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Initial Study/Mitigated Negative Declaration

COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist

1. **Project Title:** Jessel Gallery and Prime Solum Tasting Room and Barrel Storage, Use Permit Application P12-00194
2. **Property Owner:** Dolores R. Buller Trust
3. **County Contact Person, Phone Number and Email:** Dana Ayers, Planner III, (707) 253-4388, dana.ayers@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):** 1019 Atlas Peak Road, nearest cross street Hillcrest Drive, unincorporated Napa County; APN 039-320-008
5. **Project Sponsor's Name and Address:** Prime Solum, LLC, attn.: Bill Hill, Managing Member, 1904 Soda Canyon Road, Napa, CA 94558
6. **Project Sponsor's Representative:** Monteverdi Consulting, attn.: George Monteverdi, Principal, P.O. Box 6079, Napa CA 94581
7. **General Plan Description:** Rural Residential
8. **Zoning:** CL (Commercial Limited) District

9. **Background/Project History:**

The first structures on the subject property were built in 1885. At that time, the property encompassed 300 acres and was under the ownership of Morris Estee, a businessman, lawyer and politician whose career spanned the late 19th century. The large stone buildings and tunnels originally served as residential and winery uses on the property, which then was called "Hedgeside." The winery operated on the property until Prohibition occurred in 1920. In the early 1930s, after the 1933 repeal of Prohibition, the property was used as a distillery. A series of hollow clay tile industrial buildings were built in 1935 to house the growing distilling operation on the property. A metal warehouse building was built sometime later, around the early to mid-1940s (based on review of historic aerial photography). The distillery ceased operation on the site in 1954. The subsequent, current property owners used a portion of the site for storage associated with a drayage/goods hauling business and leased out other portions of the property to various tenants.

The original, 300-acre property of which the subject buildings were originally a part has since been subdivided and reduced in size to 6.65 acres (APN 039-320-008). Over the years, the various buildings on the current, 6.65-acre property have housed a series of compliant as well as noncompliant residential, winery and commercial operations. Today, the property's original stone buildings are occupied by Del Dotto Winery (central winery building) and the Whetstone Wine Bar (northern, formerly residential structure). The County approved use permits for the Del Dotto Winery and Whetstone Wine Bar in 1999 and 2013, respectively (Use Permits 98225 – UP, 98230 – UP and P12-00008 – UP). The Del Dotto Winery's operators have submitted a separate use permit modification request (P12-00410 – MOD) that is pending, to obtain legitimacy of currently unpermitted accessory uses on the second floor of the winery building. There is also a single-family residence near the northwestern corner of the property.

The two buildings nearest the southern property line are the subject of this use permit application (P12-00194 – UP). The building near the southeastern corner of the property was constructed as part of the post-Prohibition, industrial complex of buildings and is currently occupied by Jessel Gallery. It has a second story addition that is currently being used as an apartment residence and that was added circa 1950, with subsequent additions of dates unknown. The second, metal warehouse building, west of the Jessel Gallery, is partially occupied by a contracting business and partially vacant. This metal warehouse building is proposed for use as Prime Solum's tasting and barrel storage rooms.

The property is currently zoned CL (Commercial Limited) District and has been so zoned since 1985. Previously, the property spanned two zoning district boundaries, with the majority of the site zoned industrial and smaller portions at the northwestern and northeastern corners zoned residential.

As mentioned above, the property has had a variety of compliant and non-compliant uses and activities, with records of violations dating back to the 1970s. With approval of Use Permit P12-00008 for the Whetstone Wine Bar, the use of the northernmost building on the property was brought into compliance with current zoning regulations. The central winery building has zoning approval for operation of a winery and retail store (Del Dotto Winery, Use Permits 98228 – UP and 98230 – UP), though there is an outstanding code compliance matter related to the business' use of the second floor of the building, for which the winery operator has a pending application for use permit modification (P12-00410 – MOD). That matter is isolated from this Jessel Gallery and Prime Solum tasting room and barrel storage use permit request.

Jessel Gallery has occupied the property since 1984, though the industrial zoning of the property at that time allowed only agriculture, industry, and livestock feed lots as conditional or permitted uses of the property. Rezoning of the property to CL District in 1985 (Ordinance No. 807) introduced bars with up to 100 seats and art studios and galleries as conditionally permitted uses; however, County records are unclear as to why a use permit had not been required at that time or in subsequent years that the property has retained the CL District zoning. The use permit request that is the subject of this initial study is in part responsive to a County code enforcement case that was opened in 2011 in an effort to remedy all of the then noncompliant uses on the property; Prime Solum, by contrast, is not operating on the property and is a request for use permit that was not triggered by the code enforcement matter.

Access to both buildings is provided via a driveway entrance from Atlas Peak Road, which adjoins the eastern property line of the site. Atlas Peak Road connects the site to the greater Napa County roadway network via its signalized intersection with Monticello Road/State Route 121.

10. **Description of Project:**

The proposed project is a request for a use permit to: 1) legitimize the art studio/gallery and accessory dwelling uses previously established with the Jessel Gallery; and 2) establish a new wine tasting room and barrel storage operation on the property.

Building and Site Modifications

The structures for which use permits are being requested under Use Permit Application P12-00194 are existing buildings. While correction of the code compliance matter for the Jessel Gallery would need to include minor modifications to the 6,882 square foot building in order to provide accessibility for persons with disabilities, no building additions are proposed for the Jessel Gallery building, including its attached residential unit and approximately 1,100 square feet of outdoor deck and loading areas.

For the approximately 4,360 square foot warehouse building proposed to be occupied by Prime Solum, significant interior changes are proposed in order to accommodate the tasting room, including installation of restrooms, accessibility improvements, a storage mezzanine, food preparation and service areas, plumbing fixtures and fire suppression systems, and exiting features that are appropriate for the building's proposed intensification of occupancy. The applicant proposes to modify the exterior of the building to include two covered seating areas on the eastern and western sides of the building; the areas of these spaces would be 1,438 square feet and 2,023 square feet, respectively. The applicant has also proposed to install an uncovered, decomposed granite courtyard adjacent to the proposed patio on the west side of the warehouse building. This courtyard would have 1,238 square feet of area and would be used for display of art pieces and, weather permitting, seasonal outdoor seating.

On-site improvements include installation of a new septic system to serve both uses encompassed within this permit request. General site improvements also include construction of a trash enclosure, installation of parking lot and building entry landscaping, installation of a 10,000-gallon water tank to contain supplemental fire suppression water drawn from the existing on-site well, paving and striping for 61 vehicular parking stalls adjacent to the two buildings, and placement of bicycle racks in the proposed courtyard. With the exception of supplemental fire suppression water and landscape irrigation drawn from the existing well on-site, potable water to the proposed uses is and would be provided via an existing lateral connected to the city of Napa municipal water system.

Operational Characteristics of the Requested Commercial Uses

The use permit encompasses a request to recognize existing operations of the Jessel Gallery, which consist of an art studio and gallery with approximately 800 square feet of accessory office space and 1,750 square feet of area dedicated to retail sales of art pieces, books, wine, clothing and jewelry. The applicant estimates that the gallery receives up to eight visitors per day. Jessel Gallery operates daily between 10:00 a.m. and 5:00 p.m. and employs one part-time and two full-time staff members. The gallery offers art and dance classes taught by the gallery operator, as well as space for guest artists and instructors to teach classes or display art collections. In addition to classes, which each accommodate approximately 10 students, the gallery offers space for resident and guest artists to showcase pieces at events held on the first Monday (previously, first Friday) of each month between 5:00 and 8:00 p.m.; attendance at these "First Monday" events is described as a maximum of 60 people. Food service at events is catered.

Prime Solum would be a new tenant on the property. Prime Solum proposes to use the warehouse building, as described above, for indoor and outdoor wine tasting, storage of up to 60 barrels of wine, and retail and wholesale wine sales with sale of food items. Food would include both pre-packaged items and small plates prepared off-site by caterers, or on-site inside of the tasting room kitchen; while food might be served outdoors in one of the tasting room's patio areas, no cooking or preparation of food would be done outdoors. No grape crushing, primary fermentation, pressing, barrel washing, processing or wine bottling would occur with the operation on-site, as these functions occur and would continue to occur at the company's Bonded Winery Premises in the City of Napa. The applicant anticipates serving 125 visitors per day, with visitation reduced to 10 on those days when "First Monday" events occur at Jessel Gallery. The tasting room operator also plans to host one event weekly, with maximum attendance of 125 people, at the warehouse building. Events at the proposed tasting room would be scheduled so as not to occur on the same days as Jessel's First Monday events. The applicant requests to operate the business daily between 9:00 a.m. and 8:00 p.m. and would employ two full-time and eight part-time staff members.

11. Environmental setting and surrounding land uses:

Properties in the vicinity of the proposed project site include undeveloped lands, as well as properties developed with residential and other commercial establishments, as further described below:

North: The Del Dotto Winery and tasting room and the Whetstone Wine Bar operate in two buildings located immediately north of and on the same parcel as the subject site. Whetstone Wine Bar operates in the northeastern, commercially-converted house on the property, under an approved use permit authorized by the Planning Commission in 2013; the other building near the northwestern corner of the property is a single-family residence. Del Dotto Winery is permitted to operate on the ground floor of the more central building on the site, under an approved use permit granted by the Planning Commission in 1999; the winery's operators currently have an application pending to amend their use permit to increase permitted visitation, legitimize use of the second floor of the building, and add a deli operation within a small building adjacent to the winery.

Beyond the northern property line of the subject parcel is a cluster of three single-family residential parcels ranging in size from approximately one to four acres; Milliken Creek lies further north of these residential lots. Off-site of the subject parcel, parcels to the north of the site are zoned RC (Residential Country) District and have a General Plan land use designation of Rural Residential.

West: Napa County Fire Station 25 and portion of a vacant parcel are immediately west of the subject buildings at 1019 Atlas Peak Road; two single-family residences with small vineyards are also west of the subject parcel, though more to the north of the gallery and proposed tasting room buildings. The fire station, vacant parcel and single-family residences are each on different parcels than the subject site.

The zoning of the adjacent parcels to the west of the site is RC (Residential Country) District toward the north and PD (Planned Development) District to the south. All of the parcels to the west have a General Plan land use designation of Rural Residential.

South: A substantially undeveloped parcel adjoins the southern property line of the site, on which are remnants of an unused, former distillery building similar to that occupied by Jessel Gallery. The remainder of the parcel is vacant. Monticello Road lies just beyond that parcel. The adjoining parcel to the south of the site is zoned PD (Planned Development) District and has a General Plan land use designation of Rural Residential.

East: The Atlas Peak Road right-of-way adjoins the western property line of the site, with the Silverado Country Club on the opposite side of the road. Residences within this portion of the Silverado Country Club neighborhood are single-family detached houses on lots that range in size from 0.2 to 0.5 acres. The zoning of the parcels to the east of the site is PD District, and the parcels have a General Plan land use designation of Urban Residential.

12. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).

The proposed project would also require various ministerial approvals by the County, including but not limited to building, grading and encroachment permits. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco & Firearms.

Responsible (R) and Trustee (T) Agencies

None required.

Other Agencies Contacted

Taxation Trade Bureau
California Department of Alcoholic Beverage Control

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

September 27, 2016

Date

Name, Title: Dana Ayers, Planner III

Napa County Planning, Building and Environmental
Services Department

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-c. The buildings proposed for occupancy under this use permit request are existing structures. Modifications to the Jessel Gallery building would be minor, limited to modifications necessary to meet Title 24 accessibility requirements of Building Code. For the warehouse building proposed to be occupied by Prime Solum, the applicant proposes to modify the exterior of the building to include a 1,438 square foot, covered seating area on the eastern side of the building, with a second, 2,023 square foot, covered seating area on the east side of the building. Site construction plans also include construction of a covered enclosure for storage of trash and recyclable materials, and installation of an approximately 12-foot tall, 10,000-gallon water tank for storage of water for supplemental fire suppression. Other proposed improvements on-site, including landscaping, parking lot striping, and building tenant improvements, would either be at-grade or inside the interior of the existing warehouse structure.

Napa County Code Chapter 18.106, Viewshed Protection Program, was adopted by the Napa County Board of Supervisors with the intent of protecting views, minimizing ground disturbance, and encouraging architectural designs that minimize visual impacts of development in hillside areas that are visible from designated County roads. Atlas Peak Road, on which the property fronts, is not a designated viewshed road, although Monticello Road/State Route 121, approximately 400 feet south of the property, is a viewshed road. Under the applicability criteria in County Code Chapter 18.106, a proposed project would be subject to compliance with the Viewshed Protection Program if it would disturb land with a natural slope of 15 or more percent and was visible from a viewshed road.

The proposed project site is visible from the right-of-way of Monticello Road; however, the area proposed to be disturbed for sake of the on-site improvements has a slope that does not exceed five percent, according to the County's geographic information system. Thus, the requirements of the Viewshed Protection Program do not apply to the proposed project.

It is noted that the proposed project would improve the appearance of the current site development, through addition of trees and landscaping, architectural enhancements to the exterior of the existing warehouse building to be occupied by Prime Solum, removal of equipment currently being stored outdoors by the current warehouse tenant, installation of a striped and paved surface for parking of customer vehicles around both buildings, and construction of a confined, enclosed and roofed structure for containment of refuse generated by the businesses. Appearance of the building occupied by Jessel Gallery would not change significantly, although improvements would be made to facilitate access for persons with physical disabilities. The proposed, 10,000-gallon water tank would be shorter than the height of the existing warehouse building (which is approximately 21 feet from grade) and would be at the furthest point from Atlas Peak Road on the southern portion of the property, so as not to be prominently visible from the three proximate rights-of-way (Hillcrest Drive and Atlas Peak and Monticello roads). During a June 23, 2016, site visit, Planning staff observed no rock outcroppings on the parcel, and no existing trees would be removed as part of the request.

d. The proposed project has the potential to increase nighttime lighting due to operation of the businesses outdoors during evening hours. Neither business would operate past 8:00 p.m., so that evening operations would affect lighting levels primarily during winter months when the sun sets before 6:00 p.m.; however, colder weather is also most likely to occur in winter, so that outdoor events or customer service during this season is also anticipated to be occasional.

Although not anticipated to be a regular occurrence, outdoor operations on the proposed patios of the buildings could result in off-site glare or light spillage. If approved, the proposed project would be subject to the County standard condition of approval that limits the amount of outdoor lighting. In accordance with County standards, all exterior lighting is required to be the minimum necessary for operational and security needs. Up-lighting of buildings and landscaping is prohibited. The business operators must keep lighting as low to the ground as possible and include shields to deflect the light downward. Avoidance of highly reflective surfaces would be required, as well, by the standard County condition:

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES.¹ Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e. As described in Background, above, the subject parcel is developed with a warehouse building, a former distillery building, and gravel-paved parking areas. The California Department of Conservation maps the proposed project site as Urban and Built-up Land, a designation that includes lands that are currently developed with structures utilized for commercial, residential, recreational, institutional, utility and other non-agricultural uses. There are no crops currently planted on the property, and the property is not subject to a Williamson Act contract. The CL District zoning of the property allows the commercial uses (art gallery

¹ "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

and wine bar) proposed with this request, subject to Planning Commission approval of a use permit. There are no forest resources on the site, nor are there any on other proximate sites, that would be converted from forest use as a consequence of approval of the proposed project. The proposed wine tasting and wine barrel storage operation would not directly impact any existing agricultural resources but would indirectly support existing agricultural development within the County by providing a support use (barrel storage) to agricultural product processing activities (winemaking).

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District (BAAQMD) Board of Directors adopted updated thresholds of significance to assist local agencies in the nine-county, San Francisco Bay Area in the review of projects' potential environmental impacts pursuant to the California Environmental Quality Act (CEQA). The thresholds were designed to establish the level at which the BAAQMD believed air pollution emissions would cause significant air quality and climate impacts in the region; were posted on the BAAQMD website; and were incorporated into the BAAQMD's updated 2011 CEQA Guidelines. The thresholds were subsequently challenged, and in March 2012, the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the thresholds. The court did not determine whether the thresholds were valid on their merits but instead found that the adoption of the thresholds was a project under CEQA. The BAAQMD subsequently appealed the Alameda County Superior Court's decision, and the matter is currently pending final decision by the California Supreme Court. Based on the Court's direction, the BAAQMD cannot recommend that local agencies use the 2010 thresholds to analyze the potential environmental impacts of proposed projects, and thus, the BAAQMD has removed the 2010 thresholds from their most current CEQA guidelines (2012). However, agencies may choose to use the thresholds identified in the BAAQMD's 2011 CEQA Guidelines, or other data sources available through the BAAQMD, in order to analyze the potential environmental impacts of projects; thus, as the best available information, the BAAQMD's 2011 CEQA Guidelines are applicable for evaluating projects in Napa County.

The requested entitlement consists of: 1) recognition of a previously-established art studio/gallery and accessory dwelling uses (Jessel Gallery); and 2) establishment of a new wine tasting room and barrel storage operation on the property. As described in the Project Description section of this initial study, the structures for which use permits are being requested are existing buildings, with new construction limited to interior remodeling of the warehouse building, accessibility improvements to both structures, new outdoor patios and display areas for the proposed wine bar, a striped parking lot, new landscaping and irrigation, and various utility installations (septic system, water storage tank, trash enclosure). The requested entitlement would result in an increase in customer and employee vehicle trips as a result of the operation of the wine bar on the property; it is noted that Jessel Gallery has operated on the property for over 30 years, and its operation is requested to be legitimized rather than newly-established, so vehicle trips associated with its operation are considered part of background traffic.

- a-d. Over the long term, emission sources for the proposed project consist primarily of mobile sources, including customer vehicles, employee vehicles, and, occasionally, delivery vehicles visiting the site. The BAAQMD's screening criteria suggest that similar projects such as a high quality restaurant of up to 47,000 square feet, and a general light industrial use of up to 541,000 square feet, would not significantly impact air quality and do not require further study (BAAQMD CEQA Guidelines, May 2011, pages 3-2 & 3-3). Given the size of the proposed hospitality space in the warehouse building (approximately 2,830 square feet compared to the BAAQMD's screening criterion of 47,000 square feet) and barrel storage areas (approximately 1,530 square feet compared to the BAAQMD's screening criterion of 541,000 square feet), and noting that the proposed project lacks any production of wine, the proposed project and its associated trips would not contribute a significant amount of air pollution to the region and thus would not have a significant air quality impact. (Note: A high quality restaurant is considered comparable to a wine tasting room for purposes of evaluating air pollution emissions but grossly overstates emissions associated with the proposed barrel storage, which would generate fewer vehicle trips. Therefore, a general light industry comparison is also used for the project's barrel storage component.)

The BAAQMD has adopted an updated Clean Air Plan in 2010, which outlines a regional program and a set of measures to reduce ozone, ozone precursors, particulate matter, greenhouse gas emissions, and other sources of air pollution. As noted in the Clean Air Plan, the nine-county San Francisco Bay Area as a region is in non-attainment status for achievement of federal standards for emissions of ozone and particulate matter (PM). Sources of ozone and PM include combustion (e.g., burning of fossil fuels or vegetation), fugitive dust from earth-moving activities, and vehicle use (including engine combustion and tire and brake pad wear).

The project site lies within the Napa Valley, which forms one of the climatologically distinct sub-regions (Napa County Sub region) within the San Francisco Bay Area Air Basin. The topographical and meteorological features of the Valley create a relatively high potential for air pollution. Over the long term, emissions resulting from the proposed use permit modification would consist primarily of mobile sources, including emissions from patron vehicles and production-related deliveries to and from the site.

The proposed project is not anticipated to conflict with or obstruct the implementation of the applicable air quality plan. As noted above, the combustion process of engines in passenger and heavy duty vehicles is a source of air pollutants, including particulate matter as well as carbon dioxide and nitrogen dioxide, two precursors to formulation of ozone. Also as noted above, air pollutant emissions from operation of the tasting room (including customer trips to and from the tasting room) fall below screening criteria for significance, due to the size of the tasting room being smaller than 47,000 square feet. Emissions from heavy duty on-road vehicles (freight trucks) would increase due to the truck trips to transport wine barrels to and from the site; however, such trips would be limited in frequency to an estimated 14 times per year. Although these trips would increase emissions, the 2010 Bay Area Clean Air Plan notes that emissions from these heavy duty vehicles are regulated by standards of the U.S. Environmental Protection Agency and California Air Resources Board, and that as those standards have intensified, emissions (particularly nitrogen oxides and particulate matter) from these types of vehicles have and will continue to decrease (3-29, 3-30). U.S. Department of Transportation, Bureau of Transportation Statistics data demonstrates this downward trend in heavy duty vehicle emissions since 1990.

The project proponent, in the use permit application, identified other measures listed in the 2010 Clean Air Plan with which the existing and proposed operations are consistent. These measures include installation of a solar water heating system and photovoltaic panels on-site for generation of power to the Prime Solum tasting room winery (Napa County Greenhouse Gas [GHG] checklist, Best Management Practice [BMP] 1), which are consistent with the Clean Air Plan's Stationary Source Measure (SSM) 15 and Energy and Climate Measure (ECM) 2. In addition, the applicant's GHG checklist indicates intent to install an insulated, light colored "cool roof" to reduce the heat island effect (BMP 10) consistent with the Clean Air Plan's ECM 3. Planting of parking lot landscaping, while compliant with County Code Section 18.110.050.D, is also consistent with the Clean Air Plan's ECM 4 encouraging tree planting as a means to reduce air pollution and the heat island effect in parking lots. While certain components of the requested use permit would implement elements of the Clean Air Plan, other measures would not be implemented as they are more generally applicable to heavy industrial rather than restaurant and gallery uses. As such, the proposed modification would not obstruct implementation of the applicable Clean Air Plan for the San Francisco region.

In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect, consisting mainly of dust generated during grading and exhaust emissions from construction-related equipment and vehicles. The proposed use permit would require ground disturbance for installation of the new septic system, landscaping and parking lot, which would result in fugitive dust in the immediate vicinity of the worksite. However, the area of disturbance for these site improvements would be under 1.5 acres and would be temporary, lasting for four to six months. The short duration of the work and compliance with standard conditions would not cause a substantial increase in particulate matter and would therefore result in a less than significant construction impact related to the region's current non-attainment status for this criteria pollutant.

The BAAQMD recommends incorporating feasible control measures as a means of addressing construction-related air quality impacts:

During all construction activities, the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Mitigation Measures as provided in Table 8-1, May 2011 Updated CEQA Guidelines:

- A. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.*
- B. *All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.*
- C. *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*
- D. *All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- E. *All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.*
- F. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- G. *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 14, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.*
- H. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.*

Furthermore, while earthmoving and construction on the site will generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 miles per hour.

With the project proponent's adherence to these relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered to be less than significant.

- e. The BAAQMD defines public exposure to offensive odors as a potentially significant impact. However, land uses that are more commonly known generators of offensive odors typically include landfills and transfer stations, wastewater treatment plants, refineries, and heavy industrial and manufacturing plants. Production of artistic pieces and storage of wine barrels (without on-site grape crush or wine production) are not land uses that are typically associated with generation of offensive odors. The proposed tasting room would have a kitchen available for food preparation; however, food served on-site would be prepared inside of the proposed kitchen and would primarily include small plates to accompany wine tastings. The nearest sensitive receptor would be the single-family residences over 250 feet east of the warehouse building, although the proposed building improvements and project statement do not indicate that cooking or preparation of any food items would occur outdoors.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e. The subject area of the property is generally flat, having a slope of less than five percent. Most of the site is either paved with gravel surface or covered by either the gallery or warehouse structure, and while the proposed project includes installation of new trees on the property, no existing trees are proposed to be removed and no vacant buildings are proposed to be demolished in order to accommodate the proposed project.

There are no wetlands on the property. Milliken Creek is in the general vicinity of the property but is over 1,200 feet north of the subject area, such that no ground disturbance associated with the proposed project would directly impact the creek, and all proposed construction would be located well outside of the minimum setbacks established under the water quality and riparian area conservation regulations identified in Napa County Code Chapter 18.108. The proposed project includes stormwater quality preservation measures that include landscaping and biofiltration areas that are incorporated into the project improvements in order to treat runoff from the property and reduce pollution of storm drainage facilities.

As the property has been developed and used for commercial and light industrial uses for over 50 years, native vegetation and the native species habitat that would have been fostered by that vegetation has long been removed from the property to accommodate construction of the existing warehouse buildings and subsequent operation of the industrial, contractor and retail uses. The site is bound on two sides by other properties or portions thereof with existing buildings (Del Dotto Winery, fire station), and on a third side by an arterial roadway (Atlas Peak Road), such that it does not support uninterrupted movement or migration of any terrestrial species along a habitat corridor.

f. There is no HCP or NCCP that has been adopted for or is being implemented in unincorporated Napa County.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Of the two structures specified for use under this permit request, the building currently occupied by Jessel Gallery appears to meet the criteria for eligibility for listing in state and national registers of historic resources, based on: 1) its affiliation with an historically prominent individual (lawyer, author and politician, Morris M. Estee) and his historically significant Hedgeside Estate; and 2) its previous use as a distillery and, correspondingly, its association with the evolution of the California Napa Valley as a wine production region. The building's method of construction using hollow clay tile is also representative of a distinct period of time of post-Prohibition industrial development in the region. The building remains in its original location and includes enough unmodified, identifiable, original architectural elements as to retain its historic integrity, despite additions later constructed on the side and rear of the building. (PAST Consultants, "Phase One Historic Assessment: 1019 Atlas Peak Road, Napa, CA." 2013.) Though over 50 years old, the warehouse building proposed to be occupied by Prime Solum is a basic industrial, rectangular, corrugated steel structure lacking in architectural ornamentation or historic affiliations that would indicate that it has historic significance. Nonetheless, that building is proposed to be retained and repurposed with the proposed project. It would remain substantially intact, with minor modifications to include new doors for egress and roof extensions over the proposed patio areas on the eastern and western sides of the building.

a-d. Neither of the existing buildings on-site is proposed for demolition. Only one minor modification, consisting of a change to the landing and threshold of an existing door on the west side of the building to provide access for persons with physical disabilities, is proposed to be made to the exterior of the Jessel Gallery building; thus, that structure would retain its historic integrity if the present use permit request were to be approved, with proposed modifications limited to building entries as necessary to facilitate contemporary use. During a visit to the site on June 23, 2016, Planning staff observed no unique geological features on the property, which has been significantly disturbed through past construction and grading activities associated with the existing buildings and prior uses of the site. Although there are no known archaeological resources on the property, the low elevation and proximity of the property to Milliken Creek and, more generally, the Napa River, would suggest that the property's general vicinity might have attracted indigenous peoples. If resources are found during any earth-disturbing activities associated with the proposed project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval:

In the event that archaeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil creating substantial risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-d. The subject parcel is not located within any Alquist-Priolo Earthquake Fault Zone designated by the state Department of Conservation, Division of Mines and Geology. Although no fault zone underlies the property, the site is generally located within a region of active fault zones, including those of the Berryessa, Concord/Green Valley and West Napa faults. Movement along any of these faults is anticipated to result in intensities of VII and VIII on the Modified Mercalli Scale at the project site; these "strong" to "very strong" intensities would be felt by people and are likely to result in considerable damage to many ordinary buildings. Due to the requirement for renovated warehouse to comply with the seismic standards of the 2013 California Building Code and Occupational Health and Safety Administration regulations (i.e., bracing of barrel storage racks), damage to structures on the property is anticipated to be minor and would not expose people to substantial hazards related to ground shaking during an earthquake. The project proponent and property managers report that neither of the structures on-site proposed to be used with this project (warehouse building and gallery building with residence) experienced significant damage during the recent 2014 earthquake on the West Napa fault.

The portion of the property on which the uses are proposed is predominantly flat, with slopes of fewer than five percent and a soil type of Coombs gravelly loam, 2-5 percent slopes, a well-drained soil comprised of large and small soil particles derived from igneous and sedimentary rock and located on old alluvial fans. Given that the subject portion of the parcel is predominantly flat and underlain with a coarse-grain loam soil mixture, soil movement and landslide potential on the subject portion of the parcel is considered to be low. The United States Department of Agriculture (U.S.D.A), Soil Survey for Napa County describes Coombs gravelly loam, 2-5 percent slopes, as having a slow runoff rate and slight erosion hazard, consistent with its description as a soil of mixed-grain composition and shallow grade (by contrast, higher erosion potential is anticipated in areas of steep slopes or in areas of more moderate slopes with loose, sandy soils). Regional maps of liquefaction risk indicate that the subject portion of the parcel is within an area of low liquefaction potential, which is also consistent with its site soil characterization as a mixed loam with a combination of large and small soil particles. The U.S.D.A soil survey also indicates that Coombs gravelly loam has a moderate shrink-swell potential; however, it is noted that, other than covered patio additions to the warehouse building, no new structures

beyond those existing buildings that were previously built on the properties in past decades are proposed to be built with this project, and the project proponent and property managers report that no significant structural damage to either building has occurred as a result of soil expansion on the site.

- e. The U.S.D.A. Soil Survey for Napa County describes the Coombs gravelly loam that underlays the parcels as generally having severe limitations in use for septic system absorption fields; these soil limitations, however, can be overcome with proper design such as expansion of the leachfield or pre-treatment of wastewater. The application submittal included a wastewater treatment feasibility study and a summary of site-specific soil sampling in areas of potential septic fields on the property. Site-specific sampling found that soil types ranged from clay loam nearer the central part of the parcel to sandy clay loam in the southern part of the parcel, in the vicinity of the proposed site improvements and project buildings. The proposed project plans and wastewater feasibility study indicate that planned improvements to the septic system include primary and secondary systems for treatment of wastewater, in a 2,000-gallon septic tank and 1,500-gallon recirculation tank (respectively), consistent with the site's soil limitations for septic systems. Applying a percolation rate of 0.6 gallons per square foot per day for secondary treated effluent, the report further identifies that there is adequate space on-site for appropriately-sized primary and reserve septic fields for subsurface drip of treated wastewater. Both primary and reserve fields would be outside of well setbacks and other surface and subsurface improvements (such as driveways, permitted parking lots and the cave below the Del Dotto winery) required by County Code section 13.28.040, and with upgrade of existing plumbing fixtures in the residence and warehouse building to low-flow as indicated in the application (Greenhouse Gas Checklist, BMP-14), they would accommodate wastewater generated by the uses requested under this use permit application, as well as wastewater generation associated with the separately proposed Del Dotto Winery use permit modification request.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS (GHG) EMISSIONS. Would the project:				
a) Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

GHGs are the atmospheric gases, including carbon dioxide, methane, nitrogen dioxide, and synthetic fluorinated gases, whose absorption of solar radiation is responsible for global warming and that contribute to climate change, a widely accepted theory/science explaining human effects on the atmosphere. Carbon dioxide (CO₂) is the principal GHG being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity. Some sources of carbon emissions include tree removal and forest clearing, land use changes, and burning of fossil fuels for generation of electricity and transportation of people and goods (<https://www3.epa.gov/climatechange/science/causes.html>). CO₂ also serves as the reference gas to which to compare other greenhouse gases. The effect that the other GHGs (methane, nitrogen dioxide and synthetic fluorinated gases) have on causing the global warming effect is exponentially greater than the impact of CO₂, to the degrees of tens to tens of thousands times that of a unit of CO₂. Thus, GHG emissions are measured in "carbon dioxide equivalents." Carbon dioxide equivalents (CO₂e) is a unit of measurement of GHG emissions that uses carbon dioxide as a common denominator, and is a way to get one number that approximates total emissions from all the different gases that contribute to GHG emissions (BAAMD CEQA Air Quality Guidelines, May 2012). CO₂e are measured in units of metric tons, equal to approximately 2,204 pounds.

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP² (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential GHG emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address

² County of Napa, March 2012, Napa County Draft Climate Action Plan, Prepared by ICF International. Sacramento, CA
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compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related GHG, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The Board also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions.

In July 2015, the County re-commenced preparation of the CAP to: 1) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources); 2) address the concerns with the previous CAP effort as outlined above; 3) meet applicable State requirements; and 4) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum No. 1: *2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016*³. This initial phase included updating the unincorporated County's community-wide GHG emissions inventory to 2014 and preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizon years. Table 1 of the Technical Memorandum indicates that two percent of the County's GHG emissions in 2014 were a result of land use change.

Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or online at <http://www.countyofnapa.org/CAP/>.

- a. Overall increases in GHG emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified by the Napa County Board of Supervisors in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

Consistent with these General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

As discussed in the Air Quality section of this Initial Study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions. The BAAQMD's threshold of significance for proposed projects' potential GHG emissions was set at 1,100 metric tons of CO₂e (MTCO₂e) per year. Though the BAAQMD cannot endorse the use of the 1,100 MTCO₂e threshold due to court decision, agencies may choose to use the threshold as best available information; thus, the 1,100 MTCO₂e threshold is appropriate for evaluating projects in Napa County.

During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.)

For the purposes of this analysis, potential GHG emissions associated with site construction and ongoing business operations are discussed. One-time construction emissions associated with the proposed project include emissions associated with the energy used to develop and prepare the project area and construct the building modifications, including construction equipment and worker vehicle trips (hereinafter referred to as "equipment emissions"). In addition to the one-time construction emissions, operational emissions of the proposed project are also considered and include ongoing emissions from the energy used to maintain and operate the businesses, including vehicle trips associated with employee and visitor trips (hereinafter referred to as operational emissions). See Section XVI, Transportation/Traffic, for anticipated number of operational trips. Operational emissions from the proposed businesses would be the primary source of emissions over the long-term when compared to one-time construction emissions.

Minimal new construction is proposed with the project, consisting of: 1) conversion of approximately 4,360 square feet of currently unconditioned warehouse space to conditioned wine barrel storage and tasting rooms for Prime Solum; plus 2) addition of approximately 3,460 square feet of covered, outdoor visitor service space; and 3) various surface improvements (landscaping and gravel parking areas). Of the 4,360 square feet to be converted in the warehouse building, approximately 1,530 square feet would be barrel storage, the remaining 2,830 square feet dedicated to tasting areas and support facilities (kitchen, storage, restrooms and administrative offices). Changes to the Jessel Gallery building would be even more limited in scope to improvements necessary to

³ Supersedes February 2, 2016, version.

ensure adequate building access for persons with physical disabilities. The proposed, 3,460 square foot seating areas on the eastern and western sides of the warehouse building would be unconditioned space without energy demands that would result in generation of GHG from heating or cooling. Thus, the primary sources of GHG emissions that would result from approval of the request are primarily attributed to: 1) energy demands, such as lighting and conditioning of space within the proposed, 4,360 square foot conversion of the warehouse building; and 2) vehicle trips and sanitary wastewater treatment demands generated by visitors to and employees of the Prime Solum tasting room. (As noted earlier in this initial study, employees of and visitors to the Jessel Gallery is an existing condition that would be unchanged with the requested permit.)

Applying the land use categories in the BAAQMD's CEQA Guidelines, a high quality restaurant is considered comparable to a tasting room for purposes of evaluating air pollutant emissions, while general light industry is selected as a comparable use for the barrel storage component of the operation because it generates fewer vehicle trips. Using these comparable land use categories, as also described in the Air Quality discussion, a project with 9,000 square feet of hospitality area or 121,000 square feet of barrel storage/production area would potentially generate more than 1,100 MTCO₂e annually and would be considered to have a potentially significant GHG impact on the environment. The proposed, 2,830 square foot wine tasting area, plus the 1,530 square feet of barrel storage, fall below both of these thresholds, such that operational GHG emissions are considered to be less than significant. Though it would be unconditioned space, the 3,460 square foot patios, if included as wine tasting area for a more conservative analysis, would still not increase total tasting area to more than 9,000 square feet.

It is noted that the proposed project consists of re-purposing of and improvements to a currently underutilized structure and on an infill site, which would generate fewer emissions than new construction requiring more extensive grading in a less dense location. Additionally, the applicant's intent to install a solar water heating system in and photovoltaic panels on the roof of the proposed Prime Solum warehouse building, as indicated on the "Voluntary Best Management Practices Checklist for Development Projects," would reduce GHG emissions generated by the operation, as energy demands for the building would be partially met by a renewable energy source.

- b. Napa County does not have an adopted climate action plan, though the applicant's intent to install a solar heating system and rooftop photovoltaic panels, as described above, is consistent with adopted General Plan goals (CON-68, CON-70) that encourage the County and permittees to pursue use of renewable energy sources. Other measures that the applicant has expressed intent to implement, and that would reduce emissions of GHGs by reducing energy demands, include installation of an insulated "cool roof" on the proposed Prime Solum warehouse building; building improvement plans that exceed Title 24 energy efficiency standards; education to staff and visitors on sustainable practices; installation of water-efficient plumbing fixtures in the warehouse building and residence and energy-efficient lighting fixtures in the warehouse; and planting of water-efficient landscaping throughout the site.

The increase in emissions anticipated as a result of the project would be minor, and the project is consistent with the County's efforts to reduce GHG emissions, further as described above. Accordingly, the project's impacts would be less than significant.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII.	HAZARDS AND HAZARDOUS MATERIALS. Would the project				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-b. The proposed project involves food service, wine barrel storage, and production and retail sales of fine art pieces, paintings and jewelry. These types of uses might utilize chemicals for purposes of cleaning and property maintenance activities but are not typically generators or users of significant quantities of hazardous materials. During construction of the improvements associated with the project, some hazardous materials, such as building coatings and adhesives would be utilized. However, given the quantities of hazardous materials and the limited duration of construction, their use on-site would result in a less than significant impact.
- c. The proposed project would not affect schools within one-quarter mile. The school closest to the southern property line of the parcel is Vichy Elementary, which is approximately 0.3 southeast of the proposed project site, and as noted above, significant quantities of hazardous chemicals are not anticipated to be used in the uses' operations.
- d. The subject property is not on the California Environmental Protection Agency's list of hazardous sites (Government Code Section 65962.5; <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>).
- e/f. The proposed project excludes any air travel component. The proposed project would not cause an unsafe condition within two miles of an airport or airstrip, as the subject parcel is not within two miles of any public or private airport or airstrip. There are two public use airports in the County: Angwin-Parrett Field and Napa County Airport. Of these two, the closest aircraft landing facility to the subject site is the Napa County Airport, which is located over seven miles southwest of the subject site. The subject parcel is outside of the boundaries of the land use compatibility plan for that airport. There are no permitted private landing facilities within 10 miles of the property, and a pending request for a private use heliport, if approved by the County, would be just over two miles southeast of the subject site.
- g. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. With no improvements, temporary or permanent, proposed within the frontage roadway of Atlas Peak Road, no component of the gallery or wine bar/barrel storage use would result in permanent closure or obstruction of adjacent public rights-of-way, and no component of the implementation of the EOP would otherwise be impaired by the requested use permit.
- h. The property is predominantly developed. The Napa County General Plan (Figure SAF-2) indicates that the property is considered to have low risk for damage from wildland fires. The property does not abut any natural forested or grassland areas, and much of the area in the general vicinity of the property is either paved (Atlas Peak Road) or developed with single-family residences or other commercial and institutional structures. The addition of chip-sealed gravel parking areas around both buildings would provide some defensible space for the structures in the event of a fire initiated off-site. In accordance with building code requirements, the renovated warehouse building and proposed outdoor patio additions would be equipped with fire suppression sprinklers, with water provided via the city of Napa water system connection and supplemental water storage in an on-site tank. The property is within emergency the response area of Napa County fire protection services and adjoins the eastern property line Napa County Fire Station 25 at 1820 Monticello Road.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a, c-f. The application submittal package included a Stormwater Control Plan prepared in compliance with the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual for a Regulated Project. The request would result in addition of over 5,000 square feet of new impervious surface on the parcel. Existing impervious surface areas on the parcel consist of roofs/buildings and an asphalt parking lot adjacent to the Jessel Gallery building, as well as buildings and parking facilities used by the other tenants (Del Dotto Winery and Whetstone Wine Bar) on the property. The proposed project would increase the on-site impervious surface area by approximately 21,500 square feet, with new impervious surfaces that include the proposed covered patios at the warehouse building and a new chip seal parking lot surrounding the warehouse. In accordance with BASMAA guidance, the project designers have proposed a system of on-site biofiltration areas, to which stormwater runoff from the patio roofs, new parking lot and paved walkways would be directed. Biofiltration areas have been appropriately-sized at a minimum of four percent of the area of new impervious surface area, and would serve to treat stormwater runoff and retain runoff generated from a two-year, 24-hour storm event (the 85th percentile storm event), consistent with Municipal General Permit, Provision E.12. In addition, the proposed project includes construction of a covered trash enclosure, which would also help to preserve stormwater quality by reducing the potential for wind-blown debris or non-stormwater waste liquids, such as unconsumed beverages from events, from entering and contaminating the storm drain system. The inclusion of a covered trash enclosure is also in compliance with Napa County Code sections 8.52.100 and 16.28.100, stormwater quality preservation and management of solid waste. Thus,

the improvements proposed with this project would comply with stormwater discharge permit and other stormwater quality-related code requirements applicable in Napa County.

Runoff from the subject portion of the parcel currently drains northward via sheet flow and an existing storm drain system. The storm drain outfalls to an unnamed drainage at the north end of the parcel and ultimately discharges runoff to Milliken Creek approximately 400 feet north of the parcel. The proposed site modifications would preserve existing natural drainage features and, through the incorporation of the biofiltration areas summarized above, would minimize the risk of contaminant or pollutant discharges into the off-site storm drain system.

- b. The property is within the Milliken-Sarco-Tulocay (MST) water-deficient basin of the County (County Code chapter 13.15, map 13-1). Historically, and as recently as 2015, uses on the property, including Jessel Gallery, have been served by water drawn from existing wells on-site. Since submitting the use permit application, and pursuant to a December 2014 agreement between the property owner and city of Napa, water to the property has been provided from the city of Napa municipal supply via a two-inch commercial service line and a six-inch service line for suppression of fire within the existing structures. The city has confirmed (via July 25, 2016, email and September 27, 2016, letter) water service to the gallery and tasting room uses requested under this permit application. The applicant has proposed to install a 10,000-gallon tank northwest of the warehouse building, as a means to store supplemental water for suppression of fire within the expanded areas (covered patios) of the warehouse building. This tank would be filled with water drawn from the existing on-site well.

Although the proposed project would utilize groundwater in the MST water-deficient basin, the applicant's project description explains that water drawn from the well would be limited to that used for on-site landscape irrigation and a one-time extraction to fill the tank described above. Groundwater use would therefore decrease from an historic, estimated 80,000 gallons per year (according to applicant estimates of water use for Jessel Gallery at 69 gallons per day and 150 gallons per day for the studio apartment as of the date of initial use permit application submittal), to an estimated 51,000 gallons of water per year for landscape irrigation plus a one-time extraction of 10,000 gallons to fill the storage tank. (Estimated water use for irrigation is based on the 2015 California Modified Water-Efficient Landscape Ordinance, Appendix B, and conservatively assumes that all landscaping is irrigated according to the demands of moderate water-consuming plants. If all landscaping is low or very-low in its water demands, groundwater use for irrigation would decrease to 25,000 gallons per year.) Thus, ongoing operations of both uses, once fully established, would require less daily groundwater extraction compared to that which was necessary for Jessel Gallery at the time of application submittal. The project, therefore, is not anticipated to have a significant negative impact on groundwater supplies.

- g-i. According to Napa County's environmental resource mapping (Floodplain and Dam Levee Inundation layers), the northern portion of the parcel is within the dam failure inundation area of Milliken Dam, located northeast of the subject parcel. The projected dam failure inundation area appears generally to follow the 70-80 foot contours in the vicinity of the property; the southern portion of the parcel, where the subject buildings are located, is just outside of the projected dam failure inundation area. Elevations in this southern portion of the parcel are at 80 feet. In addition to being within the potential failure inundation area of Milliken Dam, only the northern portion of the parcel falls within the projected floodplain of the 500-year storm; the southern portion of the parcel, where the subject buildings are located, is outside of that floodplain. The whole of the parcel is just outside of the project floodplain of the 100-year storm, which boundary is approximated in the right-of-way of Atlas Peak Road just east of the parcel.

Given the proximity of the subject buildings to projected floodplain and dam failure inundation area boundaries, damage to the buildings would likely, if at all, be limited to shallow flooding of the lower floor within each building, without significant risk of loss of life. The request includes recognition of an existing accessory dwelling on the second story of the Jessel Gallery building; otherwise, no new residences are proposed with this use permit request.

- j. In coming years, higher global temperatures are purported to raise sea level by expanding ocean water, melting mountain glaciers and small ice caps, and causing portions of Greenland and the Antarctic ice sheets to melt. The National Research Council and California Coastal Commission estimate that the sea level along the central and southern California coast will rise between 17 and 66 inches between the year 2000 and 2100.

The subject parcel is located well inland of the Pacific Ocean coast and the shores of the San Pablo Bay where risk of inundation by seiche or tsunami tends to occur, and the ground floors of the subject buildings are located approximately 80 feet above mean sea level and are not anticipated to be affected by projected rises in sea level. Thus, both buildings have minimal risk for damages or injuries related to seiches or tsunamis.

The proposed project is not likely to subject persons or structures to risk of damage as a result of landslide or mudflow. The parcel has a “terraced” appearance, with slopes across the majority of the “terraced” parcel not exceeding 15 percent, with the exception of two areas of grade change of 10-20 feet around the central third of the parcel. As described in the geology section of this initial study, slopes in the southern portion of the parcel that is the subject of this use permit generally do not exceed five percent (except at the property frontage on Atlas Peak Road, where the slope does not exceed 15 percent). No improvements other than vehicle parking stalls and a standalone water tank are proposed near the southernmost of these two grade changes; no buildings that would be occupied by customers or employees are proposed in either area.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan (HCP) or natural community conservation plan (NCCP)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The property has been previously developed with commercial buildings, residences, and warehouses and industrial buildings, including the former distillery building currently occupied by Jessel Gallery. With the exclusion of the existing single-family house on-site, which is outside the scope of this proposed project, all uses on the property are commercial, including the Whetstone Wine Bar and Del Dotto Winery and tasting room to the north of the subject buildings. As described in the Project Description section of this initial study, land uses on surrounding parcels in the vicinity of the subject portion of the parcel include an unused building and vacant land to the south, a Napa County fire station to the west, rural single-family residences to the northwest, and a low-density, single-family residential subdivision to the east across Atlas Peak Road. None of the surrounding uses off-site would be physically modified (as by demolition of an existing structure or division of land), and the proposed project consists of legitimization and reuse of existing structures on an existing lot. No existing neighborhoods or communities would be divided as a result of the proposed project.
- b. The property is zoned CL (Commercial Limited) District. Both proposed commercial uses (bar/restaurant with up to 100 seats and art studio/gallery), as well as the accessory residential use, are conditionally permitted uses in the CL District (Napa County Code Section 18.28.030).

The property has a General Plan land use designation of Rural Residential. As described in General Plan Agriculture and Land Use Policy AG/LU-35, the primary land use envisioned for properties so designated is low density residential; however, Rural Residential lands near public recreational areas that also have minimum fire hazard and are proximate to services and access roads are also potentially suitable for tourist- and resident-serving commercial development. The property is in the vicinity of the Silverado Resort, a large-scale, privately-owned but publicly-accessible hospitality business with a variety of recreational amenities including golf and tennis. The proposed project site has recently received potable water service from the city of Napa, and has direct access to Atlas Peak Road, a four-lane street in front of the property that narrows to two-lanes further north and provides access to the Silverado neighborhood and resort. The proposed commercial uses, as tourist-serving businesses described in Policy AG/LU-35, are consistent with the General Plan description of the Rural Residential land use designation. Recognition of the existing apartment unit above Jessel Gallery is likewise consistent with Housing Element goals, policies and programs in support of mixed use development and efforts to achieve preservation and code compliance, rather than removal, of existing residential units in areas where services are available (Housing Element Goal H-4 and Policy H-1a, Program H-4d).

The proposed project, which includes recognition of and allowance for continued use (art gallery) within an existing building that is potentially eligible for listing on a historic register, is consistent with Community Character Goal CC-5 encouraging reuse of historic structures. Water demand generated by the requested uses would be in line with General Plan goals supporting prioritization of groundwater for agricultural purposes (Goal CON-11), as the commercial, non-agricultural uses would be served by municipal water and would reduce groundwater needs to landscape irrigation and a one-time extraction for storage of water for emergency fire suppression (see Hydrology and Water Quality section of this initial study). Although the requested uses are non-agricultural, the operation of the wine tasting room and barrel storage in the warehouse building would support the County's agricultural activities by providing a means to sell and promote wine as an agricultural processing product of the County, consistent with General Plan Economic Development Policy E-1. Operation of Jessel Gallery is also consistent with Policy E-7, which "encourages a healthy and thriving arts and culture community, recognizing that it enhances the aesthetic appeal of Napa County, enriches the quality of life of all residents, and contributes to a vital economy." Lastly, it is noted that the applicant's intent to install a roof-mounted photovoltaic array on the warehouse building is consistent with adopted General Plan Goals (CON-68, CON-70) that encourage the County and permittees to pursue use of renewable energy sources as a means to reduce greenhouse gas emissions.

- c. There is no HCP or NCCP that has been adopted or is being implemented in unincorporated Napa County.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b. As described in chapter 2 of the Napa County Baseline Data Report (BDR; 2005), mineral resources known to occur within unincorporated Napa County mostly occur in the southern and northern areas of the County, and generally at higher elevations than that of the subject site. BDR figure 2.2 depicts that no mineral resources are known to be present and no historic mining activities have been known to have occurred on the subject parcel. The requested use permit would continue the commercial use of the site and would not result in permanent conversion of agricultural property to urban development and land uses, as there is no agricultural development on the subject area of the parcel. Thus, the proposed project would have no impact on known mineral resources.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a,c,d. The application includes a request to establish a marketing program for Prime Solum, consisting of once weekly events for up to 125 people. Marketing events are requested to be held inside of the warehouse building, as well as in outdoor areas (patios, courtyard) adjacent to the building. Events would not include amplified music, and all events would conclude by 8:00 p.m. The requested addition of marketing events for Prime Solum has the potential to increase noise levels compared to the existing condition (contractor and contractor yard).

Regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in Project Setting, above, land uses that surround the subject portion of the parcel include commercial uses, public facilities, and low-density residential developments. The noise standards for residential uses are the most restrictive of the various land uses, and so those standards are discussed more below.

Napa County's noise standards are contained within County Code Section 8.16.070. During daytime hours between 7:00 a.m. and 10:00 p.m., noise levels may not exceed 50 decibels for more than half of daytime hours for rural residences (such as those northwest of the subject buildings) or 55 decibels for more than half of daytime hours for suburban residences (such as those east of the subject buildings). For noise exceedances of shorter duration, from one minute to five minutes to 15 minutes, those noise levels increase by 15 decibels, 10 decibels and five decibels, respectively. More stringent noise standards apply to nighttime hours between 10:00 p.m. to 7:00 a.m., when most people are assumed to be sleeping; however, since Prime Solum has not proposed to operate its tasting room past 8:00 p.m., those more stringent standards are not evaluated here.

The nearest residences to the proposed Prime Solum tasting room are in the Silverado neighborhood and are approximately 260 feet east of the proposed patio on the eastern side of the warehouse building. As measured from the outdoor areas (courtyard and patio) on the western side of the building, the closest single-family residence is approximately 420 feet northeast of the subject buildings.

Noise sampling performed under County authority, as part of the analysis for the Bell Winery use permit modification (P13-00055), measured sound from an 85-person event using a meter placed 123 feet from the sound source (event). Measurements taken from that sound meter indicated that sound from the event exceeded 56 decibels half of the time, while equivalent (average) noise level was 60 decibels. These noise levels are considered similar to what would be observed from an outdoor event held at Prime Solum, and assume full attendance of 125 people at an event at one time, with approximately one-third of guests inside the building. However, these levels are also considered to be conservative given that the Bell Winery event had a live music act included in its event, and Prime Solum proposes no comparable sound source (amplified music or voice) outside of the warehouse building. Thus, using the Bell Winery study as a comparable, and applying a six-decibel reduction per doubling of distance from the noise source (Prime Solum event), it is anticipated that exterior noise experienced at the nearest residences to the east and northwest would be 50 decibels and 45 decibels, respectively, and would not exceed the County Code standard of 55 decibels for suburban residential developments and 50 decibels for rural residential developments. Assuming all 125 guests would be outdoors at one time, in one of the patio or courtyard areas, it is estimated that noise generation would increase by two decibels (based on an estimate of three decibel increase per doubling of noise sources) to 52 and 47 decibels for the suburban Silverado and rural single-family residences, respectively. Under this scenario, noise generated from events at the tasting room would still be within acceptable County noise levels.

Jessel Gallery also has and would continue to have once monthly, First Monday art exhibition events. At approximately 150 feet, the distance between the gallery building and the nearest residence in the Silverado neighborhood is much smaller than the distance between the warehouse building and its closest house. However, in contrast to the proposed tasting room events, Jessel Gallery's First Monday art exhibition events occur inside of the gallery building and are an existing condition that would not result in a change to the current noise environment, which includes traffic noise from automobiles traveling on Atlas Peak Road. Events at Jessel Gallery are also not proposed to extend beyond 8:00 p.m., also an existing condition of the use of the property. It is lastly noted that the County has, to date, no record of concerned citizen complaints about noise generated from activities occurring at the gallery.

Other activities of the tasting room and art gallery, beside events, would occur within one of the buildings or with much smaller numbers of customers to either business. Thus, there are no other significant sources of noise that would be anticipated to have negative effects on surrounding tenants and property owners.

- b/d. The proposed project would cause a temporary increase in noise levels during the estimated four- to six-month timeframe for construction of the warehouse building additions and site modifications. Much of the construction consists of conversion of the warehouse space into kitchen, restroom, office and service areas and would occur inside of the existing warehouse building on the parcel, with the walls of the existing structure providing sound attenuation for those construction activities. However, other improvements including construction of the parking lot and septic system, would occur outside of existing structures. Standard conditions of development in Napa County are intended to reduce to acceptable levels the potential impacts of construction-related noise on neighboring uses by requiring mufflers on construction equipment, prohibiting operation of noise-disturbing construction tools or equipment between the hours of 7:00 p.m. and 7:00 a.m., and limiting construction noise levels measured at property lines to 75 A-weighted decibels (dBA, a measurement of sound that mimics human hearing by de-emphasizing low- and very-high frequency sound) between the hours of 7:00 a.m. and 7:00 p.m.:

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8:00 a.m. to 5:00 p.m. Exterior equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed buildings.

- e/f. The proposed project excludes any air travel component, and so would not result in generation of any new aircraft noise in the vicinity of the property. Likewise, it is not anticipated that any occupants of the uses requested under this permit would be affected by air traffic in the area. The subject parcel is not within two miles of any public or private airport or airstrip. Of the Angwin-Parrett Field and Napa County Airport, the closest aircraft landing facility to the subject site is the Napa County Airport, which is located over seven miles southwest of the subject site, and the subject parcel is outside of the boundaries of the land use compatibility plan for that airport. There are no permitted private landing facilities within 10 miles of the property, and a pending request for a private use heliport, if approved by the County, would be just over two miles southeast of the subject site.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a-c. Other than on-site parking stalls, drive aisles, wastewater system improvements to serve exclusively the gallery and tasting/barrel storage room operations, no new infrastructure is proposed that might induce population growth by extending utilities and public services outside of the property boundaries. Potable water from the City of Napa was recently provided to the whole of the property by installation of a water lateral in 2015; although the proposed project would include extension of water service to the two subject tenant spaces, no additional off-site expansion of infrastructure is necessary for the project.

The CL District zoning of the parcel allows dwelling units accessory to commercial uses on a lot, subject to approval of a use permit. The gallery building currently has a one-bedroom apartment residence that is an existing condition of the site and proposed to be legitimized through the use permit process, consistent with the property's zoning. No additional residences or residential structures are proposed to be added to the site with this permit request. Thus, no residents would be displaced and no residences lost as a result of the proposed use permit.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES. Would the project result in:				
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The property is located within the service areas of both the Napa County Sheriff's Department (Beat 5) as well as the Napa County Fire Department and shares its western property line with Napa County Fire Station 25. Throughout the construction process, the proposed building and improvements, if approved, would be inspected by County building inspectors and fire officials in order to

ensure the structures and vehicle access ways are built in accordance with current Building and Fire Codes. Proposed improvements include installation of a 10,000-gallon water storage tank to ensure adequate flows during response to a fire emergency.

If approved, the requested use permit would facilitate the continued operation of an existing art gallery and accessory dwelling, and establishment of a new wine tasting and barrel storage operation. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the winery. No new parks or other public recreational amenities or institutions are proposed to be built with the proposed use permit. Also see discussion under Section XV, below.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. The proposed project would legitimize an existing gallery use and allow establishment of a barrel storage and wine tasting operation on a portion of an existing, 6.65-acre property that is currently developed with commercial and light industrial structures and a second-story apartment residence. The proposed project includes no new residential units nor accompanying introduction of new residents that would utilize existing parks in the area, potentially accelerating those recreational facilities' deterioration. The proposal would increase the number of people regularly on the property by eight full-time and two part-time employees of the tasting room (the three employees of the gallery are an existing condition), some of whom might visit recreational facilities in the area during breaks or before or after work. However, given that the purpose of those individuals' trips are related to the businesses as the primary destinations, such visits by employees to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of those park amenities. No new public parks or other off-site recreational amenities are proposed to be built with the proposed project.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-16, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the Napa County Transportation and Planning Agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. Based on estimates of existing customer and employee counts, as described under Description of Project, above, Jessel Gallery generates an estimated 14 daily vehicle trips on a typical day, plus another 43 vehicle trips on days of "First Monday" events. Approval of the requested permit would maintain this trip generation and would add to it vehicle trips generated by the proposed Prime Solum tasting room; these tasting room trips are estimated to be as high as 117 vehicle trips per weekday and 110 vehicle trips per weekend day. During the evening peak hour of daily traffic, trip generation from Jessel Gallery and Prime Solum tasting room is estimated at 50 vehicles on weekdays and 71 trips on Saturdays.

A 2012 traffic analysis conducted by W-Trans Traffic Engineers as part of the review of the Whetstone Wine Bar use permit request (referenced in Background/Project History, above) included an estimate of trips generated by the then-proposed Whetstone Wine Bar, plus the proposed amendment to the operation of the Del Dotto Winery. Trips from these two uses were then added to existing background traffic and traffic projected at General Plan buildout. In the longer-term horizon (General Plan buildout), evening peak hour trips per direction on Atlas Peak Road just north of the project driveway were projected to be as high as 479 trips on weekdays and 499 on Saturdays, with inclusion of traffic from the Whetstone Wine Bar and Del Dotto Winery businesses.

Table 5 of the "Napa County General Plan Update EIR: Technical Memorandum for Traffic and Circulation Supporting the Findings and Recommendations" (2007) lists peak hour roadway capacities for various classes of roadway facilities, from six-lane freeways down to two-lane collector streets. Atlas Peak Road at the property frontage is a four-lane arterial roadway. As described on page CIR-15 of the General Plan, "[l]evel of service (LOS) is a measure of how well an intersection or roadway is able to carry traffic. LOS is usually designated with a letter grade A-F, where 'A' is best and 'F' is worst." General Plan policy CIR-16 establishes the County's desired LOS on all County roadways as LOS D, which represents "[t]he level where traffic nears an unstable flow. Intersections still function, but short queues develop and cars may have to wait through one cycle during short peaks" (CIR-15).

General Plan buildout projections for traffic assume some level of growth and development within the County's unincorporated areas; thus, some of the trips anticipated to occur on a commercially-designated property, such as the proposed project site, would have already been accounted for in the long-term traffic scenario in the environmental impact report (EIR) for the General Plan (2008). Summing the estimated peak hour trips from the uses requested under this permit, the peak hour trips projected to be generated at General Plan buildout, and the peak hour trips from the Whetstone Wine Bar and Del Dotto Winery businesses (as estimated in the 2012 W-Trans report), therefore, represents a conservative analysis wherein none of the trips anticipated from buildout of the General Plan are assumed to be generated by the proposed project and then-proposed Whetstone Wine Bar.

The sum of peak hour vehicle trips generated from General Plan buildout, and trips generated from Whetstone, Del Dotto Winery and the requested use permit, is estimated to be as high as 530 trips (per direction) on weekdays and 570 trips (per direction) on Saturdays on the segment of Atlas Peak Road that fronts on the property. Table 5 of the General Plan EIR technical memorandum referenced above indicates that a four-lane arterial roadway would perform at LOS C with as many as 1,360 peak hour trips per direction. Thus, the requested use permit is not anticipated to severely impact existing roadway conditions nor to cause significant deterioration—below levels deemed to be acceptable under General Plan policy CIR-16—in the performance of the segment of Atlas Peak Road to which the site has immediate access.

- c. The proposed project excludes any air travel component and so would not have an affect on air traffic patterns, including volume or re-location of aircraft landing facilities.
- d/e. As 1971, Napa County adopted its initial iteration of the Napa County Road and Street Standards (RSS). The intent of the RSS was to establish a uniform set of standards for public and private roads that strive to preserve the natural landscape and water quality, minimize impacts to environmentally sensitive areas and native habitats, and provide adequate safety and service in the interest of protecting public health and welfare. As further described in the RSS Objectives, the RSS "attempt to meet the related interests of several other agencies, including the Resource Conservation District, Cal Fire, the Federal Emergency Management Agency, the Napa County Planning, Building and Environmental Services Department, and the California Department of Fish and Wildlife" (5). The RSS has since been amended to reflect changes in the best practices and regulations of the respective agencies, with the most recent amendment occurring in 2011.

As referenced in prior sections of this initial study, the proposed project site has direct access to and from Atlas Peak Road, a four-lane roadway with median along the subject portion of the property frontage. Vehicular access into and out of the property has been and would continue to be made via an existing, 39-foot wide driveway at the property frontage at Atlas Peak Road. At 39 feet wide, the width of the driveway exceeds the minimum 18-foot width for commercial access driveways, as required under RSS, section 13.

For southbound traffic on Atlas Peak Road, the driveway allows right-hand turns directly onto the property from the street; for northbound traffic, the driveway accommodates left-hand turns from Atlas Peak Road across an existing, 35-foot wide break in the median in front of the property. Traffic counts taken by the County in 2009 and referenced in the traffic impact study for Whetstone Wine Bar indicate that average daily traffic (ADT) on Atlas Peak Road, between Hillcrest Drive and Monticello Road where the subject buildings front, was 7,280 vehicles. (Traffic counts on Atlas Peak Road were also taken by the County in 2003 and by W-Trans Transportation Consultants in 2012, as part of the traffic analysis for the then-proposed Whetstone Wine Bar. The counts taken in 2009 were the highest among the three, and so they were referenced in the T-Trans/Whetstone study, and again here, as they represent the most conservative scenario.) With more than 20 new, daily vehicle trips anticipated with the proposed new tasting room, the proposed project meets the criteria for installation of a left-turn lane on Atlas Peak Road into the project driveway (RSS, section 17). Concurrently with the use permit request, the applicant submitted an analysis by a licensed traffic engineer explaining that, with an estimate of up to 14 left-turn movements during the peak hour, the expected queuing length of left-hand turning vehicles would be no greater than one car. According to the engineer's analysis, and assuming a typical vehicle length of 25 feet, "[t]he existing left-turn storage area [in the 35-foot wide median break] is adequate to accommodate the anticipated demand of all uses proposed at the Jessel Art Gallery and Prime Solum Tasting Room" (W-Trans, "Left-turn Queuing Analysis for the Prime Solum Tasting Room and Jessel Art Gallery Projects," March 21, 2016). Thus, the requirement for a sheltered vehicle storage area for vehicles making the left turn movement is met within the existing median break, which provides adequate space for the proposed uses' vehicles to idle and wait outside of the through travel lane.

With the exception of garbage collections trucks, emergency response trucks, and occasional wine barrel delivery trucks, the majority of vehicles accessing the property would be passenger vehicles driven by employees and patrons of the businesses. On-site improvements (parking stalls, trash enclosure, water storage tank) have been designed so as to allow both smaller passenger vehicles as well as large trucks (including emergency response vehicles) to maneuver around the property, as depicted on the applicant's site circulation plans (sheet UP2.3). Additionally, tenant improvements to the warehouse building are required under Fire Code to include fire suppression sprinklers inside the building and on the two proposed covered patios.

- f. Parking for the requested uses has been proposed in accordance with the minimum requirements of Napa County Code Chapter 18.110. Applying the minimum off-street parking requirements for retail, restaurant and warehouse uses to the various, corresponding spaces within the Jessel Gallery and proposed Prime Solum tasting room and barrel storage, a total of 67 off-street parking spaces would be required (County Code Section 18.110.030). Applying to that number the allowance under County Code Section 18.110.040.E, which allows the Planning Commission to reduce off-street parking requirements by up to 10 percent for cooperative uses on the same parcel, the applicant proposes to stripe 61 parking stalls on the property, including three handicapped accessible stalls. (Alternatively, should the Planning Commission not determine it possible to make the finding to reduce parking, the plans indicate a potential area for the remaining six stalls, in the vicinity of the proposed tasting room.) Thus, the request includes parking in accordance with minimum standards of County Code.
- g. There are no public bus routes that travel along the Atlas Peak Road frontage of the property. The application includes spaces in the courtyard area next to the proposed tasting room for bicycle racks, in accordance with Napa County Code Section 18.110.040. As noted above, the proposed project would add new passenger vehicle and truck trips to the existing roadway system, with all vehicle trips traveling on Atlas Peak Road, from which the warehouse and gallery buildings have their access. The Napa

Countywide Bicycle Plan, adopted by the Board of Supervisors in June 2012, identifies Atlas Peak Road for a proposed Class II bicycle facility (on-street bike lane). The requested approvals would increase automobile trips and turning movements on Atlas Peak Road, potentially creating conflicts with bicycles and drivers along the roadway. Compliance with the mitigation measure listed below would provide visual cues to drivers of the presence of bicycles on the roadway and would implement General Plan Policy CIR-35, which encourages public and private sector coordination in implementation of the County's adopted bicycle facilities plan.

Mitigation Measure:

MM TRANS-1 *The permittee or his designee shall submit to the Napa County Department of Public Works a design plan for the construction of bicycle facility improvements along Atlas Peak Road fronting the entire property, consistent with the Napa Countywide Bicycle Plan (CBP). Improvement plans for the bicycle facility shall be prepared by a Registered Civil Engineer, in compliance with the CBP and the Napa County Road and Street Standards, and they shall be subject to approval by the Department of Public Works, Road Commissioner, prior to commencement of construction. The permittee or his designee shall also obtain from the Department of Public Works an encroachment permit prior to commencing construction of the bicycle facility.*

Prior to occupancy of any new or expanded structure on the property, or establishment of any new or expanded use on the property, the permittee or his designee shall construct the bicycle facility frontage improvements in compliance with the Napa County Road and Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements have been completed in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.

Monitoring: *The permittee or his designee shall submit to the Napa County Department of Public Works the design plan for construction of the bicycle facility, prior to issuance of the first grading permit or building permit associated with this use permit request. The permittee or his designee shall commence construction of the facility upon receipt of design plan approval and an encroachment permit from the Department of Public Works, and he shall complete construction of the facility prior to receiving a certificate of occupancy for the renovated warehouse building/tasting room.*

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII.	UTILITIES AND SERVICE SYSTEMS. Would the project:				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Require or result in the construction of a new water or wastewater treatment facility or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/e. Because the property utilizes existing on-site septic systems for wastewater treatment, and would continue to treat wastewater on-site using an upgraded system, no determination of service or will-serve letters from the wastewater treatment provider is necessary for the proposed project. Permitting of the new system would be conducted by the County Environmental Health Division. The volume of wastewater generated by the requested uses would not exceed limits that would trigger permitting of the wastewater treatment system by the State Regional Water Quality Control Board.
- b/c. As described in the Hydrology and Water Quality section of this initial study, the existing storm drainage pattern of the site, with ultimate discharge of runoff into Milliken Creek, is proposed to be kept with the proposed project. New storm drainage improvements include installation of biofiltration areas adjacent to the existing buildings and distributed through the proposed parking lot. These biofiltration areas would be constructed in previously graded and disturbed areas and would serve to enhance stormwater quality by providing a means for filtration of pollutants from runoff, prior to discharge of the runoff into the larger storm drain system. Because new storm drain facilities would occur in disturbed areas and would ultimately preserve stormwater quality during ongoing operation of the uses, the installation of the facilities would not have significant negative effects. Similarly, proposed wastewater treatment site improvements include installation of a new septic system leachfield but would occur within the boundaries of the already disturbed parcel and would occur on an area less than 1,500 square feet in size.
- d. Potable water from the City of Napa was recently provided to the whole of the property by installation of a water lateral in 2015, and in accordance with a 2013 agreement executed between the city and property owner. Although the proposed project would include extension of water service to the two subject tenant spaces, no off-site expansion of infrastructure is needed for the project.
- f/g. The Greenhouse Gas Best Management Practices checklist that the applicant submitted with the use permit modification indicated that the tasting room intends to compost 75 percent of food waste through participation in the County's food composting program. Non-recyclable and non-organic waste is collected by Napa Valley Disposal Service and ultimately deposited at the Keller Canyon Landfill (located in unincorporated eastern Contra Costa County), which, having reached roughly 15 percent of its capacity in the first 12 years of its approximated 50 years of operation (which began in 1992), and extrapolating that same rate of material to date, has adequate capacity remaining to accommodate any non-recyclable and non-organic waste generated from the businesses.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project consists of legitimization of an existing, noncompliant use (Jessel Gallery) and re-purposing of an existing, light industrial building for wine tasting and barrel storage. The property was previously developed and disturbed, and both buildings are existing. Proposed modifications to the site include installation of a new surface parking lot, trash enclosure, utility installations, landscaping and patio additions to the existing warehouse building. Proposed site improvements would also include stormwater

biofiltration areas that would serve to treat and improve quality of water runoff from proposed new impervious surfaces, including the parking lot and building additions. None of the proposed site modifications would occur within immediate vicinity of any water body nor within any sensitive riparian setbacks; likewise, none of the proposed modifications would occur within vineyard or wildland areas, as the property itself is located in a setting of other low-density development, including single-family houses, commercial operations, and public service facilities.

- b. Noise and air quality impacts associated with installation of building and site improvements would be temporary in nature, and so would be less than significant. Operational noise and air quality impacts are also anticipated to be less than significant due to the small size of the structures and distance to the closest sensitive receptors (off-site single-family residences). Groundwater extraction (for irrigation and emergency fire suppression storage) associated with the proposed project would decrease compared to existing conditions, and ongoing operations of both businesses would have potable water provided by the city of Napa under an existing 2013 agreement between the city and property owner. Vehicle trips associated with employees and visitors to Prime Solum, the new use on-site, would constitute an increase over existing conditions and would add vehicles to Atlas Peak Road. However, Atlas Peak Road in front of the property is four-lanes wide and has sufficient capacity to accommodate the approximately 120 vehicle trips per day that would occur with maximum visitation to the tasting room.
- c. There are no schools, hospitals or other facilities housing sensitive receptors within a quarter-mile of the winery site. Noise from construction that would occur with installation of the proposed site improvements would be temporary, lasting approximately four to six months, and would be limited to day time hours, and construction would be subject to best management practices intended to limit fugitive dust and protect stormwater quality. Ongoing operations of the businesses are also anticipated to have less than significant noise impacts on nearby residences, due to distance between those residences and the proposed tasting room; the occurrence of events, either in whole or in part, within the walls of an existing building; and hours of events that do not extend past 8:00 p.m.

Mitigation Measures: None required.

Jessel Gallery and Prime Solum Tasting Room & Barrel Storage
Use Permit #P12-00194
Mitigation Monitoring and Reporting Program

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Impact TRANS-1: Transportation/Traffic The project would add new passenger vehicle and truck trips to the existing roadway system, with all vehicle trips traveling on Atlas Peak Road, from which the warehouse and gallery buildings have their access. The Napa Countywide Bicycle Plan, adopted by the Board of Supervisors in June 2012, identifies Atlas Peak Road for a proposed Class II bicycle facility (on-street bike lane). The requested approvals would increase automobile trips and turning movements on Atlas Peak Road, potentially creating conflicts with bicycles and drivers along the roadway.	MM TRANS-1: The permittee or his designee shall submit to the Napa County Department of Public Works a design plan for the construction of bicycle facility improvements along Atlas Peak Road fronting the entire property, consistent with the Napa Countywide Bicycle Plan (CBP). Improvement plans for the bicycle facility shall be prepared by a Registered Civil Engineer, in compliance with the CBP and the Napa County Road and Street Standards, and they shall be subject to approval by the Department of Public Works, Road Commissioner, prior to commencement of construction. The permittee or his designee shall also obtain from the Department of Public Works an encroachment permit prior to commencing construction of the bicycle facility. Prior to occupancy of any new or expanded structure on the property, or establishment of any new or expanded use on the property, the permittee or his designee shall construct the bicycle facility frontage improvements in compliance with the Napa County Road and Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements have been completed in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.	The permittee or his designee shall submit to the Napa County Department of Public Works the design plan for construction of the bicycle facility, prior to issuance of the first grading permit or building permit associated with this use permit request. The permittee or his designee shall commence construction of the facility upon receipt of design plan approval and an encroachment permit from the Department of Public Works, and he shall complete construction of the facility prior to receiving a certificate of occupancy for the renovated warehouse building/tasting room.	P	PD, PW	FI _/_/_

Notes: P = Permittee, PD = Planning Division, BD = Building Division, AC = Agricultural Commissioner, DFW = Dept of Fish & Wildlife, CT = CALTRANS, EH = Environmental Health, PW = Public Works
Dept, PE/G =Project Engineer/Geologist
PC = Prior to Project Commencement CPI = Construction Period Inspections FI = Final Inspection OG = Ongoing