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A Commitment to Service

Agenda Date: 6/7/2017

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: Wyntriss Balcher, Planner II - 707 299-1351

SUBJECT: LMR Rutherford Estate Winery Use Permit Modification P16-00289 & Variance #P16-00290

RECOMMENDATION

LMR RUTHERFORD ESTATE WINERY / LMR WINE ESTATES LLC / USE PERMIT MODIFICATION #P16-00289-MOD AND VARIANCE REQUEST #16-00290-VAR

CEQA Status: Consideration and possible adoption of an Addendum to the adopted Negative Declaration prepared for the winery in 2014. Pursuant to CEQA Guidelines Section 15164 an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or if none of the conditions contained in CEQA Section 15162 calling for preparation of a subsequent negative declaration have occurred. This project site is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a Major Modification and Variance of Use Permit #P13-00167-UP to allow the following: 1) construction of an additional 5,878 sq. ft. building for barrel storage 160 feet from State Highway 29, 440 feet within the required 600 ft. winery setback; 2) increase the approved winery building total from 19,328 sq. ft. to 33,453 sq. ft., adding a barrel storage building, reducing the total interior space from 11,000 sq. ft. to 10,782 sq. ft., and increasing the covered exterior space from 8,328 sq. ft. to 22,671 sq. ft.; 3) the addition of 824 sq. ft. of covered outdoor porch space to the office building; 4) increase the winery equipment building from 816 sq. ft. to 1,016 sq. ft.; 5) add a 150 sq. ft. Fire Pump and Fire Equipment shed adjacent to the Visitor/Employee restrooms; and, 6) relocation of the four water storage tanks with an additional two water tanks, each 48,000 gallons and 25 feet in height, to the east side of winery building. No changes are proposed to production, employees, tours and tastings or marketing activities. The project is located on a ±30 acre project site on the east side of State Route 29, approximately ¼-mile north of the State Highway 128 / State Route 29 intersection. APN: 030-100-016. 1790 St. Helena Hwy South, Rutherford, CA 94573.

Staff Recommendation: Adopt the Addendum to the adopted Negative Declaration prepared for the winery, and approve the Use Permit Major Modification as conditioned.

Staff Contact: Wyntriss Balcher (707) 299-1351, wyntriss.balcher@countyofnapa.org

Applicant Contact: Rob Anglin, (707)927-4280, anglin@htralaw.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Addendum to the adopted Negative Declaration prepared for the winery based on Finding 1 of Attachment A;
2. Approve Variance request (P16-00290-VAR) based on Findings 2-6 of Attachment A and subject to the recommended Conditions of Approval (Attachment B); and
3. Approve Use Permit Modification (P16-00289-MOD) based on Findings 7-11 of Attachment A and subject to the recommended Conditions of Approval (Attachment B).

Discussion:

The original 100,000 gallon winery was approved by Use Permit #U13-00167-UP on July 16, 2014 by the Planning Commission. The project included a variance request to allow the construction of the winery within the required 600-ft. winery setback from State Highway 29; the variance was approved to allow the location of the building 160 feet from the highway. The winery has not been constructed. However, since sufficient expenses for improvements have been made, the use permit has been deemed "Used" pursuant to NCC Section 12.124.80.

The applicant proposes to construct an additional $\pm 5,878$ sq. ft. building for barrel storage with an additional $\pm 5,667$ sq. ft. covered "bay" which will serve as a racking pad, consistent with the design of the two approved buildings, where there are covered paved work areas between. The proposed new building will be located to the north of the approved winery building, 160 feet from the State Highway. The originally approved variance allowed for the placement of the winery building 160 feet from the highway but did not establish a new 160-foot winery setback for the property and any future expansion. Therefore, a new variance is required to allow the proposed location. In addition to the new building proposal, the project proposes to add an 824 sq. ft. covered porch area to the approved office building; to increase the size of the approved the winery equipment storage building 200 sq. ft. (total 1,016 sq. ft.); and to add a 150 sq. ft. fire pump and fire equipment shed with the two new fire suppression water tanks. The approved fire suppression water tanks on the west side of the winery building will be relocated along with the two proposed additional tanks on the east side (rear) of the winery building, improving the visual façade of the winery. There are no changes proposed to production, employees, tours and tastings or marketing activities with this application request.

Staff finds the proposed project consistent with the Napa County Zoning Ordinance and applicable General Plan Policies and recommends approval of the project, subject to the proposed conditions based upon the following reasons: 1) the proposal will not substantially alter the approved building presentation; 2) the requested building area increases area for wine production storage; no expansion of accessory facilities is proposed; 3) the proposal will result in the relocation of the water storage tanks to the rear side of the winery, out of public view from the highway; 4) the project will not generate a viewshed issue; 5) additional greenhouse gas offset features are proposed; and 6) traffic and groundwater demand will not be generated.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

An Addendum to the adopted Negative Declaration for the winery has been prepared. According to the Addendum, 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/Applicant: LMR Rutherford Partners, LLC, c/o Ted Hall, P.O. Box 477 Rutherford, CA 94573

Representative: Rob Anglin, Holman Teague Roche Anglin, LLP, 1455 First Street Ste. 217, Napa, CA, (707) 927-4280, anglin@htralaw.com

Zoning: Agriculture Preserve – AP

GP designation: Agricultural Resource – AR

Filed: May 25, 2016; **Resubmission:** October 17, 2016; **Resubmission:** January 18, 2017; **Complete:** April 11, 2017

Parcel Size: 30± acres

Existing Development: In addition to vineyards, there is an existing commercial vegetable and orchards farming operation area (2± acres) (which includes a farm labor residence, an open air pavilion, a poultry house, a water tower, a bathroom building, two (2) greenhouses, two (2) wells, and of non-vineyard vegetable crops and orchards. In addition, there is a farm labor dwelling, a series of Photovoltaic (solar) Panels, and a few outbuildings on the property. There are approximately 21± acres planted in vineyards.

Proposed Winery Characteristics:

Winery Size (Approved): ±11,000 ± sq. ft. production building, ±4,164 sq. ft. covered tank pad and a ±4,164 sq. ft. covered crush pad for a total ±19,328 sq. ft.; 1,360 sq. ft. administration/office building; and 816 sq. ft. winery storage building. Total 21,504 sq. ft.

Winery Size (Proposed): ±10,782sq. ft. production building, ±22,671 sq. ft. covered exterior used for tank pad and covered racking pad, and breezeway; 1,360 sq. ft. administration/office building, and 1,016 sq. ft. winery storage building. Total 35,829 sq. ft.

Production Capacity (Approved): 100,000 gallons per year

Production Capacity (Approved): No change

Development Area (Approved): 22,400 sq. ft., 0.5 acres

Development Area (Proposed): 44,591 sq. ft., 1.02 acres

Winery Coverage (Proposed): 40,000; 0.9 acres; 3.1% of the 30 acre parcel (Maximum 25% or 15 acres)

Winery Coverage (Proposed): 93,370; 2.14 acres, 7.2% of Parcel (Maximum 25% or 15 acres)

Accessory/Production Ratio (Approved): 4,164 sq. ft. accessory/20,144 sq. ft. production; 21% (maximum 40% allowed)

Accessory/Production Ratio (Proposed): 4,947 sq. ft. accessory/33,453 sq. ft. production; 14.8% (maximum 40% allowed)

Number of Employees (Approved): Total 9: 6 full-time and 3 part-time

Number of Employees (Proposed): No change

Visitation (Approved): Hosted private tours and tastings for wine trade personnel and consumers by appointment only; maximum of 50 visitors per day between the hours of 10:00am and 4:00pm; maximum 350 visitors per week

Visitation (Proposed): No change

Marketing Program (Approved): Private Promotional tastings and meals 24 times per year up to 35 people per event, between the hours of 10:00am and 11:00pm; Six (6) Marketing events per year such as barrel tastings, auctions and other social events, including meals and music in the Pavilion or on the south porch of the winery building between the hours 10:00am and 11:00pm; and Two (2) harvest party events per year for up to 100 people per event between the hours of 10:00am and 8:00pm. All proposed food service will be catered and prepared off-site.

Marketing Program (Proposed): No change

Days and Hours of Operation (Approved): 7 am to 6 pm, daily

Days and Hours of Operation (Proposed): No change

Parking (Approved): Expansion of an existing 4-space parking lot for a total visitor parking of 12 spaces; the construction of a 20' wide driveway to the office building; and the relocation of an existing greenhouse to construct a 7-space employee parking area. There will be a total of 19 parking spaces. Parking for events will be on-site in the vineyards, and off-site utilizing shuttle service

Parking (Proposed): No change

Setbacks (Required): 20' side, 20' rear, 600' from State Highway 29

Setbacks (Approved): 20' feet, rear; 20' side; and 160' winery building; 160' office building, and 260' equipment storage building, from State Highway 29.

Setbacks (Proposed): A variance request has been made to allow the construction of the new barrel storage building 160 feet from State Highway 29. The application meets all other setback requirements.

Adjacent General Plan Designation/Zoning /Land Use:

North: Agricultural Resource (AR) /Agricultural Preserve Zoning (AP)/Agricultural use (vineyards) and residential use

South: AR / AP)/Agricultural use (vineyards) and residential use

East: AR /AP/Agriculture (vineyards)

West: AR /AP/Agricultural use (vineyards), residential use, and wine production use (Grgich Winery)

Nearby Wineries Located within one mile of the project.

Please refer to Attachment I.

Parcel History and Evolution of this Application:

A lot line adjustment was approved on December 24, 2013, creating the existing 30± acres in area. Since the property was subject to a recent lot line adjustment, a new revised Agricultural Contract was recorded on May 14,

2013. The property has a long history of being within the Agricultural Contract program.

On July 16, 2014, the Planning Commission approved the construction of a new 100,000 gallon winery approved on the parcel (#P13-00167-UP) to include a \pm 11,000 sq. ft. wine production building with 4,164 sq. ft. covered tank pad and a 4,164 sq. ft. covered crush pad for a total 19,328 sq. ft.; an 816 storage building; a 1,360 \pm sq. ft. administrative office building with conference rooms. In addition, the permit approved the utilization of a portion of an existing open-air pavilion for use as the hospitality/visitor center; remodel of the existing bathroom/wash area into visitor and employee restrooms; removal of an existing barn; construction of a transient, non-community water system and a new wastewater treatment system; installation of water storage tanks; hosted tours and tastings for wine trade personnel and consumers by appointment only on a daily basis up to a maximum 50 visitors Monday through Thursday and a maximum 40 daily visitors Friday and Saturday, limited to the Open-air pavilion hospitality/visitor center (Maximum 330 per week); on-premise consumption of the wines produced on-site in the portion of the Open –air pavilion hospitality/visitor center or on the south porch of the winery; a Marketing Plan that includes the following: Private promotional tastings with catered meals, 24 per year for a maximum of 35 people per event; two (2) harvest party events per year for a maximum of 100 guests at each event; six (6) marketing events such as barrel tastings, auctions and other social events, including catered meals and non-amplified music, 6 times per year for up to 60 people in the open air pavilion or on the south porch of the winery.

The original project also included approval of a Variance (#P13-00185-VAR) which allowed the construction of the wine production building (winery) 160 feet from State Highway 29; construct the administrative office building 160 feet from State Highway 29; and allowed the construction of the winery equipment building 260 feet from State Highway 29, in lieu of the required 600 foot winery setback. On June 1, 2016, the County determined that the use permit has been "Used".

The project proposes to expand the approved winery building with the construct an additional barrel storage building and open bay, 160 feet from State Highway 29. Although this addition is located the same distance from the highway as the approved winery building, the 600 foot winery setback still applies and approval of a variance is necessary for the expansion since the project affects the overall concept and density of the originally approved project, and since there is a variance, a use permit major modification and re-consideration of a variance is required

Code Compliance History:

There are no open or pending code violations for the subject site.

Discussion Points:

Setting - The 30 acre subject parcel is located on the east side of State Highway 29, approximately ¼-mile north of the State Highway 128 / State Route 29 intersection. The project site abuts Bale Slough which flows along its northeasterly property boundary line. A majority of the property is within the Napa River 100 year flood plain in which the building design and construction will be subject to County flood control regulations. There are approximately 21 \pm acres planted in vineyard and 2 \pm acres planted in non-vineyard vegetable crops and orchards. The applicant also owns the adjacent parcel to the south, which is also planted in vineyards. The existing agricultural roads will allow these grapes to be brought to the winery via internal agricultural roads, avoiding State Highway 29.

There is an existing developed commercial farming operation, located approximately 230 feet south of the proposed production building, with a 2,400 sq. ft. sales pavilion, commercial gardens and associated buildings (barn, wash house, water tower/farm storage building, greenhouse). A portion of the existing sales pavilion will be converted to the winery hospitality and marketing center. A single family residence, the homestead site of the other parcel which was a part of the lot line adjustment, was removed in 2013. The washroom building will be remodeled and incorporated into the winery project. There are two new greenhouses east of the proposed

administration site and winery storage building site. The existing water tower will remain and be used for farm storage. The existing residence, a farm labor dwelling, is estimated to have been built in the 1880's, but since there have been many alterations of the building, the State of California Parks and Recreation records indicate that this residence would not appear to be eligible for the National Register of Historical Places. There are two existing wells; one will serve the existing dwelling and the second well will serve the winery.

Proposal - The project requests changes to the approved wine production building from two enclosed "bays" areas and two covered exterior areas to three bays and three covered exterior areas, adding a new 5,878 sq. ft., building. The square footage of enclosed bays and covered exterior spaces are described as follows: 1) Total interior space is reduced from 11,000 sq. ft. to 10,782 sq. ft., converting mechanical equipment rooms into covered exterior space and converting other previously enclosed spaces into covered exterior spaces; and, 2) the covered exterior space is increased from the approved the approved 8,328 sq. ft. to 22,671 sq. ft. The major changes include the addition of a racking pad between the center and new northernmost bay, substantially increasing the covered exterior mechanical spaces and creating breezeways instead of interior enclosed spaces. In addition, the project proposes the addition of 824 sq. feet of covered porch space to the office building with no change to the interior space; an increase in the winery equipment storage building from 816 sq. ft. to 1,016 sq. ft.; and proposes to add a 150 sq. ft. Fire Pump and Fire Equipment shed adjacent to the visitor/employee restrooms. The proposed project modification will result in an increase of the winery facilities from the approved 21,504 sq. ft. to 35,829 sq. ft. in area.

The original use permit (#P13-00167) included the approval of a variance to allow the location of the winery building 160 feet from State Highway 29, in lieu of the required 600 foot setback. This modification propose the new building to be constructed on the northerly side of the approved winery building, also located 160 feet from the State Highway. Thus, a variance request has been submitted with this modification to allow the 160 foot setback for the additional building, consistent with the prior approval.

The proposed new 5,878 sq. ft. building will be the same height of the approved winery structures, 39' 7" in height, measured to the roof ridge ($\pm 32'$ measured to midpoint of roof) with a covered pad to be used for racking in between it and the approved winery building. The buildings will be galvanized corrugated steel, covered with a stainless steel vine wall on the exterior north, south and west elevations. The winery buildings will all have corrugated metal roofs with solar panels on the southerly-facing roof. The pad between the buildings will be covered by corrugated metal panels to match the roof on steel I-beams. The landscape plan presented with the original project indicated that a "Living Wall" of vines will be installed on the stainless steel vine wall on the north, west and east side of the winery production building and are proposed on the north side of the proposed. In addition, the project proposes relocation of the four water storage tanks from the western side of the winery building to the eastern side with the addition of two additional tanks. Each storage tank is 48,000 gallons and 25 feet in height. The proposed new barrel storage building is located within the 100-year floodplain of the Napa River. Because the building is a non-residential structure, any portion of the proposed barrel building located below the base flood elevation must be watertight with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A Flood Plain Management permit will be required and these two structures will be subject to FEMA regulations.

Setback Variance Request – As previously discussed in consideration of the original setback variance, it was noted that the granting of a variance requires findings be made based upon special circumstances with respect to specific physical circumstances that distinguish the project site from its surroundings which would deprive the property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications. The physical circumstance regarding the subject property is its location fronting State Highway 29. The purpose and intent of the WDO in requiring a 600' setback is to alleviate buildings from being placed up against the State Highway creating a commercial "strip like character mall". Another physical circumstance of this property is its location within a Flood Hazard area. Only 1.8 \pm acres of this 30 \pm acre parcel is located outside of the Flood Hazard area, and applicant is proposing the location of the winery office and the equipment storage building on that portion

of the property. The location of the winery within the floodplain would not prevent the construction of a winery on the parcel but would require grading of the property and the addition of fill to engineer a building pad above the base flood elevation or would require the engineered construction of the structure so that the base of the building below the base flood elevation be watertight. Compliance with the 600 foot setback would also place a proposed winery closer to the flood source, Bale Slough. There are three other wineries fronting State Highway 29 in this 1/2 mile portion of State Highway located in the Flood Hazard zone (Grgich, Provence, and Alpha Omega). They are Pre-WDO wineries and their location were not dependent upon the winery setback regulation.

The application states the size increase primarily is needed to accommodate sustainable features within the winery and the rationale provided for the original variance is unchanged. The applicant had stated that the granting of the variance places structures as far as possible out of the riparian buffer zone of Bale Slough and would facilitate future river restoration design and potential stream realignment options, cited visibility and aesthetic impacts, proposed development clustering, vineyard preservation as other factors supporting the requested variance. Granting the variance would also, according to the applicant's findings, facilitate the applicant's ability to place the project site under a "conservation easement", which furthers the agricultural preservation policies of the Napa County General Plan. The variance application supporting the modification states that by adhering to the strict application of the zoning regulations, the efficiency of the winery would be greatly diminished and create an economic hardship on the owner, not allowing the owner fair and proper enjoyment of his property rights. Further, health and safety of the neighborhood and the County will not be affected by the proposed lesser setback as the winery will be built in an area already developed and already approved for the main winery building.

The location of the winery on this property would result in the on-haul of fill to create a building pad in the flood hazard area, with the exception of the small portion on the southerly portion of the property. That area outside the flood hazard zone on this property is developed and there is insufficient area to construct a winery there. The findings prepared for approval of the 160 foot setback cite special circumstances that physically differentiate the project site from other properties that have frontage on State Highway 29. The subject property has frontage on a portion of State Highway located within of a Flood Hazard Zone and compliance with the 600' setback will require alteration of the elevation of the property to construct the winery building pad or will require engineering of the building design to make the base of the building below the base flood elevation watertight. In addition, the property has an existing line of mature trees fronting the property which can provide screening of the winery. Staff proposed a condition with the original use permit that this line of trees be maintained to ensure that the approval of this variance would not grant a special privilege. This condition will be carried over for this modification and variance.

Furthermore, Staff found that the 160 foot location would require the least amount of on-haul of materials to construct the building pad and the least amount of alteration of the land, compared with a location in compliance with the 600' winery setback. The location near the road significantly removes the proposed winery from the source of the flooding, the Bale Slough. The location of the approved winery, 160 feet from the centerline of State Highway, will align the development on this project with the existing pavilion and the proposed office, providing a more cohesive development plan, albeit with a fairly substantial setback from the highway. The applicant also proposes an increase in orchard planting and gardens along the highway in the landscape design for the project, further screening and softening the visual impacts to the highway view.

Tours & Tasting/Marketing Events – The project does not propose any changes to the approved conditions regarding the tours and tasting and there is no change in the marketing program: private promotional tastings and meals 24 times per year up to 35 people per event, between the hours of 10:00am and 11:00pm; Six (6) Marketing events per year such as barrel tastings, auctions and other social events, including meals and music in the Pavilion or on the south porch of the winery building between the hours 10:00am and 11:00pm; and Two (2) harvest party events per year for up to 100 people per event between the hours of 10:00am and 8:00pm. All proposed food service will be catered and prepared off-site.

Commercial Farm Stand/Winery Visitation Conflict - The applicant intends to continue use of the pavilion for the

commercial farming operation along with the winery's wine tasting/hospitality center. This creates a compatibility issue for the use of this building, since the farm stand is a permitted use and the winery use is subject to the conditions of the use permit and the Winery Definition Ordinance. Staff recommends that there needs to be a definite separation of the two uses. This may be accomplished because of the design of the structure: the two end portions of the pavilion are separately roofed, with a separate dormered central portion of the building. Use Permit P13-00167-UP included a condition requiring such a separation in this building, but would prefer recommending that the tasting occur in a separate structure, possibly within the winery itself. There is no change proposed by this modification.

Traffic & Parking – The proposed project would not result in any change in traffic generation. A Traffic Impact Report was prepared by Crane Transportation Group, dated January 13, 2013. The report concluded that based on the project proposal, the project would result in no significant off-site circulation system operational impacts nor any sight line impacts at the proposed project driveway connection to State Route 29 during the harvest Friday and Saturday Peak hour. A left turn is already provided on the State Hwy 29 southbound approach to the project entrance and the winery driveway connection will be designed to Caltrans standards. The standard conditions of approval ensured the project is operated consistent with the project reviewed by the County Traffic Engineer.

A total of 19 parking spaces was approved in the original permit, and these parking spaces would be sufficient to accommodate parking needs during normal business days for employees and visitors.

Groundwater Availability - The project would not result in a change to groundwater demand. The subject parcel is located on the Valley Floor. Napa County has established a water availability threshold of 30 AF/YR for this parcel, which is calculated by applying a rate of 1.0 AF/YR multiplied by the acreage of the site. The projected water use for the winery is 2.15 AF/YR and as estimated, the overall water demand of 22.5 AF/YR for all uses on the parcel is below the threshold established for the parcel.

Grape Sourcing - The subject property contains 21 acres of vineyards. The project would not require the removal of vines for the development of the winery. As previously discussed, the project proposes that the majority of the processing capacity is based upon processing estate grapes, grown on the subject parcel and the adjacent 11± acre parcel owned by the applicant. The applicant indicated the grape source of the remaining 12,000 gallons (12%) will be in compliance with the 75% Napa Valley grape source requirement.

Greenhouse Gases/Climate Action Plan - 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 completed the Department's Best Management Practices Checklist for Development Projects in the original which is attached to this report as part of the prior approval materials. The applicant proposes to incorporate GHG reduction methods including: generation of on-site renewable energy with installation of photovoltaic array installation; preservation of developable open space in a conservation easement; accommodation of bicycles; vehicle charging infrastructure; use of Cool Roof; water efficient fixtures; roof rain water diversion; waste recycling; composting systems; sustainable purchasing and shipping program; green walls on structures; retention of existing shade trees; passive night air cooling; use of cover crops; and the continued organic farm stand. The new structure will also incorporate a photovoltaic array on the southerly side of the roof. GHG Emission reductions from local programs and project level actions, such as 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 Correspondence - No comments were received at the time of staff report preparation.

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.

Option 1 – Approve Applicant’s Proposal (Staff Recommendation)

Disposition - This option would result in the approval of a Major Modification to increase the winery to add a new barrel storage building within the 600 foot winery setback area, minor changes to approved structures, and the addition of a fire pump and equipment shed. No increase in operations is proposed. Staff recommends this option as the request, as conditioned, is consistent with the Zoning Ordinance and applicable General Plan policies. Staff has reviewed the original setback variance request and the current proposal evidence submitted and believes the findings for the use permit modification and variance can be met. This option has been analyzed for any change of its environmental impacts from the originally approved negative declaration, which found the original project to be less than significant without mitigation. Staff is recommending in favor of approval for the following reasons: 1) the proposal will not substantially alter the approved building presentation; 2) the requested building area increases area for wine production storage and no expansion of accessory facilities is proposed; 3) the proposal will result in the relocation of the water storage tanks to the rear side of the winery, out of view of the highway; 4) will not generate a Viewshed issue; 5) additional greenhouse gas offset features are proposed; 6) and no increase in traffic or groundwater demand will be generated.

Action Required - Follow proposed action listed in the Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at the time a motion is made.

Option 2 – Reduced Alternative

Disposition - This option could result in a potential decrease in storage areas for the winery.

Action Required- Follow proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to place limits on use. If major revisions of 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 grant of a variance or the use permit modification, Commissioners should articulate what aspect or aspects of the project are in conflict with required findings. State law requires the Commission to adopt findings, based in the General Plan and County Code, setting forth why the proposed variance or 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 project and remand the matter to staff for preparation of required finding to return to the Commission on specified 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 . Previous Staff Reports of P13-00167-UP and P13-00185-VAR
- D . Previous Project Conditions
- E . CEQA Memorandum
- F . Use Permit Application Packet
- G . Variance Application Packet
- H . Graphics
- I . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina