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Agenda Date: 12/2/2020

Agenda Placement: 7B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

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

REPORT BY: Trevor Hawkes, Planner III - 707-253-4388

SUBJECT: Kenzo Estate Winery Use Permit Major Modification P19-00396-MOD

RECOMMENDATION

KENZO ESTATES, INC / KENZO ESTATES / USE PERMIT MAJOR MODIFICATION P19-00396-MOD

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following areas: Biological Resources. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a Use Permit Major Modification to an existing 102,000 gallon per year winery to allow the following: (1) Increase in maximum annual permitted wine production from 102,000 to 150,000 gallons; (2) Expand the existing 22,470 square foot cave (Type two (2)) to a 68,415 square foot (Type three (3)) cave; (3) Excavation of two (2) new cave portals; (4) Paving an unpaved road for portal access; (5) Deposit of approximately 20,300 cubic yards of cave spoils at a spoils stockpile on land owned by the applicant, 0.9 miles southeast of the project site; (6) Utilize 720 square feet of the cave expansion as a tasting room; (7) Construct 3,350 square feet of a covered crush pad; (8) Construct 820 square feet of an uncovered mechanical yard; (9) Widening of sections of the project access road (Wild Horse Valley Road) to bring it into compliance with the Napa County Road and Street Standards (RSS); and (10) Expand the existing wastewater treatment and disposal systems to handle the increase in winery process wastewater. The project also includes a request for an exception to the Napa County Road and Street Standards (RSS) and the requirement to widen a 500-foot section to 22 feet on Wild Horse Valley Road from Monticello Road to the winery. The project is located on a 36.13 acre parcel, within the AW (Agricultural Watershed) zoning district on the west side of a private road approximately 3,500 feet south of its intersection with State Route 121/Monticello Road; 3200 Monticello Road, Napa, CA 94558; APN: 033-110-075.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the Exception to the Napa County Roads & Street Standards and Use Permit Major Modification, as conditioned.

Staff Contact: Trevor Hawkes, (707) 253-4388 or trevor.hawkes@countyofnapa.org

Applicant Representative Contacts: Tom Adams, (707) 252-7122 or tadams@dpf-law.com. Josh Devore, (707) 252-7122 or jdevore@dpf-law.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) based on Findings 1 - 7 of Attachment A;
2. Approve an Exception to the Napa County Road and Street Standards, based on Findings 8-9 in Attachment A and subject to the recommended conditions of approval in Attachment B; and
3. Approve Use Permit Major Modification No. P19-00396-MOD based on recommended Findings 10-14 in Attachment A, and subject to the recommended conditions of approval in Attachment B.

Discussion:

Kenzo Estates was established and approved by the Planning Commission in March 2005. The winery was originally authorized to produce 85,000 gallons per year and operate within a 20,000 sq. ft. winery production building, 18,000 sq. ft. of caves, and 2,500 sq. ft. hospitality center. Furthermore, Kenzo Winery was authorized to have nine (9) full-time and two (2) part-time employees and 20 parking spaces. Tours and tastings by appointment only were permitted at this time for a maximum of 25 daily visitors and a maximum of 75 weekly visitors and a marketing program consisting of 25 events with 50 persons maximum, two (2) wine release events for 150 persons maximum, and two (2) Napa Valley Wine Auction events for 75 persons. Over the years, several modifications have been authorized by the County. As a result, in 2016, the winery processed 102,000 gallons of wine within a 52,004 sq. ft. winery facility, inclusive of 22,470 sq. ft. of wine caves, 22 parking spaces and has 8.15 acres of vineyards, which were originally planted in 2004. This proposal is to modify an existing winery to permit an increase in annual production capacity from 102,000 gallons up to 150,000 gallons, an expansion of the production facility, an expansion of the winery cave system, and an expansion to the existing wastewater disposal system.

Staff has reviewed the proposal and is recommending approval of the project for the following reasons: 1) There is sufficient water available to serve the increase in production capacity; 2) The expansion of the production facility and winery cave system was found to be consistent with the Zoning Ordinance and applicable General Plan policies; 3) The Environmental Health Division has reviewed the intended wastewater disposal system expansion and approved the proposal with conditions; and 4) The following Greenhouse Gas (GHG) reduction strategies are already implemented for the project: a vehicle miles traveled (VMT) reduction plan, energy conserving lighting, low-impact development, recycling of 75% of their waste, use of recycled materials, and sustainable practices education for staff. All potential environmental impacts were found to be less than significant with implementation of mitigation measures for biological resources. Furthermore, staff has reviewed the Road and Streets Exception request for the existing roadway and determined that the required findings can be met. Based on the reasons stated above, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following areas: Biological Resources. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner/Applicant: Kenzo Estates, Inc.

Applicant Representatives: Tom Adams & Josh Devore, 1455 First Street, Suite 301, Napa, CA 94559; (707) 252-7122.

Zoning: Agricultural Watershed (AW)

GP Designation: Agriculture, Watershed, and Open Space (AWOS)

Filed: September 26, 2019; **Resubmittal Received:** March 19, 2020, July 14, 2020, September 8, 2020; **Deemed Complete:** September 14, 2020

Parcel Size: 36.13 acres

Existing Development: The existing parcel consists of a 73,274 sq. ft. winery facility; 24,174 sq. ft. of enclosed space (production buildings, tasting rooms, agricultural building), 26,630 sq. ft. of open-air and covered open-air space (production areas, covered crush pads), and 22,470 sq. ft. of existing cave.

Approved and Proposed Winery Characteristics

Winery Size - Approved: 24,174 sq. ft. of existing enclosed area (red and white winery buildings, tasting room, agricultural building); 5,350 sq. ft. of existing open-air covered area (red and white wine covered crush pads); 22,470 sq. ft. of existing caves.

Winery Size - Proposed: 24,174 sq. ft. of existing enclosed area (red and white winery buildings, tasting room, agricultural building); 3,350 sq. ft. of new covered crush pad to the white winery building for a total of 8,710 sq. ft. of open-air covered area; 45,945 sq. ft. of new caves for a total of 68,415 sq. ft. of caves.

Production Capacity Approved: 102,000 gallons

Production Capacity Proposed: 150,000 gallons

Winery Development Area Approved: 34,282 sq. ft.

Winery Development Area Proposed: 37,657 sq. ft.

Winery Coverage Area Approved: 94,262 sq. ft.

Winery Coverage Area Proposed: 110,498 sq. ft. or approximately 7% (Max 25% or approximately 15 acres is

permitted, whichever is less)

Accessory/Production Ratio Approved: 6,024 sq. ft. accessory/67,250 sq. ft. production - approximately 9.0%.
Accessory/Production Ratio Proposed: 6,744 sq. ft. accessory/115,995 sq. ft. production – approximately 5.8%
(maximum of 40% allowed)

Number of Employees Approved: 17 full-time and six (6) part-time seasonal employees
Number of Employees Proposed: No Change

Visitation - Approved: 50 visitors Monday through Thursday and 100 visitors Friday through Sunday for the May through October with a weekly maximum of 250 visitors; 50 visitors Monday-Thursday and 75 visitors Friday-Sunday for the months November through April with a weekly maximum of 150; Tours and Tastings will not exceed 50 visitors on days when marketing events are held. (Catered food pairing to be provided)
Visitation - Proposed: No Change

Marketing Program Approved: 36 events per year with 50 guests maximum, four (4) events per year with 150 guests maximum, and two (2) events per year with 75 guests maximum; Tours and Tastings will not exceed 50 visitors on days (Friday-Sunday) when marketing events are held (Catered food pairing to be provided)
Marketing Program Proposed: No Change

Days and Hours of Operation Approved: Winery production is 7:00 am to 6:00 pm and for visitation 9:00 am to 4:00 pm; Retail sale of wines shall be completed by 4:30 pm and shall be limited to those wines set forth in Napa County Code Section 18.16.030(G)(5)(c) pursuant to Condition #3 Tours and Tastings of Use Permit #03513-UP.
Days and Hours of Operation Proposed: No Change

Parking Approved: 28 spaces, including one ADA space
Parking Existing: 22 spaces, including one ADA space
Parking Proposed: No Change

Adjacent General Plan Designation/ Zoning / Land Use:

North: Agriculture, Watershed and Open Space (AWOS)/Agriculture Watershed (AW) zoning/ rural, open space
South: Agriculture, Watershed and Open Space (AWOS)/Agricultural Watershed (AW) zoning/rural, open space
East: Agriculture, Watershed and Open Space (AWOS)/Agricultural Watershed (AW) zoning/agricultural use (vineyards)
West: Agriculture, Watershed and Open Space (AWOS)/Agricultural Watershed (AW) zoning/agricultural use (vineyards) and large lot residential

Nearby Wineries: (Located within 1 Mile of the Project)

There are no wineries within a one (1) mile radius of the project. However, there are two wineries located within two miles from Kenzo on Monticello Road/State Route 121 (Attachment J).

Code Compliance History:

Having discussed the application with Code Enforcement staff, toured the property, and upon review of the department's files, staff is not aware of any code compliance issues on the subject parcel. Structures allowed by use permit/building permit are in compliance at this time.

Project History:

Kenzo Estates was established and approved by the Planning Commission in March 2005, by approval of Use Permit #03515-UP for a 85,000 gallon per year winery and the construction of a 20,000 sq. ft. winery production building, 18,000 sq. ft. of caves, 2,500 sq. ft. hospitality center, nine (9) full-time and two (2) part-time employees, and 20 parking spaces. Tours and tastings by appointment only were permitted at this time for a maximum of 25 daily visitors and a maximum of 75 weekly visitors. A marketing program consisting of 25 events with 50 persons maximum, two (2) wine release events for 150 persons maximum, and two (2) Napa Valley Wine Auction events for 75 persons was also approved. The following represents subsequent use permit modification approvals to expand the facility:

June 2008 - Very Minor Modification #P08-00196-MODVMIN was approved administratively by the Planning Director to increase the cave by 7,000 sq. ft. and reduce the winery structure by 7,000 sq. ft. No other changes were requested or approved.

January 2009 – Very Minor Modification #P08-00635MODVMIN was approved administratively by the Planning Director to increase the tasting and administration building from 3,088 sq. ft. to 3,266 sq. ft. No other changes were requested or approved.

September 2009 – Very Minor Modification #P09-00334-VMOD was approved administratively by the Planning Director to construct a new 1,320 sq. ft. winery equipment storage building. No other changes were requested or approved.

February 2010 – Very Minor Modification #P10-00025-VMM was approved administratively by the Planning Director to modify the winery layout from three (3) patios with freestanding trellis features totaling 2,900 sq. ft. to two (2) patios with freestanding trellis features totaling 3,500 sq. ft. No other changes were requested or approved.

January 2013 – Very Minor Modification #P11-00487-VMM was approved administratively by the Planning Director to enclose an existing 754 sq. ft. patio to be used for hospitality purposes. No other changes were requested or approved.

July 2013 – Minor Modification #P12-00434-MOD was approved by the Zoning Administrator to construct a 12,645 sq. ft. winery structure for white wine production, tank rooms, covered crush pad, storage, and associated parking for a new total of approximately 53,145 sq. ft. (to include existing caves). No other changes were requested or approved.

September 2016 – Major Modification #P15-00293-MOD was approved by the Planning Commission to increase production from 85,000 gallons to 102,000 gallons annually, increase in the number of employees from nine (9) full-time employees and two (2) part-time employees to 17 full-time employees and six (6) part-time seasonal employees, on-site premises consumption of wines, expansion of the existing wastewater treatment and disposal systems, removal of a previous condition imposing a 25% winery production limitation on custom grape crush producers, and an exception to the Napa County Road and Streets Standards to install a left turn lane on Monticello Road. The winery's visitation was also set forth as follows; Tours and Tastings to be conducted 7 days a week. 50 visitors Monday through Thursday and 100 visitors Friday through Sunday for the Months of May through October with a weekly maximum of 250 visitors. 50 visitors Monday through Thursday and 75 visitors Friday through Sunday for the months of November through April with a weekly maximum of 150 visitors. Marketing events as follows; 36 events with 50 persons maximum, 4 events with 150 persons maximum, and two (2) events with 75 persons maximum. No other changes were requested or approved.

Discussion Points

Setting - Surrounding land uses consist of large lot residential development and agricultural vineyards to the east and west of the project site. The closest residence is approximately 1,450 feet from the winery structure. Native

vegetation of the site includes Pastoral Grassland, Oak Woodland, and Chaparral; however, the majority of the site is disturbed and primarily planted with vineyards. Existing Oak Woodlands located to the south of the project are not proposed to be disturbed under this proposal. There is an existing unnamed blue-line stream located approximately 435 feet to the south that runs through the existing Oak Woodlands, eventually feeding into Leoma Lakes. No improvements are proposed within the stream setbacks or setbacks for Leoma Lakes.

Winery Expansion - This proposal includes an expansion of outdoor covered and uncovered production space and an expansion of the winery cave system. The applicant proposes to expand an existing crush pad cover, currently covering production space between two white wine production buildings, southwest towards an adjacent hill where the winery's cave system currently resides. This 29 ft. high crush pad cover will extend over 650 sq. ft. of existing production area and an additional 3,350 sq. ft. of new expanded covered crush pad. The far end of this new covered crush pad will cut into the adjacent hillside, where a new winery cave portal will be excavated. In addition to this new cave portal, a second cave portal for the winery cave system expansion will be excavated into the hillside approximately 150 feet to the southeast of the new covered crush pad. An existing road will be paved and expanded to accommodate truck traffic to this cave portal. Finally the applicant requests to construct a 820 sq. ft. uncovered mechanical yard to the east and directly adjacent to the new covered crush pad area.

Furthermore the applicant proposes to expand their existing 22,470 sq. ft. winery cave system by an additional 45,945 sq. ft. for a total winery cave system of 68,415 sq. ft. The new cave system will connect to the proposed two (2) cave portals and would include a tank cave accommodating 34 tanks, drum cave area to accommodate 2,078 drums, and barrel cave area to accommodate 1,386 barrels. The proposed cave system expansion includes a 720 sq. ft. area, adjacent to the second cave portal mentioned above, in order to conduct tours and tastings within the caves.

Biological Resources - The proposed project is comprised of an expansion to an existing winery and access roadway improvements, including the widening of sections to bring it into compliance with the Napa County Road and Street Standards. Areas planned for construction, earthmoving, or disturbance include land directly adjacent to the winery, sections of Wild Horse Valley Road, and an existing spoils stockpile that is located approximately 0.9 miles southeast of the winery on land owned by the applicant. While generally disturbed, these areas are located adjacent to existing annual grassland, oak woodland, chaparral, and riparian habitat. An unnamed blue line stream runs east to west between two man made reservoirs, approximately 150 feet south of the proposed southeastern cave portal, before turning north and feeding the stream beds known as Leoma Lakes. From there the unnamed blue line stream runs north under Wild Horse Valley Road where it descends into the Wooden Valley area and connects to White Creek. A Special Status Habitat and Species Analysis dated March 2020 was prepared for the project by Zentner Planning and Ecology. The report includes the results of a site survey of the project site (conducted February 11, 2020) and a review of special-status plant and wildlife species potentially occurring in the project site vicinity (a 5-mile radius) through consultation of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB), the United States Fish and Wildlife Service (USFWS) special species list, and the California Native Plant Society's (CNPS) Online Inventory of Rare and Endangered Plants.

The review of special-status plant and wildlife species potentially occurring in the area determined that a total of two (2) special-status wildlife species and 11 special-status plant species have the potential to occur in the general region of the proposed project. The site survey did not find the presence of any candidate, sensitive, or special-status plant or wildlife species within those areas; however the survey did identify potentially suitable habitat for one (1) of the recorded wildlife species (Western Pond Turtle), due to the adjacency of Leoma Lakes to the proposed improvements to Wild Horse Valley Road, and nine (9) of the recorded plant species (*Brewer's western flax*, *Greene's narrow-leaved daisy*, *Henderson's bent grass*, *Holly-leaved ceanothus*, *Mead's owl-clover*, *Napa bluecurls*, *Napa checkerbloom*, *Narrow-anthered brodiaea*, and *Oval-leaved viburnum*). Furthermore the report found that project construction, earthmoving, and disturbance areas were also adjacent to potential foraging and nesting habitat for raptor or other migratory nesting bird species. While none of the identified candidate, sensitive, special-status plant or wildlife species were observed, the report found that the potential for occurrence

of these special-status species cannot be ruled out based on this reconnaissance level field survey. Construction, earthmoving, and disturbance activities associated with the project would potentially significantly impact these biological resources, thus mitigation measures, which are included in the project's Conditions of Approval, have been proposed which, if implemented, would reduce impacts to less than significant. Mitigation measure BIO-1 recommends special-status plant pre-construction surveys prior to project activities which might begin during the blooming period. Mitigation measure BIO-2 recommends pre-construction surveys and construction monitoring for Western Pond Turtle prior to work within the vicinity of Leoma Lakes. Finally mitigation measure BIO-3 recommends a nesting bird survey prior to any work which would commence anytime during the nesting/breeding season of raptors or other bird species listed in the Migratory Bird Treaty Act.

Groundwater Availability - The project is categorized as being located within the area designated as "All Other Areas" based upon current County Water Availability Analysis (WAA) Guidelines. Projects within "All Other Areas" are required to determine the groundwater recharge of the project on a parcel by parcel basis. A Groundwater Recharge Report, completed by RSA+ on August 8, 2015 was used to determine the parcel recharge, which based upon criteria within the WAA Guidelines for determining the rate of recharge for a parcel, determined that the groundwater recharge rate for the parcel was 0.48 acre-feet per year (af/yr). Based upon the parcel size of 36.13 acres, the annual allowable water allotment for the project site is 17.34 af/yr, determined by multiplying the 36.13 acre site by the groundwater recharge rate. According to the Water Availability Analysis for Kenzo Estate Winery prepared by RSA+ on September 27, 2019, the anticipated total overall water demand for the project site would be 8.85 af/yr representing a 0.74 af/yr increase of the existing water demand of 8.11 af/yr. This increase comes completely from the increase in process wastewater from the wineries increase in production capacity. The estimated proposed groundwater demand is below the water allotment for the parcel and thus would be sufficient to serve all uses on the property.

Wastewater - Wastewater disposal would be accommodated on-site and in compliance with State and County regulations. According to the Onsite Wastewater Disposal Feasibility Report for Kenzo Estate Winery Use Permit Major Modification prepared by RSA+ on September 27, 2019, the wastewater flows associated with the proposed project would exceed the capacity of the existing wastewater system. The report presented three (3) options on how to handle the proposed increase rate of flow, including enlarging the existing pressure distribution system with vineyard irrigation for reserve area, utilizing the increased flow for surface drip irrigation, or utilizing surface drip for all process wastewater that is generated. The Division of Environmental Health reviewed this report and concurred with its findings, and will review plans when the winery submits plans to upgrade their existing wastewater systems.

Grape Sourcing - Although the winery site is only 36.13 acres in size and is developed with 8.15 acres of vineyards, the applicant has indicated that the total vineyard area on the +/- 4,000 acre Kenzo properties is approximately 158 acres and that 100% of its wine is produced from estate grown grapes. Under the prior modification (P15-00293-MOD) the applicant indicated that they expected a yield of 96,000 gallons, with the additional 6,000 gallons of production capacity proposed to allow for years with higher crop yield. Since the prior modification Kenzo Estate has added an additional 12 acres of vineyards to their properties, the 12 new acres could be expected to produce an additional 6,300 annual gallons of wine (assuming 3.5 tons per acre of vineyard and 150 gallons per ton). The applicant has indicated that the additional capacity is requested for future expansion of the estate vineyards.

Traffic - The project site is located on the south side of Monticello Road/State Route 121, about six miles east of the SR 121/Silverado Trail intersection in the City of Napa. The original Use Permit (#03513-UP) restricts all winery access and egress to Monticello Road, including employees, guests, and deliveries. Furthermore, all winery traffic is restricted from Wild Horse Valley Road. Given this restriction, Kenzo Estates Winery entrance splits into two driveways immediately south of SR 121, both gated. The westerly driveway provides access to two residential estates, while the easterly driveway provides access to the existing winery site. There are no other active driveways along SR 121 in the vicinity of the project entrance. Recent traffic studies indicate that State Route 121 is currently operating at LOS C during the weekday peak AM hours, at LOS B during weekday peak PM hours, and at LOS C

during weekend peak hours.

The proposed project does not include an increase in the winery's visitation, marketing, or on-site employment. According to the Winery Traffic Information/Trip Generation Sheet that was completed by the applicant for this project, the increase in production from 102,000 annual gallons to 150,000 annual gallons would increase daily commercial truck trips by 0.86 trips per day. Therefore, the project would result in a nominal increase in commercial truck trips, and this increase along with the temporary trips generated from construction of the project, would not impact the access driveway and SR 121.

Road and Street Standards Exception - The project also includes a request for an exception to the Napa County Road and Street Standards (RSS). To approve a road modification request, the Planning Commission must find that the project satisfies two requirements. The first is that the project meets the required findings under Napa County's Exception to Standards Section 3(D) which shall include any one of the following: 1) to preserve unique features of the environment (exception does not include man made environmental features such as, decorative landscaping, vineyard, or fences); 2) to accommodate physical site limitations such as grade differentials; or 3) to accommodate other limiting factors such as historical or legal constraints. In doing so, the Commission must find that there is either a natural feature or legal/historical constraint that prevents the project from otherwise meeting the standard.

The second is that the project meets the required findings under Napa County's Exception to Standards Section 3 (E) in that the proposed alternative design contains mitigating features such that the alternative design achieves the same overall practical effect as that of a project that meets the standards. In practice, 'same practical effect' is typically implemented by: 1) widening the road where it can be widened to the standard (and thus limiting the area (s) of substandard road sections); 2) employing additional design features such as signage, view mirrors (where appropriate), vegetation clearing, pavement grove (for steep slopes), in the vicinity of the reductions; and 3) implementing building and site safety upgrades such as increased fire sprinkler water storage, safe haven driveway expansions, increased access and clear areas around buildings, and additional fire resistant construction.

The request proposes an exception to the Napa County RSS to allow for a reduction of driveway width for an approximately 500 foot long section where the roadway width is at least 17.5 feet, when the RSS requirement is 20 feet minimum (Station 42+70 to 47+86). The RSS exception has been requested to minimize environmental impacts by reducing earth disturbances on slopes exceeding 30% and to prevent grading and earth disturbance within proximity to natural water courses and the existing ponds known as Leoma Lakes.

Engineering and Fire Department staff have reviewed this project and the RSS exception and recommend approval subject to conditions of approval. Strict application of the requirement to improve the existing driveway section in question to current standards would result in mass grading on steep slopes in excess of 30 percent as well ground disturbance/grading within the conservation setbacks for natural water courses. To this end, granting the exception will minimize impacts to biological resources. As discussed in the Initial Study/Mitigated Negative Declaration, biological resources related impacts will be less than significant with implementation of mitigation measures and with approval of this exception. In addition, the request will achieve the same overall practical effect of the RSS by providing defensible space and consideration toward life, safety and public welfare by providing the following permanent mitigating features: 1) Continued access for emergency wildland fire equipment, which the applicant has demonstrated on their plans which show that a Type I Fire Engine could traverse the section with no restrictions; 2) Continued safe civilian evacuation through the improvement to all other sections of the roadway and the inclusion of intervisible pullouts areas available within the existing section; 3) Signage that avoids delays to emergency vehicles in the form of "Yield to Emergency Vehicle" signs proposed to be installed; 4) Continued access to water to effectively attack wildfire or defend structures which will be available at hydrants around the winery and at Leoma Lakes at the section of roadway under this request; and 5) Continued fuel modification for civilian and fire fighter safety through 100 feet of defensible space maintained around all structures and 10 feet of

defensible space maintained around the roadway.

Public Comments - No comments have been received at the time of staff report preparation.

Decision Making Options:

As noted in the Executive Summary Section above, Staff is recommending approval of Option 1, approve the applicant's proposal with conditions of approval as described below.

Option 1 – Approve Applicant's Proposal

Disposition - This option would result in the approval of a Major Modification to increase production, expand the production facility and winery cave system, and the exception to the Napa County RSS for a section of the project's access road (Wild Horse Valley Road). The project as proposed is compliant with Zoning Code regulations, General Plan policies, and the NCRSS. The winery's location from the State Highway and other residential properties, a sufficient water supply, and the ability to reduce impacts on the environment to less than significant have led staff to support approval of the project as proposed.

Action Required - Follow proposed action listed in the Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at the time a motion is made. This option has been analyzed for its environmental impacts, which were found to be a less than significant impact as long as mitigation is incorporated for Biological Resources. Furthermore, County divisions and departments have reviewed the proposal and are in support of the request.

Option 2 – Reduced Alternative

Disposition - All potential environmental impacts have been found to be less than significant, with the inclusion of mitigation measures for Biological Resources. However, this option provides the Planning Commission the ability to further reduce potential impacts by reducing the overall expansion of the project, through a reduction in the requested annual wine production capacity and/or a reduction in the requested winery cave size. If the Planning Commission elects to pursue this option, the recommended conditions of approval would need to be amended to reflect the reduced project.

Action Required - Follow proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to place limits on wine production capacity and/or the winery cave size. If major revisions of conditions of approval are required, the item will need to be continued to a future date.

Option 3 – Deny Proposed Project

Disposition – In the event the Commission determines that the project does not, or cannot meet the required findings for grant of a use permit modification, Commissioners should articulate what aspect or aspects of the project are in conflict with required findings. State law requires the Commission to adopt findings, based in the General Plan and County Code, setting forth why the proposed use permit is not being approved.

Action Required – Commission would take tentative motion to deny project and remand the matter to staff for preparation of required finding to return to the Commission on specified date.

Option 4 – Continuance Option

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

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Previous Conditions of Approval
- D . Initial Study - Mitigated Negative Declaration
- E . Use Permit Application Packet
- F . Special Status Habitat and Species Analysis
- G . Water Availability Analysis
- H . Wastewater Feasibility Report
- I . Stormwater Control Plan
- J . Winery Comparison Tables
- K . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina