**Exhibit A**

**BACKGROUND AND DISCUSSION**

**PARADIGM WINERY**

**USE PERMIT APPLICATION *№* P13-00289**

**1277 DWYER ROAD, OAKVILLE, CALIF., 94562**

**ASSESSOR’S PARCEL *№.* 027-540-003**

**Owner/Applicant:  Paradigm Winery**, Ren and Marilyn Harris, (707) 944-1683, PO Box 323, Oakville, CA 94562

**Representative:**  Ren and Marilyn Harris, (707) 944-1683, PO Box 323, Oakville, CA 94562

**Zoning:**    AP (Agricultural Preserve)

**General Plan Designation:**    AR (Agriculture Resource)

**Filed:**    September 11, 2013   **Complete:**    December 16, 2013

**Production Capacity - Existing:    3**0,000 gallons per year

**Production Capacity - Proposed:  No change**

**Number of Employees - Existing:** 10 or fewer employees

**Number of Employees - Proposed:** **No change**

**Visitation - Existing:**    15 per week

**Visitation - Proposed:**    Private tours and tastings; max of 20 visitors per day; max of 120 visitors per week

**Hours of Operation - Existing:**    8 am to 5 pm, daily

**Hours of Operation - Proposed:**    **No change**

**Visitation Hours of - Existing:**    10 am to 4 pm, daily

**Visitation Hours - Proposed:**    **No change**

**Parking - Existing:** 8 spaces

**Parking - Proposed:** No change

**Winery Coverage - Existing:**    Approx. 0.19 acres (25% max) and/or .007% of the 26.25 acre lot area (25% max)
**Winery Coverage - Proposed:**    Approx. 0.19 acres (25% max) and/or .007% of the 26.25 acre lot area (25% max)

**Adjacent General Plan Designation/ Zoning / Land Use**

North
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and a producing winery uses on large lots (Far Niente Winery, Cardinale Winery, Lincoln Ranch Winery)

South
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and vineyard uses on large lots

West
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and vineyards uses on large lots (Folie Adeux, Consentino Winery, Ca’Nani Winery, and Yountville Hill Winery)

East
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and approved vineyard uses on large lots

**Nearby Wineries (located within 1 mile of the project)**

Far Niente Winery ~1 Acacia Drive ~Producing~75,000 gallons per year~By appointment

Cardinale Winery~7600 Saint Helena Highway ~ Producing ~150,000 gallons per year~By appointment

Lincoln Ranch Winery ~7554 Saint Helena Highway~ Approved ~50,000 gallons per year~By appointment

Folie A Deux ~7481 Saint Helena Highway ~ Producing ~50,000 gallons per year~ By appointment

Consentino Winery ~7415 Saint Helena Highway ~ Producing ~30,000 gallons per year~ By appointment

Ca’Nani Winery ~7466 Saint Helena Highway ~ Producing ~48,000 gallons per year~ By appointment

Yountville Hill Winery~7400 Saint Helena Highway ~ Pending ~100,000 gallons per year~ By appointment

**Parcel History and Evolution of this Application**

June 1988- The Planning Commission approved Use Permit U-308788 allowing a 6,000 gallons per year winery with a winery building of 1,200 square feet, four parking spaces, and private tours and tastings by appointment only for up to 15 persons per week.

January 1990 – The Planning Commission approved Use Permit Modification #U-308788. The Use Permit allowed for an expansion to the winery building of 250 square feet and a 90 square feet concrete storage pad.

December 1994- The Planning Commission approved Use Permit #94088-UP allowing a 13,000 gallon per year winery, an increase in 2,076 square feet to the winery building, a 408 square feet to the crush pad, one annual marketing event in conjunction with Auction Napa Valley for up to 30 persons. The additional 7,000 square feet increase in production was subject to the 75% grape sourcing rule.

June 2000- The Planning Commission approved Use Permit #99380-UP allowing an increase in production to 30,000 gallon per year winery, a 2,396 square foot addition to the winery building, 15 visitors per week, and a 1,924 outdoor pad addition. The additional 24,000 square feet increase in production from the 1988 approval was subject to the 75% grape sourcing rule.

The application for the expanded daily tours and tastings was submitted on September 11, 2013. The application was complete December 20, 2013.

**Code Compliance History**

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

**Discussion Points**

Setting- Paradigm Winery is located on a 26.25 acre parcel located at the terminus of Dwyer Road off of Highway 29. The proposed increase in daily tours and tastings from the current 15 visitors per week maximum to allow up to 20 visitors per day and 120 visitors maximum per week is the only request as part of this application.

Land uses in the vicinity are a mix of large lot residential uses, active vineyard operations, and wineries with production ranging from 8,000 to 20,000 gallons annually. Residential uses in the project area are fairly sparse, with less than a dozen residences located within a mile of the Winery.

Tours and Tastings/Marketing Events- The applicant is proposing tours and tastings by appointment only on a daily basis up to a maximum of 20 visitors per day from the hours of 10 AM to 4 PM daily. Staff has provided a table below comparing marketing and tours and tastings visitation at other wineries with annual production of 30,000 gallons per year. The proposed visitation programs falls into the middle of the spectrum with regards to number of visitors and on the high end for events among its peer group of wineries with an approved production capacity of 30,000 gallons per year. The table also provides a comparison of winery building square footage for the wineries listed. As can be seen Paradigm Winery’s building square footage relative to its production capacity hits on the lower end of the spectrum at 5,967 square feet, with other wineries ranging in size from 2,000 square feet to almost 26,000 square feet.

| **Staff Report – 30K GPY Comparison Wineries** |  |
| --- | --- |
| **Winery Name** | **Current Total Prod.** | **Tours & Tasting** | **Visitors(Ave/Wk)** | **Total Events/Yr** | **Building****s.f.** |
| ANTHEM WINERY AND VINEYARDS | 30,000 | NO | 5 |  | 2,000 |
| CADE WINERY | 30,000 | APPT | 75 | 15 | 25,960 |
| COSENTINO WINERY | 30,000 | PUBLIC | 350 |  | 11,809 |
| DAVID ARTHUR VINEYARDS | 30,000 | APPT | 35 |  | 13,400 |
| FONTANELLA WINERY | 30,000 | APPT | 10 | 9 | 4,800 |
| GOOSE CROSS CELLARS | 30,000 | APPT | 350 | 14 | 2,504 |
| HOURGLASS WINERY | 30,000 | APPT | 22 | 15 | 10,400 |
| JUDD'S HILL WINERY | 30,000 | APPT | 28 | 0 | 5,608 |
| STAR VINEYARDS | 30,000 | APPT | 20 | 0 | 2,800 |
| **PARADIGM WINERY** | 30,000 | APPT | 120 | 1 | 5,967 |

Traffic- The winery traffic generated by the project is expected to be minimal. Access to the winery is from Highway 29, between Yount Mill Road and Oakville Cross Road where the Level of Service has a “F” and “F” rating, respectively as of the most recent county-wide traffic study. The applicant has submitted traffic information which identifies that the additional 115 visitors per week, will contribute to 12 additional daily trips and 5 daily PM peak trips to Highway 29’s overall traffic. The additional traffic is negligible and will pose no significant impacts to Highway 29.

Access to the site is via an existing of sixteen-foot wide driveway leading to the winery. This allows traffic from both directions to reach the site. There are no design features that will impact traffic on Highway 29. The Department of Public Works and Engineering Services has reviewed project access and recommends approval of the project as proposed. The Napa County Fire Marshall has reviewed this application and has identified no significant impacts related to emergency vehicle access provided that standard conditions of approval are incorporated. Project impacts related to traffic hazards and emergency access are expected to be less than significant.

The Department of Public Works has reviewed the traffic and application for the proposal and recommends approval of the project on the basis that the additional traffic volumes would be of minimal impact to Highway 29. There will be no residual individual or cumulatively significant traffic impacts associated with this project as regards traffic congestion and levels of service. The existing eight parking spaces would be sufficient to accommodate parking needs during normal business days for employees and visitors.

Grape Sourcing- The subject property contains approximately 22 acres of existing vineyards. The applicant for the past nine years has chosen to only produce 18,000 gallons which is produced by the vines on site. The owners will continue to comply with the 75% Napa Valley grape source requirement. The existing vineyards produce approximately 7,700 gallons annually.

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 has completed the Department’s Best Management Practices Checklist for Development Projects, which is attached to this report as part of the application materials. The applicant has already incorporated GHG reduction methods including: 1) habitat restoration or new vegetation; 2) energy conserving lighting; 3) cool roof; 4) water efficient fixtures; 5) recycling 75% of waste; 6) compost 75% of food and garden material; 7)sustainable purchasing and shipping; 8) use of recycled materials; 9) local foods; 10) 70%-80% cover crop; 10) retain biomass; 11) participation in 1% for the planet since 2001( an organization that receives 1% of a company’s sales and uses the funds towards sustainable causes) .

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. The proposed project would not conflict with or obstruct the implementation of any applicable air quality plan.

Public comment

Staff received a letter opposing the increase in visitation from a neighbor dated January 7, 2014. The neighbor cites concern with traffic and monitoring of visitors. The categorical exemption memo prepared for the project analyzed the additional traffic as a result of the increased visitation and it was determined that the eight (8) additional vehicle trips was not a significant impact to the overall traffic on Highway 29. As for ensuring that the winery does not exceed the number of visitors requested, the winery will be required to keep a log of all visitors. If the winery were to be audited the logs would be analyzed by County staff to ensure conformity with the proposed Use Permit modification.

**Consistency with Standards**

Zoning - The project is consistent with AP (Agricultural Preserve) zoning district regulations. A winery (as defined in Napa County Code § 18.08.640) and uses in connection with a winery (see Napa County Code § Section 18.16.030) are permitted in the AP district with an approved use permit. This application is subject to and complies with all tenants of the Winery Definition Ordinance and all other requirements of the Zoning Code as applicable.

Engineering Services Division Requirements - The Engineering Services Division has reviewed this application and recommends approval with standard conditions. Please see their attached memo dated December 23, 2013.

Environmental Health Division Requirements - The Environmental Health Division has reviewed this application and recommends approval with standard conditions. Please see their attached memo dated December 23, 2013.