



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 2/15/2017

Agenda Placement: 8C

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: Sean Trippi, Principal Planner - 299-1353

SUBJECT: Baldacci Family Vineyards - Use Permit (P15-00422) & Viewshed (P16-00295)

RECOMMENDATION

ARCHANGEL INVESTMENTS, LLC / BALDACCİ FAMILY VINEYARDS / USE PERMIT (P15-00422) & VIEWSHED (P16-00295)

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 included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a use permit to allow an increase of the production capacity of the existing winery from 20,000 gallons to 40,000 gallons per year with the following characteristics: (a) construction of a new 2,619 sq. ft. production building with an enclosed crush pad area, bottling to be handled by a mobile bottling service on an as needed basis within the enclosed crush pad area; (b) conversion of the existing 1,345 sq. ft. winery building to an administrative building and the construction of a 3,510 sq. ft. addition for hospitality use; (c) construction of an 11,031 sq. ft. addition to the existing 7,613 sq. ft. cave area; (d) on-premises consumption of wines produced on site in the tasting room and outdoor hospitality area in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; (e) increase previously approved on-site parking from 6 to 16 spaces; (f) relocation of two (2) existing water storage tanks; (g) relocation of the entrance to the winery through an adjoining property at 6171 Silverado Trail (APN 031-220-015) with a new driveway connection to the winery; (h) tours and tastings by appointment only for 100 persons per day; (i) establishing a marketing program with catered food to host two events per month for up to 30 persons, four events per year for up to 100 persons, and six events per year for up to 50 persons; (j) up to 10 full and part time employees (currently approved for one part-time employee); (k) hours of operation, seven days a week: production 7:00 AM to 3:30 PM (non-harvest), 7:00 AM to 6:00 PM (harvest) and visitation 10:00 AM to 4:00 PM (existing winery has approved hours 8 A.M to 5 P.M., 5 days per week); and (l) wastewater treatment systems. The request also includes a viewshed application to address construction of the production building on slopes of 15% or greater. The winery is located on a 28.7 acre parcel on the west side of Silverado Trail, approximately ½-mile south of the Silverado Trail/Yountville Cross Road intersection. A new driveway is proposed on an adjoining 2.0 acre parcel under the same ownership. 6236 Silverado Trail (winery) &

6171 Silverado Trail (driveway), Napa, CA 94558. APN's: 031-230-006 (winery) & 031-220-015 (driveway).

Staff Recommendation: Adopt the Negative Declaration and approve the Viewshed and Use Permit applications as conditioned.

Staff Contact: Sean Trippi, Project Planner, (707) 299-1353 or sean.trippi@countyofnapa.org

Applicant Contact: Douglas Thornley, Gould Evans, 95 Brady Street, San Francisco, CA 94103, (415) 503-1411

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Negative Declaration based on Findings 1-7 of Attachment A;
2. Approve Viewshed Application (P16-00295) based on Findings 8-14 of Attachment A and subject to the recommended conditions of approval (Attachment B); and
3. Approve Use Permit No. P14-00402-UP based on Findings 15-19 of Attachment A and subject to the recommended conditions of approval (Attachment B).

Discussion:

This project consists of increasing the production capacity from 20,000 to 40,000 gallons per year of an existing winery approved with a Small Winery Use Permit Exemption. The request also includes increased floor area, additional cave area and allowing visitation and marketing events. The project includes a review of the proposed new production building under the Viewshed Protection Program (Chapter 18.106 of the Napa County Code) to review the visibility of the new construction from County designated Viewshed roads. The siting of the building, cut into the base of the hill on the property, and proposed landscaping will help minimize visibility of the building from Silverado Trail. 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. Based on these reasons, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration prepared. According to the Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Archangel Investments, LLC dba Baldacci Family Vineyards (Thomas Baldacci), 12885 Alcosta Blvd., Suite A, San Ramon, CA 94583 (925) 328-1000

Applicant: Same as property owner

Representative: Douglas Thornley, Gould Evans, 95 Brady Street, San Francisco, CA 94103, (415) 503-1411

Zoning: Agricultural Preserve (AP)

GP Designation: Agricultural Resource (AR)

Filed: December 23, 2015

Resubmittals/Revisions Received: March 29, June 14, July 25 & 28, and November 7, 2016.

Deemed Complete: November 8, 2016

Parcel Size: approximately 28.7 acres (winery site) & 2.0 acres (new project entry site)

Existing Development: In addition to the existing winery building and cave, development on-site includes a main residence, farmworker dwelling with a detached garage, water storage tanks, and approximately 17.6 acres of vineyards.

Proposed and Existing Winery Characteristics -

Winery Size - Existing: ±1,345 sq. ft. winery building and ±7,613 sq. ft. of caves (9,240 sq. ft. of cave area was approved)

Winery Size - Proposed: ±7,474 sq. ft. of building area (convert existing ±1,345 sq. ft. building to administrative uses; attach by a covered breezeway a new ±3,510 sq. ft. hospitality building to the administrative building; and, construct a new ±2,619 sq. ft. production building) and a ±11,031 sq. ft. addition to the existing cave.

Production Capacity - Approved: 20,000 gallons per year.

Production Capacity - Proposed: 40,000 gallons per year.

Winery Development Area - Existing: 5,972 sq. ft. or approximately 0.14 acres.

Winery Development Area - Proposed: 58,988 sq. ft. or approximately 1.35 acres.

Winery Coverage - Existing: 14,331 sq. ft. or approximately 0.33 acres (1.1% of project site).

Winery Coverage - Proposed: 51,884 sq. ft. or approximately 1.19 acres (3.8% of project site).
(Maximum 25% or approximately 15 acres permitted).

Accessory/Production Ratio - Existing: 760 sq. ft. accessory / 12,196 sq. ft. production - approximately 6.6%.

Accessory/Production Ratio - Proposed: 5,119 sq. ft. accessory / 21,565 sq. ft. production - approximately 25%.
(Maximum 40% permitted)

Number of Employees - Existing: one part-time

Number of Employees - Proposed: Fewer than 10

Visitation - Approved: None. However, tours and tastings had been conducted in the past with as many as 54 per day (see Background / Project History and Code Compliance sections below).

Visitation - Proposed: Maximum of 100 visitors per day by appointment only (700 visitors per week).

Marketing Program- Approved: N/A.

Marketing Program- Proposed: Two events per month for up to 30 persons, four events per year for up to 100 persons, and six events per year for up to 50 persons, all with catered food.

Days and Hours of Operation - Approved: 8 AM to 5 PM five days per week.

Days and Hours of Operation - Proposed: Production 7:00 AM to 3:30 PM (non-harvest), 7:00 AM to 6:00 PM (harvest) and visitation 10:00 AM to 4:00 PM; seven days a week.

Parking - Approved: 6 parking spaces.

Parking - Proposed: 16 parking spaces.

Setbacks (Required / Proposed): 600 feet from the centerline of Silverado Trail, except as described below, and 20 feet from all other property lines.

The existing winery building is setback approximately 220 feet from the centerline of Silverado Trail. The original project approval predates the requirement for a 600-foot setback from the centerline of Silverado Trail. Pursuant to County Code Section 18.104.230(B) (Wineries located in open space areas – setbacks) an expansion to a winery may be permitted within the minimum setback area only if the expansion is placed no closer to the centerline of the right-of-way than the nearest point of the existing structure to which the expansion is attached. The proposed hospitality building is attached to the back of the existing winery building (further away from Silverado Trail). The new production building is proposed to be setback a minimum of 600-feet from the centerline of Silverado Trail.

The existing winery building with the proposed attachment is approximately 900-feet from the south property line; 160 feet from the north property line; and, 830 feet from the west property line. The proposed production building is approximately 815 feet from the south property line; 660 feet from the north property line; and, 466 feet from the west property line.

Adjacent General Plan Designation / Zoning / Land Use:

North:

Agricultural Resource (AR) and Agriculture, Watershed & Open Space (AWOS) General Plan designations, Agricultural Preserve (AP) zoning -
Adjoining the project site to the north are three properties totaling approximately 55.6 acres planted in vines.

South:

Agricultural Resource (AR) General Plan designation, Agricultural Preserve (AP) zoning -
Adjoining the project site to the south is a 22 acre vineyard.

East:

Agricultural Resource (AR) General Plan designation, Agricultural Preserve (AP) zoning -
On the eastern boundary of the project site are two properties consisting of 18.6 acres that has a residence and vineyards and a 20.1 acre property with a residence and vineyards and an approved winery (Annapurna).

West:

Agricultural Resource (AR) General Plan designation, Agricultural Preserve (AP) zoning -
Across Silverado Trail are two properties; one with 144.1 acres, planted in vines and developed with a home and a second dwelling unit; and a 54.2 acre property also planted in vines and developed with a home.

Nearby Wineries (located within 1 mile of the project)

Please refer to Attachment M.

Background / Parcel History:

The use permit request pertains to an existing winery that has previously conducted tours and tastings activities with as many as 54 visitors (based on point of sales/tastings appointment information) and constructed improvements without required County approvals at the time the application was filed. The winery has ceased said activities subsequent to submittal of this use permit request.

The Baldacci Family Vineyards (formerly Chateau DeClercq) received a Small Winery Use Permit Exemption in 1986, which at that time was a standard process for small, production only, wineries located at sites with no constraints. "A Small Winery does not conduct public tours, provide wine tastings, sell wine-related items or hold social events of a public nature (Ord. No. 629, §18.08.600)." Small Winery Exemptions are not use permits and therefore, if the owner wants to conduct tours and tastings and marketing activities, a use permit must be obtained. The Small Winery Use Permit Exemption process was taken out of County Code in 1990 with the adoption of the Winery Definition Ordinance (Ordinance No. 947). Such certificates remained legal entitlements, but since 1990, expansion of these facilities has triggered conversion of the entitlement to a use permit.

November 2, 1983 – An application for a Small Winery Use Permit Exemption was submitted for Chateau DeClercq by Robert Egan. However, it appears that a determination that the proposed winery qualified for a small winery exemption was not made. The required setback from the centerline of Silverado Trail was 400-feet at the time of this application. The application indicated that the proposed winery would be setback 150-feet. Additional annotation indicates that an existing barn was setback 150-feet from Silverado Trail and a house was setback 100-feet. Based on the details provided on the application form, the request included increasing production from 4,000 gal/year to 20,000 gal/year within an existing 2,375 square foot building, operating from 8 AM to 5 PM, five (5) days per week, with one part-time employee and seven (7) existing parking spaces. Operating features included: crushing; fermentation; storage/aging; bottling/racking; shipping via truck; and administrative uses. No tours/public tastings (emphasis included on application form.)

April 21, 1986 – A new application for a Small Winery Use Permit Exemption was submitted for Chateau DeClercq by Robert Egan. The application indicated that the proposed winery would occupy an existing barn that was setback 250-feet from the centerline of Silverado Trail. On May 21, 1986 a determination that the proposed winery did not qualify for a small winery exemption was made. The request was denied because the proposed winery did not meet the 400-foot setback from the centerline of Silverado Trail. Based on the details provided on the application form, the request included: increasing production from 3,000 gal/year to 20,000 gal/year within an existing 576 sq. ft. building, operating from 8 AM to 5 PM., five (5) days per week, with one part-time employee and six (6) parking spaces existing. Operating features included: crushing; fermentation; storage/aging; bottling/racking; shipping via truck; and administrative uses. No tours/public tastings were proposed (emphasis included on application form.)

May 16, 1986 – Robert Egan filed an appeal of the denial of the Small Winery Use Permit Exemption. The appeal was placed on the Board of Supervisors' (BOS) agenda on June 3, June 17, July 15, and July 22, 1986. On July 22, 1986 the BOS decided not to hear the appeal. However, at the July 22, 1986 meeting the BOS did amend the required setback from Silverado Trail for existing structures proposed to be used as a winery from 400 to 200 feet (Resolution No. 86-55, noted on file jacket). The result of the Board's action meant that the structure for the winery would meet all the small winery criteria.

December 11, 1986 - Building Permit #39149 issued to convert barn to winery (noted on file jacket).

December 8, 1989 – Property owner indicated that building has been signed off (noted on file jacket).

December 20, 1989 – The Planning Commission approved a Use Permit (#U-89-16) for a farm worker housing unit. The approved farm worker unit was to occupy the upper 1,500 sq. ft. existing residential portion of a 3,000 sq. ft. structure. The 1,500 sq. ft. lower portion was to be an office and storage. The application indicated that there were 5 parking spaces on site. This permit expired.

December 7, 1999 – The Zoning Administrator approved a Farmworker Housing Use Permit (#99136-FLD). The approved farm worker unit occupied 1,200 sq. ft. portion of the 1,500 sq. ft. upper story of a 3,000 sq. ft. structure. The 1,500 sq. ft. lower portion was to be an office and wine storage; the type of office was not specified. Two parking spaces were required for the unit.

August 1, 2003 – Hand written note in file indicating that Carol Garrett (with attached business card - President of Baldacci Family Vineyards) will send use permit showing that they have approval for tours and tastings. Small Winery Permit application shows 0 visitors per day & per week. Wanted sign permit to say “T & T by apt only.” (located in file for the above – there is no documentation from Ms. Garrett substantiating that tours and tastings by appointment were allowed).

June 8, 2004 – Small Winery Exemption Use Permit Modification (#03502-MOD) was approved administratively. The approval included construction of a 1,000 sq. ft. canopy over an existing tank pad and use of an existing approximate 9,240 sq. ft. cave for barrel storage only (Type 1 cave). (Note: the cave was constructed prior to the County requiring building permits for cave portals and grading permits for cave spoils. The information submitted with this use permit application indicates that the cave has approximately 7,613 sq. ft. of floor area based on as-built drawings.) According to the Fire Department memo associated with this use permit modification, the cave was classified as Type I based on the use and occupancy of the cave as described in the use permit application. A Type I wine cave is used for the storage and/or processing of wine and is constructed and furnished solely of non-combustible materials and does not allow public access. Type I wine caves are not allowed to contain combustible contents and hosted events are never allowed in Type I caves.

Code Compliance History:

May 31, 2011 – Code violation (CE-11-00120)

Code case opened to address tours conducted within the cave. The cave was approved for storage only and constructed to Type I requirements. The cave would need to meet Type III construction requirements in order to conduct tours or allow access to the cave by the public. Tours and tastings activities within the cave have ceased.

September 24, 2015 – Code violation (CE-15-00344)

Code case opened to address installation of utilities in cave without receiving permits. This will be resolved pending outcome of subject use permit application.

October 13, 2015 – Code violation (CE-15-00357)

Code case opened to address unpermitted tours and tastings, unpermitted alterations to the farmworker housing unit, and an unpermitted structure being used as a tasting room. Tours and tastings have been discontinued. Any building code violations will be corrected or addressed pending the outcome of this use permit application. As noted above, the tours and tastings are included as part of the requested project.

Discussion Points:

Setting - The 28.7 acre winery parcel is located on the west side of Silverado Trail, approximately ½-mile south of the Silverado Trail/Yountville Cross Road intersection. The property is currently accessed from two private driveways that only serve the property. A new driveway is proposed on an adjoining 2.0 acre parcel south of the winery under the same ownership. In addition to the existing winery, development on-site includes a residence, farmworker dwelling with a detached garage, water storage tanks, and approximately 17.6 acres of vineyards. The

existing driveway located south of the existing winery building and farmworker dwelling will be used for only right-in, right-out access. The existing driveway located north of the existing winery and farmworker dwelling will primarily provide access to the farmworker dwelling and main residence. The property is relatively flat along the southwestern portion of the property which is planted in vines, ranging from approximately 105 feet above mean sea level (msl) to approximately 125 feet above msl at the area of the existing winery and farmworker dwelling ($\pm 0-5\%$ slope). The property then steadily rises in elevation to a peak of approximately 300 feet above msl at the northwestern portion of the property where the main residence sits ($\pm 15-30\%$ or greater slopes). The production building is proposed at the base of the hill that rises up to the main residence with elevations between approximately 120 to 150 msl ($\pm 20\%$ slopes). There are no blue line streams or drainage channels. The site is not located within a flood plain. Surrounding land uses include rural residential properties, agriculture, vineyards, and wineries. The nearest offsite residence is located across Silverado Trail, approximately 750 feet to the east of the existing winery building.

Winery Proposal - The existing winery was approved under the Small Winery Exemption Certificate program in 1986 which allowed up to 20,000 gallons of production per year and no tours, tastings or marketing activities. In order to increase production capacity or add visitation, a use permit must be approved. The applicant is proposing to increase production from 20,000 to 40,000 gallons per year, offer tours and tastings and establish a marketing program, and expand the existing winery building and cave and construct a new standalone production building.

Setbacks - The proposed project meets all applicable minimum setbacks, including the 600-foot minimum winery building setback from Silverado Trail for the new production building. No variances are requested or required as part of the proposal.

Visitation/Marketing Program - The project includes a request for a maximum of 100 visitors per day; maximum 700 visitors per week; and a marketing program to include two (2) events per month for up to 30 persons, four (4) events per year for up to 100 persons, and six (6) events per year for up to 50 persons. All food served at the events will be catered. As shown in Attachment M, the requested visitation for tours and tastings and marketing all fall well above the average and median visitation for similar production size winery facilities with a maximum of 36,500 visitors a year. The project would have the third highest visitation rate of wineries within one mile, and would have twice the visitation rate of any winery within a similar production range. However, all impacts have been addressed and the project would be consistent with General Plan and zoning requirements.

Viewshed Application - Portions of the project site include slopes that are over 15% and are viewable from Silverado Trail, which is identified as designated public road in the General Plan, and therefore subject to the Viewshed Protection Program (Chapter 18.106). The new winery production building is proposed at the base of the hill on the property and is proposed on slopes just over 20 percent. The pad will be cut into the hillside to reduce the massing. A minimum of four 24-inch box Olive trees are proposed to screen the predominant portion of the new building and to comply with the screening requirements of the Viewshed Protection Program. The trees proposed to screen the building will be evergreen species. There is also significant existing natural vegetation behind the winery at its proposed location near the bottom of the hill such that it will not be silhouetted against the sky. As proposed, the project has been designed in substantial conformance with the County's viewshed protection manual because it would avoid grading on slopes in excess of 30 percent and would be located more than 25-feet below the minor ridgeline. As shown in the submitted viewshed analysis, the predominant portion of the production building would be screened from Silverado Trail.

Traffic and Parking - The applicant has submitted a Transportation Impact Analysis, dated November 7, 2016, prepared by Abrams Associates Traffic Engineering, Inc., which analyzes existing, proposed, and cumulative traffic conditions. The traffic study analyzed the potential impacts of the project on four intersections in the vicinity: Silverado Trail/Yountville Cross Road; Silverado Trail/Secondary winery service & Farmworker housing driveway (northerly most driveway); Silverado Trail/Existing winery driveway; and, Silverado Trail/Proposed new winery driveway (on the adjoining property to the south, currently serving a residence under the same ownership as the

winery). There is an existing two-way left turn lane on Silverado Trail at the proposed project entrance on the adjoining property. The primary basis of the analysis is the peak hour level of service for the key intersections. The period identified as the "peak" hour is generally between 4:15 PM and 5:15 PM on weekdays and 3:45 PM to 4:45 PM on weekends. The weekday traffic counts were conducted from 4:00 PM to 6:00 PM and weekend traffic counts were conducted from 2:00 PM to 5:00 PM on Saturday. The peak hour used in the analysis was the highest one-hour volumes recorded during these count periods (traffic analysis, page 2). The proposed project is expected to generate approximately 111 daily trips on a typical weekday and 105 daily trips on a Saturday. Trips during the PM peak hour would be 40 on a weekday and 52 on a Saturday. The traffic study evaluated the four intersections under existing conditions, year 2021 conditions, and cumulative conditions (year 2030) during the PM peak hour, both with and without the project.

Three of the four study intersections operate at acceptable levels (LOS D or better) during the weekday PM peak hour under existing conditions, year 2021 conditions, and cumulative conditions (year 2030) both with and without the project. All four of the study intersections currently operate at acceptable LOS during the weekend PM peak hour. The Silverado Trail/Yountville Cross Road intersection operates at an unacceptable level of service (LOS) "E" during the weekday PM peak hour and year 2021 conditions, both with and without the project. The Silverado Trail/Yountville Cross Road intersection also operates at an unacceptable level of service (LOS) "E" during the Saturday PM peak hour under 2021 conditions, both with and without the project. Under cumulative conditions, the Silverado Trail/Yountville Cross Road is projected to operate at LOS F, both with and without the project. None of the four intersections would have traffic volumes increased such that traffic signals would be required.

At unsignalized intersections where all legs have stop signs (all-way or four-way stop controlled), a project would cause a significant impact requiring mitigation if an all-way stop controlled intersection operates at unacceptable LOS without the project and the project contributes one percent or more of the total traffic entering the intersection from all directions. The Silverado Trail/Yountville Cross Road intersection is a side-street stop-controlled intersection so the one percent increase is not applicable. A project would cause a significant impact requiring mitigation on a side-street approach for side-street stop-controlled intersections, as is the case here, which operates at unacceptable LOS without the project and the project contributes ten percent or more of the total traffic entering the intersection(s) from the side streets. According to the traffic study the project would account for approximately 2% of the total traffic entering the intersection from the side street, which is less than the ten percent threshold and therefore would not cause a significant impact and no mitigation is required.

The project is proposing a total of 16 parking spaces. Additional unmarked parking spaces are provided near the existing driveway for marketing events. The applicant has sufficient space to accommodate additional parking throughout the remainder of the property or will provide a shuttle service from nearby legally established parking areas. No parking will be permitted within the right-of-way of Silverado Trail.

Access - The winery is currently accessed via a driveway off of Silverado Trail. A secondary driveway, to the north of the winery entrance provides access to the service areas of the winery, main residence and farmworker dwelling. A new driveway designed to meet county requirements is proposed on the adjoining property to the south in order to utilize an existing two-way left turn lane.

Wastewater - Summit Engineering, Inc. prepared a wastewater disposal feasibility study, dated June 13, 2016 (revised), which demonstrated the feasibility of installing onsite wastewater treatment systems. The study concludes that the proposed winery sanitary and process wastewater disposal needs can be accommodated onsite. The Napa County Environmental Health Division has reviewed the report and concurred with their conclusion. Full design calculations and construction plans will be prepared in accordance with Napa County standards at the time of building permit application submittal. No information has been encountered that would indicate a substantial impact to water quality.

Groundwater Availability - Approximately 16 acres of the subject property is located on the valley floor. The

remaining 12.7 acres comprises the knoll or hillside that rises from the valley floor in the northwest portion of the property. A Tier I Water Availability Analysis (WAA), dated June 13, 2015 (revised), was prepared by Summit Engineering, Inc., to determine the estimated water use of the existing development, the proposed project and water availability. Based upon the site's 16 acres located within the valley floor area, estimated groundwater availability would be 16 acre-feet per year (16 acres x 1.0 af/yr.). There are six existing wells on the project site. One well will be destroyed, four wells are located on the valley floor and the other well is located near the base of the knoll. Two of the wells located on the valley floor will serve the winery, farmworker dwelling and main residence. The other three wells will be used for irrigation. Since the groundwater extraction for the winery and residences would be from two wells located on the Valley Floor area, the Valley Floor screening criteria of one acre-foot of water per acre of land will be used for the 16 acres of the property located on the valley floor; generating a water use availability of 16 acre-feet per year. The WAA considered the entire property in the analysis; however, in order to be conservative staff excluded water availability of the remaining 12.7 acres of the hillside.

Staff also included water use calculations based on the originally entitled small winery exemption certificate for comparison to what is purported to have been existing employee and visitation levels (which have been discontinued pending the outcome of the subject use permit application.) As noted above, the approved winery included an annual production capacity of 20,000 gallons, one part-time employee and no tours and tastings. Other uses on the property include a main residence, a farmworker dwelling, and vineyards. The "existing" winery, according to the WAA only differs as to employees and tours and tastings visitors, 10 and 54, respectively. The analysis indicates that the originally approved winery with all other existing uses on the site would have a typical annual water demand of 2.59 acre feet per year (af/yr). Winery related water use under the originally approved use permit would account for .37 af/yr of the overall water use; vineyards account for 0.86 af/yr; the main dwelling and farmworker dwelling 1.25 af/yr; and, winery landscaping accounts for 0.09 af/yr. Current water use, accounting for visitation occurring beyond the scope of the use permit and more employees, raise overall winery water use to 2.84 af/yr. Existing or current water use compared to the original use permit entitlement represents an increase of 0.25 af/yr., or roughly 81,000 gallons annually. The proposed project which includes increases to production and visitation would result in an annual water demand of 3.49 af/yr. To be conservative, vineyard irrigation continues to be calculated with a water demand 0.86 af/yr although one acre of vines will be removed to facilitate construction of the project and does not take into account that recycled wastewater may be used for irrigation. In addition, the vineyards are dry farmed with irrigation generally occurring between June and October. No water is used for frost protection. According to the analysis, the winery would create an increase in annual water demand, from between 2.59 to 2.84 af/yr to 3.49 af/yr, totaling an approximate increase of 0.9 to 0.65 af/yr. 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. 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. The winery, as part of its entitlement will include the County's standard condition of approval requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

Grape Sourcing - The project site currently has approximately 17.6 acres of vineyard which would produce a little over 6,300 gallons. The applicant owns approximately 40.8 acres of vineyards elsewhere within the County. The original winery with an annual production capacity of 20,000 gallons was approved prior to adoption of the WDO and is not subject to the 75% grape source requirement. Only the requested increase (20,000 gallons/year) would be subject to the 75% Napa Valley grape source requirement.

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 included in the use permit application attached to this report as Attachment F. According to the applicant the project would incorporate the following voluntary best management practices: generating on-site renewable energy; a vehicle miles traveled reduction plan including priority parking for

carpools, hybrids, etc.; employee housing; building to CALGREEN Tier 1 standards; energy conserving lighting; installing an energy star roof/living roof/cool roof; bicycle incentives; installing water efficient fixtures; low impact development; water efficient landscaping; recycling 75% of all waste; composting 75% of food and garden material; an electric vehicle charging station; optimizing natural heating and cooling through site design and building orientation; and designing the buildings to LEED standards. Additional items are included in the Voluntary Best Management Practices Checklist for Development Projects form included with the use permit application. 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, staff has received over three dozen letters/e-mails in support of the proposed project, see Attachment E. No letters or opposition have been received.

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.

Option 1 - Applicant's proposal

Disposition - This option would result in approval of a proposal to increase production from 20,000 to 40,000 gallons per year, offer tours and tastings and establish a marketing program, and expand the existing winery building and cave and construct a new standalone production building.

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 less than significant. Sufficient grapes and water supplies are available to serve the proposed project and the project has been designed to comply with the Viewshed Protection Program, where applicable. 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 this 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 . Previous Project Conditions
- D . Initial Study/Negative Declaration
- E . Public Comments
- F . Use Permit Application Packet
- G . Viewshed Application Packet
- H . Water Availability Analysis & Water System Feasibility Report
- I . Wastewater Feasibility Study
- J . Stormwater Control Plan
- K . Traffic Study
- L . Graphics
- M . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina