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Agenda Date: 11/20/2019

Agenda Placement: 7B

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission

**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Dana Ayers, Consultant - 925-688-2490

**SUBJECT:** Brasswood (formerly Cairdean) Winery, Use Permit Major Modification #P19-00004-MOD

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### **RECOMMENDATION**

#### **STACIA L. DOWDELL / BRASSWOOD WINERY / USE PERMIT MAJOR MODIFICATION # P19-00004-MOD**

**CEQA Status:** Consideration and possible adoption of an Addendum to a previously adopted Mitigated Negative Declaration (MND) in accordance with CEQA Guidelines Section 15162. According to the previously-adopted MND (2012), the then-proposed winery would have, if mitigation measures were not included, potentially significant environmental impacts in the area of Biological Resources. Adopted mitigation measures, which required implementation of tree protection plans and pre-construction surveys for sensitive bat and bird species, were implemented with the recently-built site improvements. Analysis of the current modification proposal to increase annual wine production and change winery staffing identified no new or substantially more severe significant impacts relative the original project analyzed in the prior MND. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

**Request:** Approval of a Major Modification to a previously approved use permit (P11-00298-UP, as subsequently modified) to allow: **A. Components Necessary to Remedy Existing Violations:** (1) recognition of an increase permitted wine production from a maximum of 50,000 gallons to 83,000 gallons of wine per year; and **B. Expansion Beyond Existing Entitlements:** (2) an increase in permitted wine production to a maximum of 95,000 gallons of wine per year and a change in the winery's permit-specified employment from four full-time and six part-time staff members to 10 full-time staff members (no change to the permitted four seasonal harvest employees). The project is located on an approximately 50.31-acre site within the AW (Agricultural Watershed) zoning district, at 3125 St. Helena Highway North, St. Helena; Assessor's Parcel No. 022-070-028.

#### **Options for Planning Commission Action:**

**Option 1:** Adopt the Addendum to the previously adopted MND and approve the requested Major Modification to the previously approved Use Permit, based on the findings in Attachment A and as conditioned in Attachment B.

**Option 2:** Adopt the Addendum to the MND and approve a lesser production increase, pursuant to Commission direction and based on modified findings of Attachment A and modified conditions as contained in Attachment B.

Option 3: Deny the requested Use Permit Major Modification based on findings provided by the Planning Commission. This action would require that the winery operators revert current operations to the winery's previously approved levels.

**Staff Contact:** Dana Ayers, Contract Planner, phone 925-688-2490 or email [dayers@trccompanies.com](mailto:dayers@trccompanies.com), or Charlene Gallina, Supervising Planner, phone 707-299-1355 or email [Charlene.Gallina@countyofnapa.org](mailto:Charlene.Gallina@countyofnapa.org)

**Applicant:** Marcus Marquez, Brasswood Winery, phone 707-968-5434 or email [marcus@brasswood.com](mailto:marcus@brasswood.com)

**Applicant's Representative:** Jeff Redding, Land Use Planning Services, phone 707-255-7375 or email [jreddingaicp@comcast.net](mailto:jreddingaicp@comcast.net)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Addendum prepared for the proposed project, as set forth in Finding 1 of Attachment A; and
2. Approve Major Modification Application No. P19-00004-MOD, based on Findings 2 through 6 of Attachment A, and subject to the recommended Conditions of Approval (Attachment B).

### **Discussion:**

Under the County's code compliance program established by the Board of Supervisors on December 4, 2018, property owners may voluntarily apply for approval to remedy existing violations. The applicant requests approval of a modification to a previously-approved use permit (Use Permit P11-00298-UP, as modified by Very Minor Modifications P12-00402-VMM, P13-00215-VMM and P14-00137-VMM) in order to increase the annual production capacity of a winery approved to operate at 3125 St. Helena Highway North, from 50,000 gallons of wine per year to 95,000 gallons of wine per year. The applicant is currently producing 83,000 gallons per year. With the requested increase, the applicant also requests to modify the approved staffing of the winery, from four full-time and six part-time employees to 10 full-time employees; harvest employment would remain unchanged at four employees. There would be no increases in visitation or marketing event allowances, and thereby, no increases in visitor-related traffic above already permitted levels; other than modifications to wastewater infrastructure, there are no physical changes proposed to be made to the winery facilities.

Approval of the use permit modification request would result in an increase of approximately eight employee vehicle trips per day, plus one additional truck trip per day for delivery of grapes during the six-week harvest season and an additional one truck trip per day for delivery of other winemaking products throughout the year. While water usage related to the increased production would increase, the estimated 2.08 acre-feet of annual water usage would not exceed the estimated groundwater recharge rate of 26.16 acre-feet for the acreage within the boundaries of the parcel. The existing sanitary wastewater treatment system has a treatment capacity of 760 gallons per day and can accommodate the estimated 725 gallons of wastewater generated from the proposed project. To accommodate the peak flow of 2,375 gallons of process wastewater estimated to be generated from the requested production increase, the applicant proposes to increase the design capacity of the existing Lyve treatment system from 2,000 to 2,500 gallons per day, with treated process wastewater discharged as vineyard and cover crop irrigation.

Staff has reviewed both the components necessary to remedy the existing permit compliance matter, as well as the requested permit modification to change permitted winery staffing, and found them to be consistent with the

Zoning Ordinance and applicable General Plan policies.

As described in Board of Supervisors Resolution No. 2018-164 establishing the County's code compliance program, the subject application was filed and found to be substantially conforming prior to the March 29, 2019, deadline for participation in the program. Accordingly, the County may use existing, noncompliant operations as the environmental baseline for CEQA analysis of the proposal. However, application materials, including water availability and wastewater feasibility analyses of the requested modification, utilized the lower, permitted condition as the baseline against which the proposed project was compared. Using the permitted condition as the CEQA and analysis baseline, there would still be no new or substantial increase in the severity of any potentially significant impact that was identified in the MND prepared for the original winery entitlements.

As there would be minimal traffic increases from employees, and groundwater demands would fall within the estimated recharge for the property, staff supports adoption of an Addendum to the previously adopted MND and approval of the Major Modification request.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

### **ENVIRONMENTAL IMPACT**

Consideration and possible adoption of an Addendum to a previously adopted MND. According to the proposed Addendum, the proposed project would have no new or substantially more severe environmental impacts as compared to those of the original project. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

### **BACKGROUND AND DISCUSSION**

**Property Owner:** Stacia Dowdell

**Applicant:** Marcus Marquez, Brasswood Winery, 3111 St. Helena Highway North, St. Helena, CA 94574; phone number (707) 968-5434; email address marcus@brasswood.com

**Representative:** Jeffrey Redding, Land Use Planning Services, 2423 Renfrew Street, Napa, CA 94588; phone number (707) 255-7375; email address jreddingaicp@comcast.net

**Zoning:** AW (Agricultural Watershed) District

**General Plan Designation:** Agriculture, Watershed and Open Space (AWOS)

**Application Filed:** January 2, 2019; partial resubmittals June 10 and October 4, 2019

**Application Complete:** October 7, 2019

**Parcel Size:** 50.31 acres

**Existing Development:** Existing development on the property includes a winery with surface parking stalls and driveways, caves, supporting utilities infrastructure, and approximately 0.8 acres of vineyards.

**Approved Vineyard Acreage:** One acre

**Existing Vineyard Acreage:** 0.8 acres

**Proposed Vineyard Acreage:** No change

***Existing and Proposed Winery Characteristics:***

**Existing Winery Building Size:** Approximately 18,500 square feet (inclusive of hospitality and indoor and covered outdoor production areas)

**Proposed Winery Building Size:** No change

**Approved Production Capacity:** 50,000 gallons of wine per year

**Existing Production:** 85,000 gallons

**Proposed Production Capacity:** 95,000 gallons of wine per year

**Existing Winery Coverage:** Two percent of the site (maximum 25 percent allowed)

**Proposed Winery Coverage:** No change

**Approved Accessory to Production Ratio:** 21 percent (approximately 28,900 square feet production area in winery building and caves, approximately 6,140 square feet accessory area in winery building and caves; accessory area may be up to 40 percent of production area)

**Proposed Accessory to Production Ratio:** No change

**Approved Number of Employees:** Four full-time employees, six part-time employees and up to four harvest employees

**Proposed Number of Employees:** 10 full-time employees and up to four harvest employees

**Approved Visitation:** By appointment, for up to 25 visitors per day, with service of foods prepared off-site; on-premise consumption of wine purchased at the site may occur pursuant to Business and Professions Code Sections 23358, 23390 and 23396.5, in the tasting room and adjacent outdoor landscape area

**Proposed Visitation:** No change

**Approved Marketing Program:** Up to two events per month for up to 25 people, plus up to two events per month for up to 50 people, plus up to two events per year for up to 100 people, plus participation in the Napa Valley Wine Auction for up to 25 people; food service at marketing events catered using an off-site catering service; all events to begin no earlier than 10:00 a.m. and to end, including clean-up, by 10:00 p.m.; no amplified music at events

**Proposed Marketing Program:** No change

**Approved Hours of Winery Operation:** Daily, 7:30 a.m. to 6:00 p.m.

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

**Approved Hours of Visitation:** Daily, 9:30 a.m. to 6:30 p.m.

**Proposed Hours of Visitation:** No change

**Approved On-site Parking:** 14 stalls (note: 24 stalls are shown on the approved use permit site plan; 10 of these are located in a shared access easement granted to the property to the south of the subject site)

**Proposed On-site Parking:** No change

**Setbacks Required:** 20 feet from north side and rear lot lines; 100 feet from centerline of the private access easement shared with the commercial complex to the south, and 259 feet from centerline of State Route 29/St. Helena Highway North (allowed by approval of Variance P11-00299-VA)

**Proposed Changes to Setbacks:** No change (winery structures currently compliant with required setbacks, as modified by variance approval)

**Existing Building Height:** 30 feet

**Proposed Building Height:** No change

#### **Adjacent General Plan Designations, Zoning Districts and Land Uses:**

North: The northern property line of the Brasswood Winery property adjoins a 40.35-acre parcel, of which approximately nine acres are planted in vineyards; the remainder of the property is undeveloped forested lands. Like the subject site, the adjacent parcel is in the AW zoning district and has a General Plan land use designation of AWOS.

South: Immediately south of the Brasswood Winery facility is the Brasswood commercial and restaurant complex, which is owned by the same owner of the Brasswood Winery property. Further south is a low-density neighborhood of single-family residences on parcels ranging in size from 0.7 to 6.8 acres. All of the properties are in the AW zoning district and have a General Plan land use designation of AWOS.

East: The State Route 29 right-of-way adjoins the western property line of the subject site. On the opposite side of the highway from the site is a 10.35-acre parcel that is substantially planted in vineyards and has a single-family residence. Further west and northwest of the Brasswood Winery facility are smaller parcels ranging in size from one to 2.4 acres. Three of the parcels have single-family residences; the 2.19-acre parcel nearest the winery is exclusively planted with grapevines. All of the properties are zoned AP (Agricultural Preserve) district, while the General Plan land use designations of the properties are divided between AWOS and Agricultural Resource (AR).

West: Uphill and approximately 2,000 feet from the winery building, the western property line of the Brasswood Winery property adjoins a 20-acre parcel that is forested and partially developed with a single-family residence. The adjacent parcel to the west is in the AW zoning district and has a General Plan land use designation of AWOS.

#### **Nearby Wineries (within one mile of project site):**

The attached table lists the 25 wineries operating or approved to operate on properties within one mile of the Brasswood Winery site. Of the 25 wineries, three have annual production levels that are higher than the increase in production requested by Brasswood's operators.

#### **Parcel History:**

On June 6, 2012, the Planning Commission approved a use permit application (Use Permit P11-00298-UP) and a variance request (Variance P11-00299-VA) allowing construction and operation of a winery with an annual production of 50,000 gallons of wine per year, at 3125 St. Helena Highway North. The winery facility was estimated to encompass approximately 21,900 square feet in two attached production and administration buildings; a 13,000 square foot wine cave; 5,700 square feet of outdoor production areas; and 14 on-site parking stalls, along with other aboveground and underground utilities infrastructure. The variance application that the Commission approved allowed the winery buildings to have a 259-foot setback from the centerline of State Route 29, where a 600-foot or greater setback is required; and it allowed the buildings to have a 100-foot setback from the private access driveway shared by the winery and adjacent Brasswood commercial and restaurant complex, where a 300-foot or greater setback is required.

Operations of the winery were approved to include 14 employees (four full-time, six part-time and four harvest employees); daily tours and tastings (by appointment, with catered food) for up to 25 guests per day; on-site consumption of wine purchased at the property; and a wine marketing program consisting of up to 51 annual events for 25 to 100 people per event. Construction of the winery necessitated demolition of existing structures on the site, including a single-family residence, agricultural barn, garage and pool house.

On January 18, 2013, the Planning Director approved Use Permit Very Minor Modification P12-00402-VMM, modifying the layout of office and tasting room space in the approved accessory use area, and increasing the size of the approved wine cave from 13,000 square feet to 14,400 square feet with the addition of two tunnels and a tasting room. Included within that approval was a new outdoor tasting terrace and a change to pedestrian circulation paths on-site. The size of the cave was increased again to 16,500 square feet with approval of Very Minor Modification P13-00215-VMM on October 14, 2013.

On May 22, 2014, the Planning Director approved Use Permit Very Minor Modification P14-00137-VMM, which consisted only of utility infrastructure changes that resulted in consolidation of water storage tanks into one utility service area along with a 180 square foot pump shed. Neither this nor any of the prior very minor modification requests resulted in any changes to the operating characteristics of the winery.

In April 2015, construction of the winery buildings and cave was complete, and both the winery and cave were inspected by County staff for occupancy (Building Permits B13-01722 and B13-00626).

#### **Code Compliance History:**

There are no records of past reported violations pertaining to this property. As noted above, during the review of the winery application, staff became aware that the applicant was producing wine in excess of the maximum quantity specified in the winery's use permit (P11-00298-UP). The current approval is requested by the applicant to remedy the existing use permit violation. Water and wastewater treatment analyses submitted by the applicant conservatively use the permitted production level rather than the existing, noncompliant production level as the baseline condition. County staff conducted life safety inspections of the winery on April 18 and November 5, 2019. Environmental Health and CalFire are currently working with winery in addressing any outstanding issues and staff will provide an update at the Commission meeting on resolution.

#### **Discussion Points:**

Setting – The project site at 3125 St. Helena Highway is a 50.31-acre parcel located on the west side of State Route 29, approximately one mile north of the City of St. Helena. The General Plan land use designation of the site is Agriculture, Watershed and Open Space, and the property is zoned AW district. The winery, along with its supporting utility infrastructure, parking and access road, is the only development on the property. The property has direct frontage on and access from State Route 29 via a common driveway shared between the winery property and the Brasswood commercial and restaurant complex immediately to the south of the site. Roughly 46 of the approximately 50 acres on-site are undeveloped forested lands to the west and uphill of the winery. As described above, land uses on surrounding properties include commercial, agricultural (vineyard) and residential development.

Existing Wine Production and Winery Proposal – Napa County Code Section 18.104.250 specifies that production capacity of new wineries be determined with approval of a use permit, and that at least 75 percent of grapes processed at wineries in the AP and AW Districts be grown in Napa County. The applicant currently has approval under Use Permit P11-00298-UP for a production capacity of 50,000 gallons of wine per year and has indicated that the winery has been exceeding this quantity of production, with a maximum production of 83,000 gallons of wine in 2018 and a three-year average of just under 65,000 gallons of wine annually. The proposed modification to the approved use permit would allow an increase in annual wine production to 95,000 gallons of wine per year. As

a winery approved following the adoption of the Winery Definition Ordinance, currently-approved wine production would continue to be subject to the 75 percent Napa grape requirement, and all of the requested 45,000-gallon increase would also be subject to that requirement.

Visitation/Marketing Program – Use Permit P11-00298-UP allowed the winery a daily visitation program that includes up to 25 visitors per day, with service of foods prepared off-site. Tours and tastings must be by appointment. The tasting room is approved to operate daily between 9:30 a.m. and 6:30 p.m. The approved use permit also allows the winery to conduct marketing events, up to 29 per year, for 25 to 100 people per event. No changes to the approved tours and tastings or marketing event programs are requested with this major modification application.

Traffic and Parking – With the change in production, the applicant requests a change to the permitted staffing of the winery, so that all 10 of the winery's employees would be full-time. According to the County's Winery Trip Generation formulas, this change is estimated to generate eight new vehicle trips per day, an estimated two of which would occur during the evening peak commute hour, plus one to two truck trips per day for delivery of grapes and winemaking supplies. The estimated increase in the number of daily vehicle trips is roughly equivalent to the 9.5 daily trip average for a typical single-family residence. There is an existing left-turn lane that provides vehicular access to the winery property from the northbound lane of State Route 29.

Groundwater Availability – The proposed 45,000-gallon annual increase in wine production would increase the winery's demand for water to an estimated 1.46 acre-feet per year. The applicant's engineer submitted with the use permit modification application an estimate of water use associated with the requested production increase and employment change. Starting with an estimated annual rainfall of 35 inches per year on the 50.31-acre site (146.74 acre-feet), the report deducts estimated annual runoff volume based on slope and soil types (99.73 acre-feet) and estimated evapotranspiration from existing vineyard, grassland and oak woodlands (20.89 acre-feet), to arrive at an estimated groundwater recharge rate of 26.16 acre-feet per year.

An estimated 0.42 acre-feet of the 1.46 acre-feet of water needed for the requested 95,000 gallons of production would be treated and recycled on-site as vineyard irrigation. The water availability analysis indicated that with the proposed increase in production, and accounting for recycling of treated process wastewater, estimated water use at the site for the proposed project would be 2.08 acre-feet per year. This estimated water use would be an increase of 0.3 acre-feet from the water demand under existing permitted conditions. Both the proposed and permitted water usage are less than the 3.88 acre-feet of water that was analyzed in the 2012 Cairdean Winery MND, and all three estimates of water use are within the estimated 26.16 acre-feet of groundwater recharge of the property. (Note: The lower estimated water use for the permitted condition in 2019 versus the 2012 water availability analysis can be attributed in large part to lower assumed water demand for irrigation of established landscaping and vineyard on the property, as compared to higher water needs of new plantings.) Thus, while water use on the site would increase as a result of the proposed production increase and employment change, the estimated increase in water demand would not exceed the estimated level of groundwater recharge nor the water demand that was analyzed for the project in 2012.

Wastewater Treatment – Because daily visitation is not proposed to be changed, peak domestic wastewater flows from the requested winery operations with 10 full-time employees would increase from an estimated 705 gallons per day to 725 gallons per day. The existing system, which was designed to accommodate a peak flow of 760 gallons per day, would require no modifications to accommodate the proposed project. To accommodate the peak flow of 2,375 gallons of process wastewater estimated to be generated from the requested production increase, the applicant proposes to modify the mechanical equipment inside the existing Lyve unit to increase the unit's treatment design capacity from 2,000 to 2,500 gallons per day. Treated process wastewater from the on-site system would be discharged on-site as irrigation to the existing vineyard area.

Greenhouse Gas Reduction Strategies – The current Major Modification application – does not involve construction

of any new buildings on the property; however, the recently-built structures incorporate several sustainable design elements that help to reduce interior temperature control demands and thereby reduce greenhouse gas emissions related to energy use from indoor cooling needs. These elements include a landscaped green roof over the winery building, extensive use of glass on the building's eastern elevation to facilitate natural lighting of accessory use areas, and wine storage in an excavated, naturally-cooled cave. The site also features low-water demanding landscaping near the buildings, retention of existing mature trees to reduce heat reflected off the asphalt-paved parking lot, and bicycle racks.

Public Comments – Staff has received no public comments as of the date of writing of this staff report.

### **Decision-making Options Regarding Remediating Existing Violation:**

As noted in the Executive Summary above, staff recommends approval of the components of the project necessary to remedy the existing violation with conditions of approval as described in Option 1, below. Decision-making options also include a no project alternative and a reduced project alternative.

#### Option 1: Approve Applicant's Proposal (Staff recommended option).

Disposition - This action would increase the winery's annual production from 50,000 gallons per year to 95,000 gallons per year. No physical changes to the existing winery building or cave would be needed, though process wastewater equipment would still need to be upgraded to handle the additional flows. An additional truck trip per day would be expected to occur with this option; this number of estimated daily truck trips increases from one to two during the six-week harvest season. With minimal change in impacts of the winery, staff recommends this option, as it would be consistent with the Zoning Ordinance and applicable General Plan policies, as presented in the Recommended Findings (Attachment A).

Action Required - Follow the proposed action listed in the Summary section of this staff report.

#### Option 2: Modify the Applicant's Proposal to Reduce Annual Production to Existing or Lesser Level.

Disposition - As with option 1, this option would allow an increase in the annual production permitted for the winery, from 50,000 gallons to 83,000 or fewer gallons of wine. This increase would recognize existing operations, but the increase permitted would be at less than that of the winery's current operation. This option could result in cancelation of any existing grape contracts or agreements with custom crush producers. As with option 1, truck trips to deliver winemaking supplies and to distribute wine to off-site locations would increase as the volume of wine produced on-site would increase, but the increase would still not exceed one or two truck trips per day (dependent on time of year) compared to the permitted condition. Upgrading of existing Lyve system process wastewater equipment would still be required under this option.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project-specific conditions of approval to reduce the maximum annual production limit to 83,000 or fewer gallons of wine. This option would have proportionately fewer environmental impacts as compared to those discussed in the Addendum, and thus, no new analysis beyond that of the Addendum would be necessary. The item would need to be continued to a future date if significant revisions to the recommended conditions of approval or desired.

#### Option 3: Deny the Applicant's Proposal.

Disposition – This action would result in continued operation of the winery within the annual production level (50,000 gallons of wine) authorized with the approval of Use Permit P11-00298-UP. As with Option 2, above, this option would result in cancelation of some existing grape contracts and possibly agreements with custom crush producers. Existing truck trips to deliver grapes and winemaking supplies would be reduced compared to the



current condition, though as truck trips are currently estimated to be low, this reduction would be marginal.

Action Required - In the event that the Commission determines that the proposed Major Modification does not or cannot meet the required findings for grant of a use permit, Commissioners must articulate the basis of the conflict with the findings. The Commission would then make a tentative motion to deny the proposal and remand the matter to staff to draft the required findings of denial, based on the Commissioners' statements. Staff would return to the Commission with the findings of denial on a specified date.

#### Continuance Option.

The Commission may continue an item to a future hearing date, at its discretion.

#### **Decision-making Options Regarding Expansions Beyond Existing Entitlements:**

As noted in the Executive Summary above, staff also recommends approval of the requested production increase to 95,000 gallons of wine per year, as well as that element of the application (staffing changes) that is not the subject of the code compliance matter. Decision-making options here also include a no project alternative and a reduced project alternative.

#### Option 1: Approve Applicant's Proposal (Staff recommended option).

Disposition - This action would increase the winery's permitted production level to 95,000 gallons of wine per year, in excess of its current operating condition, and it would change the winery's staffing, from four full-time and six part-time employees to 10 full-time employees, with no change to the permitted number of seasonal harvest employees (four). As with the proposed project, only the existing process wastewater treatment system equipment would need to be upgraded to handle the increased flows; the existing sanitary wastewater system on-site is adequate to accommodate the additional sanitary flows from the additional employee work hours. According to Napa County's Winery Trip Generation formulas, the requested winery staffing change is estimated to generate eight new vehicle trips per day, an estimated two of which would occur during the evening peak commute hour. The estimated increase in the number of daily vehicle trips is roughly equivalent to the 9.5 daily trip average for typical single-family residence, and could represent an overestimate since the winery is adjacent to a restaurant and a café that could eliminate some midday employee lunch trips. There is an existing left-turn lane that provides vehicular access to the winery property from the northbound lane of State Route 29. With minimal change in impacts of the winery, staff recommends this option, as it would be consistent with the Zoning Ordinance and applicable General Plan policies and would support local job creation and the business operation of the existing winery.

Action Required - Follow the proposed action listed in the Summary section of this staff report.

#### Option 2: Modify the Applicant's Proposal to Allow a Lesser Number of Full-time Employees.

Disposition - As with option 1, this option would allow an increase in the number of full-time employees of the winery, but less than what the applicant is requesting. As with option 1, automobile trips associated with employees could increase but would be fewer than the estimated eight new employee trips associated with the proposed project. Upgrading of existing wastewater system on-site would still not be necessary under this option.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project-specific conditions of approval to reduce the number of full-time employees to a specified maximum. This option would have proportionately fewer transportation impacts as compared to those discussed in the Addendum, and thus, no new analysis beyond that of the Addendum would be necessary. The item would need to be continued to a future date if significant revisions to the recommended conditions of approval or desired.

Option 3: Deny the Applicant's Proposal.

Disposition – This action would result in continued operation of the winery within the permitted employment levels (four full-time, six part-time and four seasonal harvest employees) authorized with the approval of Use Permit P11-00298-UP. As with Option 2, above, this option would result in maintenance of the existing condition and result in fewer daily trips as compared to the proposed project, and no physical changes to the winery's production facilities or utilities infrastructure would be necessary.

Action Required - In the event that the Commission determines that the proposed Major Modification does not or cannot meet the required findings for grant of a use permit, Commissioners must articulate the basis of the conflict with the findings. The Commission would then make a tentative motion to deny the proposal and remand the matter to staff to draft the required findings of denial, based on the Commissioners' statements. Staff would return to the Commission with the findings of denial on a specified date.

Continuance Option.

The Commission may continue an item to a future hearing date, at its discretion.

**SUPPORTING DOCUMENTS**

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Memos
- C . Previous Project Conditions
- D . Addendum to Previously-Adopted Mitigated Negative Declaration
- E . Use Permit Application Packet
- F . Water Availability Analysis
- G . Wastewater Feasibility Study
- H . Graphics
- I . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina