**Exhibit A**

**BACKGROUND and discussion**

**ROBERT FOLEY VINEYARDS WINERY**

**USE PERMIT MAJOR MODFICATION APPLICATION *№* P14-00085**

**1300 SUMMIT LAKE DRIVE, ANGWIN, CALIF., 94515**

**ASSESSOR’S PARCEL *№.* 018-230-004**

**Owner/applicant:** Robert Foley; PO Box 84, Angwin, CA 94508; (707) 965-2669

**Representative:** Thomas Carey, PO Box 5662, Napa, Ca 94581; (707) 479-2856
 **Zoning:** Agriculture Watershed-AW
 **GP designation:** Agriculture, Watershed and Open Space (AWOS) designations

**Filed:**    March 25, 2014   **Complete:**    October 10, 2014

**Production Capacity - Existing:    30**,000 gallons per year

**Production Capacity - Proposed:    50**,000 gallons per year

**Number of Employees - Existing:** 1 full time and 1 part-time employee

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

**Visitation - Existing:**    N/A

**Visitation - Proposed:**    Private tours and tastings; maximum of 10 visitors per day; maximum of 60 visitors per week

**Marketing- Existing:**    N/A

**Marketing - Proposed:**    Addition of 12 events with 12 persons and two events with 50 persons

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

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

**Visitation Hours of - Existing:**    N/A

**Visitation Hours - Proposed:**    8 am to 5 pm, daily

**Parking - Existing:** 2 spaces

**Parking - Proposed:** 6 spaces

**Winery Coverage - Existing:**    6.7% (25% max)
**Winery Coverage - Proposed:**    Approx. 0.7 acres (15 acres max) and/or 8% of the 13.4 acre lot area (25% max)

**Winery Building Size - Existing:**    N/A (existing operations take place in the 12,350 square feet wine cave and 7,600 square feet uncovered rush pad)
**Winery Building Size - Proposed:**    1,760

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

North
Agriculture, Watershed and Open Space **General Plan** designation- AW (Agricultural Watershed) zoning;

residential uses on large lots

South

Agriculture, Watershed and Open Space **General Plan** designation- AW (Agricultural Watershed) zoning; residential, and producing winery uses on large lots (Dunn Vineyards)

East

Agriculture, Watershed and Open Space **General Plan** designation- AW (Agricultural Watershed) zoning; residential uses on large lots

West

Agriculture, Watershed and Open Space **General Plan** designation- AW (Agricultural Watershed) and AR (Agricultural Reserve) zoning; residential, and vineyard uses on large lots (Summit Lake Vineyards and Outpost Wines)

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

Outpost Wines ~2075 Summit Lake Drive ~Approved~50,000 gallons per year~By appointment

Dunn Vineyards ~805 White Cottage Road~ Producing ~20,000 gallons per year~By appointment

Summit Lake Vineyards ~2000 Summit Lake Drive ~ Producing ~12,000 gallons per year~By appointment

**Parcel History and Evolution of this Application**

April 2, 2007- Use Permit #P015-01275 was approved by the Conservation, Development, and Planning Department to permit Robert Foley Vineyards Winery to produce 30,000 gallons per year within a winery cave of 12,350 square feet, a 7,600 square feet uncovered crush pad; one full-time employee; two on-site parking spaces; no marketing plan or tours and wine tastings were proposed.

March 25, 2014-Use Permit Major Modification P14-00085 proposes to increase production, include marketing events, add visitation to a maximum of 10 daily visitors, request for on premise consumption, increase in number of employees to ten or fewer, and the expansion of the septic system were submitted on October 9, 2013. The application was deemed complete June 12, 2014.

**Code Compliance History**

This application was submitted due to the applicant’s realization that their productions was in excess of their original approvals. This request to increase the production to 50,000 gallons per year will bring the winery into compliance with their production.

**Discussion Points**

Setting- The rectangle-shaped lot has rolling terrain ranging from level to gently-sloping areas to steeply-sloping hills on the west and east sides of the property. The balance of the site consists of approximately 12,350 square feet of caves, 1.8 acres of existing vineyards, both paved and unpaved access roads, a main residence, second unit, guest cottage, and accessory equipment and storage buildings. Surrounding land uses include existing vineyard, wineries and rural residential development. The nearest off-site residence is located southeast of the site’s southern boundary, across Summit Lake Drive, and approximately 665 feet from the existing 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 10 visitors per day from the hours of 8 AM to 5 PM daily; food/wine events up to 12 per year with a maximum of 12 guests between the hours of 10 AM to 10 PM; and food/wine events up to two (2) per year with a maximum of 50 guests between the hours of 10 AM to 10 PM.

Staff has provided a table below comparing marketing and tours and tastings visitation at other wineries with annual production of 50,000 gallons per year. The proposed visitation programs falls into the low end of the spectrum with regards to number of visitors and on the low end for events among its peer group of wineries with an approved production capacity of 50,000 gallons per year. The table also provides a comparison of winery building square footage for the wineries listed. As can be seen, Robert Foley Vineyards Winery building square footage relative to its production capacity hits at the lowest end of the spectrum at 1,760 square feet, with other wineries ranging in size from 4,199 square feet to 44,002 square feet.

 **Comparison Wineries-50k gallons per year Production**

| Winery Name | Current or Expan Total Prod. | Current or Expan Total Sq. Ft. | Employees | Tours & Tasting | Visitors(Ave/Wk) | Total Events/Yr |
| --- | --- | --- | --- | --- | --- | --- |
| ALTAMURA WINERYHillside | 50,000 | 11,800 | 2 | APPT | 20 |  |
| BALLENTINE WINERYValley Floor | 50,000 | 21,640 | 4 | TST APPT | 10 | 24 |
| BENNETT LANE WINERYValley Floor | 50,000 | 17,550 | 11 | APPT | 168 |  |
| CAIRDEAN WINERYValley Floor | 50,000 | 44,002 | 14 | APPT | 175 | 6 |
| ENVY WINESValley Floor | 50,000 | 4,199 | 3 | APPT | 56 | 391 |
| FOLIE A DEUXValley Floor | 50,000 | 10,000 | 4 | PUB | 350 |  |
| HAGAFEN CELLARSValley Floor | 50,000 | 6,800 | 6 | APPT | 150 | 12 |
| KRUPP BROTHERS WINERYHillside | 50,000 | 18,875 | 10 | APPT | 420 | 115 |
| LINCOLN RANCH WINERYValley Floor | 50,000 | 33,050 | 11 | APPT | 300 | 34 |
| MATERRA WINERYValley Floor | 50,000 | 17,115 | 4.5 | APPT | 40 | 26 |
| MONT ST JOHN CELLARSHillside | 50,000 | 13,210 | 5.5 | PUB | 3,500 |  |
| NIEBAUM COPPOLA ESTATE NIEBAUM LNHillside | 50,000 | 19,290 | 7.5 | APPT | 15 |  |
| NORMAN ALUMBAUGH WINERYHillside | 50,000 | 21,052 | 3 | APPT | 20 | 8 |
| OUTPOST WINESHillside | 50,000 | 9,155 | 10 | APPT | 120 | 9 |
| PRIDE MOUNTAIN VINEYARDSHillside | 50,000 | 5,362 | 5 | APPT | 20 | 48 |
| ROBERT KEENAN WINERYHillside | 50,000 | 7,695 | 10 | APPT | 245 | 21 |
| SEQUOIA GROVE VINEYARDSValley Floor | 50,000 | 12,937 | 4 | PUB | 600 |  |
| SHUTTERS WINERYHillside | 50,000 | 9,034 | 4.5 | APPT | 40 | 26 |
| **ROBERT FOLEY VINEYARDS WINERY**Hillside | **50,000** | **1,760** | **2** | **APPT** | **60** | **14** |

Traffic- The winery traffic generated by the project is expected to be minimal. The applicant has submitted traffic information which identifies that the proposed winery hours (8**:00 am to 5:00 pm, Monday-Sunday for visitation and 8:00 am to 5:00 pm, Monday-Friday for production)**, the number of employees (10 or fewer), the winery’s Tours/Tastings Plan (10 persons maximum per day), and the Marketing Plan with food catered at the winery ( 12-12 person events per year, 2-50 person events per year) will contribute to 36 daily trips and 13 daily PM peak trips to Summit Lake Drive’s overall traffic. Including marketing events, the traffic generated would not result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections. According to the Institute of Traffic Engineers, a single-family home would generate 10 vehicle trips per day, 2-4 total trips during the peak PM period (4:00 PM-6:00 PM). The proposed project would result in approximately 36 daily trips which would not discernibly change the level of service or traffic volumes on White Cottage Road or Howell Mountain Road.

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 information provided by the applicant and recommends approval of the project on the basis that the traffic volumes are below the threshold that would be significant. The existing six (6) parking spaces would be sufficient to accommodate parking needs during normal business days for employees and visitors. Additional parking will be required during marketing events. As proposed, temporary event parking will be provided via shuttle parking service. The applicant has sufficient space to accommodate some additional parking throughout the remainder of the property.

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 Voluntary Best Management Practices Checklist for Development Projects, which is attached to this report as part of the application materials. The applicant proposes to incorporate GHG reduction methods including: 1) vehicle miles travelled reduction plan; 2) energy conserving lighting; 3) water efficient fixtures; 4) low-impact development; 5) site design; 6) and limit grading and tree removal.

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.

Grape Sourcing- The subject property contains approximately 1.8 acres of existing vineyards which supplies approximately 700 gallons annually. The applicant also has an approved erosion control plan that will allow additional vineyard planting of 0.7 acres, which would increase the number of gallons sourced on site to 900 gallons. The applicant has also informed the County that it has verbal agreements with other county vineyard operators and owners which will also be utilized to comply with the 75% Napa Valley grape source requirement.

**Consistency with Standards**

Zoning - The project is consistent with AW (Agricultural Watershed) 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 18.20.030) are permitted in the AW 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.

Building Division Requirements -The Building Division reviewed this application and had no comments.

Fire Department Requirements - The Fire Marshal's office reviewed this application and recommends approval with standard conditions. Please see their attached memo dated April 22, 2013.

Engineering Services Division Requirements - The Engineering Services Division reviewed this application and recommends approval with standard conditions. Please see their attached memo dated October 7, 2014.

Environmental Health Division Requirements - The Environmental Health Division reviewed this application and recommends approval with standard conditions. Please see their attached memo dated August 14, 2014.