects on microclimates are less certain. I am including a scientific paper which attempts to model the bay area climate over the next several decades'. The letter included a referenced journal article titled 'Downscaling Future Climate Projections to the Watershed Scale: a North San Francisco Bay Estuary Case Study' by Elisabeth Micheli, Lorraine Flint, Alan Flint, Stuart Weiss, and Morgan Kennedy, published in San Francisco Estuary and Watershed Science, Dec, 2012 (Micheli 2012). Slade understands that there are concerns regarding climate change, with respect to estimates of future precipitation. While climate models are in general agreement that average temperatures are increasing over time, estimates of future precipitation are less reliable.

As stated in the conclusions of the document referenced by the Napa Sierra Club letter, 'There is more uncertainty in projected precipitation trends than in projected temperature trends.' (Micheli 2012). Further, that reference also stated: 'While general circulation models converge on consistent temperature projections for the region given a range of emissions scenarios, they do not provide consistent projections about future precipitation.' Recharge volume analyses presented by RCS include and reference multiple rainfall datasets, and rely on conservative values of average rainfall at the property to address uncertainty in rainfall assumptions."

Noise - Neighbors have raised concerns regarding potential noise from vehicles, mechanical equipment and visitors. A noise study was performed by a qualified acoustical professional on behalf of the applicant which was provided prior to the July 20, 2016 hearing, and which opines that the project can meet County noise standards although forecasted to be within 1 dBA of thresholds for some components of marketing and truck movements. In addition certainty of mechanical equipment noise was not known at the time the original July 20, 2016 staff report was composed. Since the July hearing, the noise consultant evaluated the mechanical equipment and found the noise generation from the equipment would be below both the daytime and nighttime noise thresholds delineated in County Code Section 8.16 (Noise Ordinance). In regard to marketing, the original analysis was based on the larger project with 80 visitors on the busiest day and 78 annual marketing events, which has since been reduced to 60 visitors on the busiest day and just three annual marketing events. With the downscaled project, noise generating activities in the more sensitive evening hours between 7 p.m. and 10 p.m. (marketing hours vs. visitation hours) will be greatly reduced due to the elimination of all but three marketing events. Therefore, the only potential area where additional noise evaluation would be prudent lies with truck movements at the service driveway. The originally proposed conditions of a approval required additional noise analysis at the building permit stage and subsequent to final occupancy to confirm that marketing, mechanical equipment and vehicle (truck) noise limits would not be exceeded. As a result of the changes noted above, the recommended draft conditions have been modified to reflect that only analysis of truck movements is warranted due to forecasted levels in relation to the Noise Ordinance significance thresholds.

Decision Making Options

As noted in the Executive Summary Section above, staff is recommending approval of the revised project with revised conditions of approval as described in Option 1 below. Decision making options also include reduced project and no project alternatives.

Option 1 - Approve Applicant's proposal (Staff Recommendation)

Disposition - This option would result in approval of the proposed 100,000 gallon per year winery with the revised visitation and marketing program and the RSS Exception.

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.

Option 2 - Reduced Project Concept

Disposition - This option would reduce the size of the winery to a size deemed appropriate by the Commission.

Action Required - Minor revisions in the project can be addressed through changes to conditions of approval. Major reductions in project size would likely trigger continuation off of the agenda.

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 and the Road & Street Standards Exception. 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. 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 . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Applicant Project Revisions
- D . Correspondence Received After July 20, 2016 Hearing
- E . Correspondence July - October 2016
- F . October 11, 2016 Petition - Part 1
- G . October 11, 2016 Petition - Part 2
- H . Arger Correspondence October 11, 2016 - Letter
- I . Arger Correspondence October 11, 2016 - Exhibit Part 1
- J . Arger Correspondence October 11, 2016 - Exhibit Part 2
- K . Arger Correspondence October 11, 2016 - Exhibit Part 3
- L . Arger Correspondence October 11, 2016 - Exhibit Part 4
- M . Arger Correspondence December 14, 2016 - Part 1
- N . Arger Correspondence December 14, 2016 - Part 2
- O . Arger Correspondence December 14, 2016 - Part 3
- P . Kamman Hydrological Assessment with Arger Cover Letter
- Q . Manfree Biological Assessment
- R . Richard C. Slade & Associates, LLC - Hydrology Response
- S . Updated Winery Comparison Analysis
- T . Master Correspondence List

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina