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Recommended Findings

**PLANNING COMMISSION HEARING OCTOBER 3, 2018
RECOMMENDED FINDINGS**

**GANDONA WINERY MAJOR MODIFICATION#P17-00068-MOD,
VARIANCE REQUEST #P17-00069-VAR, RSS EXCEPTION, AND
CONSERVATION REGULATION EXCEPTION
1533 SAGE CANYON RD, ST. HELENA, 94558
APN: 032-010-079**

ENVIRONMENTAL DETERMINATION:

The Planning Commission (Commission) has received and reviewed the proposed Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The Planning Commission has read and considered the Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
2. The Negative Declaration is based on independent judgment exercised by the Planning Commission.
3. The Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).
4. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building, and Environmental Services Department, 1195 Third Street, Room 210, Napa, California.
5. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment.
6. There is no evidence, in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
7. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

VARIANCE REQUIRED FINDINGS:

The Commission has reviewed the above-described variance request and, in accordance with the requirements of Napa County (NCC) Section 18.128.060, makes the following findings. That:

8. The procedural requirements set forth in Chapter 18.128 of the Napa County Code have been met.

Analysis: The variance application has been filed and public hearing requirements have been met. The hearing notice was posted on September 12, 2018 and copies were forwarded to property owners within 1,000 feet of the subject parcel and all other

interested parties. The CEQA public comment period ran from September 13, 2018 to October 2, 2018.

9. Special circumstances exist applicable to the Property, including size, shape, topography, location or surroundings, because of which strict application of the zoning district regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Analysis: This Variance is requested in tandem with the use permit modification request in order to allow a new winery office and storage building to be located approximately 118-ft from a private road, where a 300-ft winery setback is required. A similar variance request was required and approved in 2008 at the time of the winery use permit, due to the fact that nearly all other building sites on the property are within a large ancient landslide area. Accordingly, the applicant retained Condor Earth Technologies to conduct a site inspection, which found that there was an additional historic landslide deposit on the property that further impacted the ability to develop the winery on the property; and that there was only one viable site location on the property outside of the area of the ancient landslide and supported by rock. This location was unfortunately less than 300 feet from the private driveway, therefore a variance to the road setback requirement was required. The variance request was applied for and was granted by the Planning Commission, along with the use permit application, and the existing winery was constructed at that location.

The use permit application indicates that office space in the existing winery needs to be converted to additional lab space as the lab was not properly designed and is too small to accommodate the required equipment and personnel, and a new office space is proposed for the administrative needs of the winery. The applicant is proposing a new two-story administrative office and storage building across the existing parking lot from the winery. A variance is required again due to the site constraints and the location of the proposed new office structure adjacent to the existing winery and within the 300-foot road setback area

The County geologic maps show a large ancient landslide area on the property, and a site inspection by a geotechnical engineer (see Attachment G) confirmed that the Gandona property, as shown on the Condor map and explained in the Condor letter, has a large landslide deposit covering much of the property, an additional old landslide discovered by Condor's site inspection, and surface slopes greater than 30% on almost all of the remaining land. The winery was accordingly constructed on the site identified by Condor, with a variance to address the fact that the site is within the 300' setback from the small road shared with two other parcels. Notably, no other wineries use this small shared road, and a letter of support from neighbor Dominic Chappellet, who owns an undeveloped parcel that shares the access road, was submitted with the use permit application.

Studying the properties in the area to the South of the Gandona property on the County GIS/Environmental Sensitivity Map: these properties are situated on top of a plateau made of solid rock and do not have landslide deposits. Although some have surface slopes that appear to be 30% or greater, there are large relatively flat open areas on each parcel that allowing for development outside of road setback restrictions. Studying the properties in the areas roughly to the North of the Gandona property on the County GIS/Environmental Sensitivity Map: these properties are

labeled as being within the County's mapped landslide zone, but they were able to obtain approvals and be developed with wineries without road setbacks issues.

The Gandona parcel has a unique combination of constraints that are not shared by the parcels in the vicinity with the same zoning designation (AW). Although the subject parcel is over 114 acres and well above the 10 acre requirement for a winery parcel, its shape forms a sort of bottle-neck right near the private road, which is also the location identified by the geotechnical experts as the only location with a surface slope of 30% or less, and outside of the landslide area. As such, the only suitable building site for the winery was within the 300-foot road setback area. As can be seen from the Condor exhibit, the property is almost completely covered in either pink (surface slope of 30% or greater) or yellow (landslide deposit). Development of the remaining areas would require construction of an access road that would pass through areas with greater than 30% slope and sensitive habitat and were not considered viable options.

The neighboring parcels roughly to the South are not impacted by the landslide deposit. The rest of the developed neighboring parcels roughly North of the subject property were able to obtain approvals for construction despite the broad landslide mapping on their parcels and without requiring variances for road setbacks limitations. The undeveloped parcels in the area do not share the same irregular shape as the subject property and do not have the same concentration of steep slopes. For instance, nearby Bryant Family Winery was able to locate a stable site for the winery that was not within the road setback area. Granting of this variance is not a special privilege as the subject parcel contains a unique combination of constraints not shared by other parcels.

10. Grant of the variance is necessary for the preservation and enjoyment of substantial property rights.

Analysis: The property is located within the AW zoning district, which allows wineries, and accessory uses upon approval of a conditional use permit. Strict application of the road setback requirements would deprive the property owner of the privileges enjoyed by other property owners in the vicinity and under the same zoning classification (AW). The combination of unique circumstances creating hardships for this parcel places the applicant at a disadvantage vis-a-vis other landowners in the area. This hardship is not self-induced, as the County originally identified the landslide deposit impacting this property, and the applicant was required to retain a consulting firm, which then identified the site where winery was ultimately built.

Requiring the applicant to build its expansion in any location other than adjacent to this same previously-identified site on which its existing winery is located would be a major hardship.

Specifically, the costs associated with requiring Gandona Winery to situate its expansion elsewhere on the property would be as follows:

- (i) The cost of developing a commercial driveway on flat land is roughly considered by experts to be one million dollars per mile and when building on the described challenging terrain, requiring extensive earthwork, walls, and drainage, the price increases exponentially, such as an estimation of 1,000

linear feet of wall at six feet in height would be approximately a half a million dollars alone based on rough figures used by local engineering firms; plus the additional cost of building a second commercial driveway on a forested hillside property when there is an existing commercial driveway serving the existing winery structure is a hardship that would not be shared by neighboring properties without the same unique combination of site constraints.

- (ii) The cost of developing a second set of utilities and another septic system elsewhere on the property is also a hardship on the applicant.
- (iii) Engineering, architect, geotechnical, and other consulting fees with specialists involved in construction on hillside property such as this with unique environmental constraints including landslide deposits, 30% slopes, and sensitive habitat.
- (iv) The cost of the loss of efficiency in running a small winery in two locations on such a property is impossible to quantify but would again be a hardship for Gandona and one that is not shared by neighboring properties without the same set of site restrictions.
- (v) (v) The potential loss of planted vineyard acreage in order to provide suitable land for building would be a huge detriment to this small production winery which uses exclusively estate-sourced grapes.
- (vi) The environmental cost of developing elsewhere on the property, outside of the existing winery footprint, is also impossible to quantify but would involve ripping of trees, construction on slopes, destruction of sensitive habitat and vegetation, and viewshed issues.

Parity -The exhibits included with the application show and the discussion above demonstrate how the subject property differs substantially from other parcels in relevant aspects such as shape, topography, access, and site options in relation to the road setback requirements. The requested variance serves only to enable the applicant to make an expansion to a modest winery in order to rectify a space problem, in that the winemaking lab was not properly designed and is too small to accommodate the required equipment and personnel. As has been discussed already, there are numerous properties in the vicinity that have substantial wineries much larger than Gandona's existing footprint let alone this modest expansion, many of which may have been expanded (for instance, Brand Winery expanded its operations on or around 2010), with such operations occurring attached or adjacent to the existing structure. For instance, nearby Chappellet is over 12 times the size of Gandona Winery with over 7 times the production; and Colgin Partners Winery is more than twice the size, and Continuum more than three times the size of the proposed square footage of the existing and proposed Gandona structures combined. Gandona Winery is seeking only to be in parity with those other properties in making this expansion, in order to have sufficient square footage to effectively run its winery operations, and requires grant of this variance application in order to do so.

Notably, no other properties appear to have the same road setback problems. Granting of this variance request is necessary in order to enable the applicant to achieve a degree of parity with the other properties in the area not constrained as the subject property is constrained. Strict application of the applicable requirements would restrict the applicant's ability to expand this modest winery, whereas granting of the variance brings the parcel into parity with other properties zoned AW that have been granted use permits for wineries and winery expansions.

11. Grant of the variance will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: The historic winery operations on this property have continued for over 40 years without no adverse effects to the public health, safety or welfare of the County of Napa, and there will be no adverse effects from the grant of the variance. There is nothing included in the variance proposal that would adversely impact the public health, safety, or welfare of the County of Napa. Construction of the new building would be subject to County Codes and regulations including but not limited to California building codes, fire department requirements, and water and wastewater requirements. The granting of the variance to the winery road setbacks would not adversely affect the health or safety of persons residing or working in the neighborhood of the property. The applicant has indicated that the setback in question applies only to a small private road which is accessed by only two private residences, the Chappallet family and Greg Melanson. The Chappallet family has provided a letter in support of the use permit modification and variance request. The applicant further states that grant of the variance will facilitate improvements to the neighborhood because it will minimize the destruction of existing vegetation and preserve a traditional agricultural setting, the proposed structure will not degrade the viewshed or the groundwater basin, and the requested variance does not violate the intent of the road setback ordinance, as the structure will not be visible from any major road.

Various County departments have reviewed the Project and commented regarding water, wastewater disposal, access, building permits, and fire protection. Conditions are recommended which would incorporate these comments into the project to assure protection of public health, safety, and welfare.

12. Grant of the variance in the case of other groundwater basins, or areas which do not overlay an identified groundwater basin, where grant of the variance cannot satisfy the criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or 13.15.080, substantial evidence has not been presented demonstrating that the grant of the variance might cause a significant adverse effect on any underlying groundwater basin or area which does not overlay an identified groundwater basin.

Analysis: The project is located on a ±114.72 acre parcel and is not located in the Napa Valley Floor or a groundwater deficient area. Water Availability Analysis was prepared (RSA, July 28, 2017) and submitted with the application utilizing the Napa County's *Water Availability Analysis (WAA) Guidance Document (Adopted May 12, 2015)*. The analysis concluded that a Groundwater Recharge Rate of 0.82 af/yr has been identified for the parcel. This yields an annual estimated recharge (Allowable Water Allotment) of 94.07 af/yr in average rainfall year, and in a dry year, the groundwater recharge rate is assumed to be 75% of the average year. The analysis states that the existing total water demand is 10.78 af/yr and then concluded that the projected water demand for the project would be 10.87 af/yr.

The proposed water demand of 10.87 af/yr is less than the estimated annual recharge of 94.07af/yr in an average rainfall year and less than the estimated annual recharge rate of 70.55 af/yr in a dry year. Therefore, the proposed project will not significantly affect the groundwater recharge rate of the parcel.

The WAA included the Tier 2 Well and Spring Evaluation analysis and found that there are no wells located within 500 feet of the existing well utilized by the project winery and vineyards and there are no springs located in within 1500 feet. Based on the figures shown in the analysis, the project would remain below the established fair share for groundwater use on the parcel. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

EXCEPTION TO ROAD AND STREET STANDARDS:

The Commission has reviewed the requested Road and Street Standards (RSS) Exception request in accordance with RSS Section (3) Exception to Standards and makes the following findings:

13. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like.

Analysis: The exception requests selective narrowing of the roadway in order to preserve natural features of the environment and to minimize environmental impacts by reducing earth disturbances on steep slopes, and preserving heritage trees. At the road stations identified in the request, the common driveway is flanked by steep slopes on the uphill and downhill side of the roadway, natural watercourses, and several large native mature trees that vary in diameter from 6 inches to 24 inches or more in diameter breast height. Due to the constraints noted, the applicant cannot improve the driveway to fully comply with the RSS width requirements. The applicant is proposing to widen driveway to maximum road width achievable in the noted areas and to provide full improvement in the areas not listed.

This request also proposes a reduction to the horizontal inside radius of curvature and/or a reduction to the increased pavement widening at six road stations, since the common driveway is in close proximity to natural drainage courses, steep slopes, and large native trees. Widening the road in these areas would require extensive grading on steep slopes over 30% and would require extensive earthwork within the existing natural watercourse.

Engineering Division staff has discussed the request noted with Cal Fire/Napa County Fire Department and the applicant. With respect to Section (3) of the RSS as adopted by Resolution No. 2017-156 by the Board of Supervisors on September 26, 2017, this division has determined the following:

- The exception request has provided the necessary documentation as required by RSS Section 3(A). The request is in connection with a Use Permit application for modification to an existing winery, and has received the appropriate environmental review from the Planning Division; therefore, the approving body shall be the Planning Commission.

- The reduction to the horizontal inside radius of curvature, and reduction road width at the above identified road stations will minimize earthwork on slopes exceeding 30% in order to preserve the existing environmental features and are justified based upon existing topographic conditions of the site.
 - With respect to the findings for compliance with current RSS, the trees defined above of at least 6 inch diameter breast height and steep slopes are consistent with the definition of unique features of the natural environment as described in RSS Section 3(D)(1). The Engineering Division along with Planning Division staff have discussed the constraints presented in the road exception request and find they meet the intent of RSS Section 3(D)(1) – preserving unique features of the natural environment.
 - The applicant is proposing to improve and widen the travel lane to maximum extent practical over the entire length of the shared roadway.
14. Grant of the Road and Street Standards Exception will provide the same overall practical effect as the RSS towards providing defensible space, and consideration towards life, safety and public welfare. The project, as conditioned, will achieve the same overall practical effect as the RSS towards providing defensible space, consideration of life, safety and public welfare, and not compromising civilian egress or Fire Department access.

Analysis: With respect to the findings for compliance with current RSS Section 3(E), the Engineering and Conservation Division and Cal Fire/Napa County Fire Department have discussed the improvements proposed and determined that their implementation would serve as an alternate method by which adherence to the RSS may be achieved and would provide the same overall practical effect as the RSS towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public.

The area with a reduction to the inside radius of curvature has been shown to be able to support emergency apparatus and has been authorized by Cal Fire/Napa County Fire Department as proposed. Additional roadway widths have been proposed in these areas to facilitate the turning radius for emergency apparatus.

USE PERMIT MODIFICATION REQUIRED FINDINGS FOR EXCEPTION TO CONSERVATION REGULATIONS:

The following findings must be made in order for the Commission to grant an exception to the Conservation regulations in the form of a use permit pursuant to County Code Section 18.108.040(A) for structural and road development projects.

15. Roads, driveways, buildings and other man-made structures have been designed to complement the natural landform and to avoid excessive grading.

Analysis: The project proposes an expansion of an existing winery, to construct a two-story building, the top story for winery administration and the lower story for agricultural storage purpose-not a part of the winery. The building will be located southwest of the existing winery and parking area, on natural ground, below a fill slope consisting of slurried riprap. The slope of the building site is an average of 32%, requiring approval of an exception to the Conservation Regulations. The proposed building has been designed to complement the natural landform and to avoid excessive grading. It will tie into the existing winery architecture, while blending into the hillside. The two flanking sides will emulate older barn-style buildings. The center portion will take its cue from the winery with a clean contemporary look. The building is designed to step down the hillside following the existing slope. The second story of the building will be used for winery administrative uses; the lower story will be used for agricultural equipment storage.

The winery is an existing facility with existing road and driveway infrastructure in place. The project will require improvements to the existing access road to increase the width to comply with the County RSS. An exception request has been included with this project for selective narrowing of the roadway in order to preserve natural features of the environment and to minimize environmental impacts by reducing earth disturbances on steep slopes, and preserving heritage trees. The improvement will not occur on slopes over 30%, and the grading activities are not subject to the Conservation Regulation.

16. Primary and accessory structures employ architectural and design elements which in total serve to reduce the amount of grading and earthmoving activity required for the project, including the following elements: a) Multiple floor levels which follow existing, natural slopes, b) Foundation types such as poles, piles or stepping levels which minimize cut and fill and the need for retaining walls, c) Fence lines, walls and other features which blend with the existing terrain rather than strike off at an angle against it.

Analysis: The placement of the proposed building is in close proximity to the winery development area, where the edge of the existing development follows the line of the natural contours. The proposed structure will lie parallel to the existing grade, and will not strike off at an angle against it. The proposed structure has two levels, stepping down the slope, following natural grade, minimizing cut and fill and the need for retaining walls. The proposed 55 cubic yards of fill is not substantial, and to balance the cut and fill, an additional 36 cubic yards will be required to level the building pad. There will be no permanent stockpiling of spoils required.

17. The development minimizes removal of existing vegetation, incorporates existing vegetation into the final design plan, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects.

Analysis: The proposal and associated earthwork will involve the removal of three native trees, a madrone and two live oak trees. These trees are not a part of the

nearby vegetation canopy cover, and removal is the minimum amount necessary to construct the structure and increase the width of the driveway.

18. Adequate fire safety measures have been incorporated into the design of the proposed development.

Analysis: This exception has been reviewed by the County Engineering Services Division and the Fire Marshal. As stated in the Engineering Services Division Memorandum, dated April 19, 2018, it has been determined that the requested Exception will provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property. The subject parcel falls entirely within the Napa County SRA and is designated as being in a Moderate Fire Hazard Severity Zone.

19. Disturbance to streams and watercourses shall be minimized, and the encroachment if any, is the minimum necessary to implement the project.

Analysis: The location of the proposed new structure and required road improvements are not located near stream and watercourses, thus no encroachment or disturbance to streams or watercourses will occur. The applicant is required to submit a Notice of Intent (NOI) for a Storm Water Pollution Prevention Plan permit (SWPPP) from the Regional Water Quality Control Board for pre & post construction activities, as well as, obtain a grading permit from the Engineering Services Division to ensure that no excessive run-off occurs during pre/post construction. Review and approval by the Division of Engineering of the grading and improvement plans will ensure that no there is no potential for significant on- or off-site erosion, impact to siltation, or flooding.

20. The project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the County's environmental sensitivity maps;

Analysis: There are no threatened or endangered plants or animal habitats as designed by state or federal agencies with jurisdiction or as identified on the County's environmental sensitivity maps.

21. An erosion control plan, or equivalent NPDES stormwater management plan, has been prepared in accordance with Section 18.108.080 and has been approved by the director or designee.

Analysis: Project specifications have been submitted and approved by the Engineering Division, as conditioned.

USE PERMIT MODIFICATION REQUIRED FINDINGS:

The Commission has reviewed the use permit request in accordance with the requirements of the Napa County Code Section 18.124.070 and makes the following findings. That:

22. The Commission has the power to issue a use permit under the zoning regulations in effect as applied to the property.

Analysis: The project is consistent with AW (Agricultural Watershed) zoning district regulations. A winery (as defined in Napa County Code Section 18.08.640) and uses in connection with a winery (see Napa County Code Section 18.20.030) are permitted in an AW zoned district with an approved use permit. The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code) as applicable.

23. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code (Use Permits) have been met.

Analysis: The use permit modification application has been filed and public hearing requirements have been met. The hearing notice was posted on September 12, 2018 and copies were forwarded to property owners within 1000 feet of the subject parcel and all other interested parties. The CEQA public comment period ran from September 12, 2018 to October 2, 2018.

24. The granting of the use permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Various County departments have reviewed the project and commented regarding water, wastewater disposal, traffic and access, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the ongoing protection of the public health, safety, and welfare.

25. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

Analysis: The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan. The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990) and the applicable provisions of the Napa County Zoning Ordinance (Title 18, Napa County Code).

This proposal is consistent with the *Napa County General Plan 2008*. The subject parcel is located on land designated Agriculture, Watershed & Open Space (AWOS) on the County's adopted General Plan Land Use Map. This project is comprised of an agricultural processing facility (winery), along with wine storage, bottling, and other WDO-compliant accessory uses as outlined in and limited by the approved project scope. (See Exhibit 'B', Conditions of Approval.) These uses fall within the County's definition of agriculture and thereby preserve the use of agriculturally designated land for current and future agricultural purposes.

General Plan Agricultural Preservation and Land Use Goal AG/LU-1 guides the County to "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." General Plan Agricultural Preservation and Land Use Goal AG/LU-3 states the County should, "support the

economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.”

As approved here, the use of the property for the “fermenting and processing of grape juice into wine” (NCC Section 18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 (“The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space...”). Policy AG/LU-8 also states, “The County’s minimum agricultural parcel sizes shall ensure that agricultural areas can be maintained as economic units and General Plan Economic Development Policy E-1 (The County’s economic development will focus on ensuring the continued viability of agriculture...). Approval of this project furthers these key goals.

The General Plan includes two complimentary policies requiring that new wineries, “...be designed to convey their permanence and attractiveness.” (General Plan Agricultural Preservation and Land Use Policy AG/LU-10 and General Plan Community Character Policy CC-2). The proposed winery, to the extent that it will be publicly visible, will convey permanence and attractiveness.

Agricultural Policy AG/LU-13 of the County General Plan recognizes wineries, and any use clearly accessory to a winery, as agriculture. The Land Use Standards of the General Plan Policy AG/LU-20 list the processing of agricultural products as one of the general uses recognized by the AWOS land use designations. The proposed project allows for the continuation of agriculture as a dominant land use within the county and is consistent with General Plan Agricultural Policy AG/LU-13.

The project is also consistent with General Plan Conservation Policy CON-53 and CON-55, which require that applicants, who are seeking discretionary land use approvals, prove the availability of adequate water supplies, which can be appropriated without significant negative impacts on shared groundwater resources. As analyzed below, the proposed winery will not interfere substantially with groundwater recharge based on the criteria established by Napa County Public Works Department.

Finally, the “Right to Farm” is recognized throughout the General Plan and is specifically called out in Policy AG/LU-15 and in the County Code. “Right to Farm” provisions ensure that agriculture remains the primary land use in Napa County and is not threatened by potentially competing uses or neighbor complaints. Napa County’s adopted General Plan reinforces the County’s long-standing commitment to agricultural preservation, urban centered growth, and resource conservation. On balance, this project is consistent with the General Plan’s overall policy framework and with the Plan’s specific goals and policies

26. The proposed use would not require a new water system or improvements causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Napa County Code Section 13.15.070 or Section 13.15.080.

Analysis: The project is located on a ±114.72 acre parcel and is not located in the Napa Valley Floor or a groundwater deficient area. Water Availability Analysis was prepared (RSA, July 28, 2017) and submitted with the application utilizing the Napa County's *Water Availability Analysis (WAA) Guidance Document (Adopted May 12, 2015)*. The analysis concluded that a Groundwater Recharge Rate of 0.82 af/yr has been identified for the parcel. This yields an annual estimated recharge (Allowable Water Allotment) of 94.07 af/yr in average rainfall year, and in a dry year, the groundwater recharge rate is assumed to be 75% of the average year. The analysis indicates that the existing total water demand is **10.78 af/yr**, specifically: Winery Processing: 0.31 af/yr; Employees: 0.04 af/yr; Visitors: 0.01 af/yr; Marketing Events: 0.004 af/yr; Residence: 0.50 af/yr; Winery Landscaping: 0.10 af/yr; Vineyard (±19.64 ac) Irrigation: 9.82 af/yr.

The analysis concluded that the projected water demand for the project is 10.87 af/yr, specifically: Winery Processing: 0.31 af/yr; Employees: 0.09 af/yr; Visitors: 0.03 af/yr; Marketing Events: 0.02 af/yr; Residence: 0.50 af/yr; Winery Landscaping: 0.10 af/yr; Vineyard (± 19.64 acres) irrigation: 9.82 af/yr.

The proposed water demand of 10.87 af/yr is less than the estimated annual recharge of 94.07af/yr in an average rainfall year and less than the estimated annual recharge rate of 70.55 af/yr in a dry year. Therefore, the proposed project will not significantly affect the groundwater recharge rate of the parcel.

The WAA included the Tier 2 Well and Spring Evaluation analysis and found that there are no wells located within 500 feet of the existing well utilized by the project winery and vineyards and there are no springs located in within 1500 feet. Therefore, based on the Tier 2 well and spring interference criteria being satisfied, the project will have a less than significant effect on groundwater.