



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 2/17/2016

Agenda Placement: 10C

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: JASON HADE, PLANNER III - (707) 259-8757

SUBJECT: Bouchaine Vineyards Use Permit Major Modification P14-00148 and Variance P14-00409

RECOMMENDATION

BOUCHAINE VINEYARDS- USE PERMIT MAJOR MODIFICATION NO. P14-00408-MOD AND VARIANCE NO. P14-00409-VAR

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval to modify an existing 225,000 gallon winery with a 117,325 square foot winery coverage area to allow the following: (1) construction of a new hospitality center totaling 4,897 square foot in accessory use area with a maximum building height of approximately 19 feet and 2,108 square foot patio; (2) construction of a 1,608 square foot enclosed dry storage area addition to the existing production building; (3) interior remodeling of the existing 3,053 square foot wine club/office building; (4) demolition of the current southern entrance to the perimeter road and two unoccupied existing single-family residences; (5) construction of thirty five (35) space parking lot (three ADA spaces); (6) installation of landscaping and new entry monument sign; (7) hosted daily tours and tastings for wine trade personnel and the public for a maximum of 60 persons per weekday and 150 persons per day on weekends; (8) a modified marketing program; (9) hours of operation: 7:00 AM to 4:30 PM (production hours except during harvest) and 10:30 AM to 5:30 PM (visitation hours), 7-days a week; (10) employment of: 21 employees (16 full time; 5 part time) non harvest; 3 additional employees (1 full time and 2 part time) during harvest, for a total maximum of 24 employees; and (11) employee hours: 7:00 AM to 5:30 PM, 2 shifts. The project also includes a variance to reduce the required minimum setback from the winery/production building modification to Buchli Station Road from 300-feet to 42-feet. No increase in the production capacity is requested. The project is located on an 102.28-acre site at 1075 Buchli Station Road, Napa, approximately 0.25 miles south of its intersection with Las Amigas Road, within the Agricultural Watershed (AW) zoning district, designated Assessor's Parcel Number: 047-320-031.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit Major Modification, as conditioned, and deny the Variance application.

Staff Contact: Jason R. Hade, AICP, (707) 299-8757 or jason.hade@countyofnapa.org

Applicant Contact: Michael Cook, 418 B Street, Third Floor, Santa Rosa, CA 95401, (707) 792-1800

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Negative Declaration, based on Findings 1 - 7 of Exhibit A;
2. Deny Variance No. P14-00409-VAR; and
3. Approve Use Permit Modification No. P14-00408-MOD based on Findings 8 - 12 of Exhibit A and subject to the recommended conditions of approval (Exhibit B).

Discussion:

This proposal is for the construction of a new 4,897 square foot hospitality center and enclosure of a 1,608 dry storage area within an existing building footprint at an existing pre-WDO winery. A modified visitation and marketing program is requested which would increase from a total of 30 events with an estimated 2,540 participants annually to 217 events for a maximum 27,620 participants annually including wine and food pairings. No increase in production capacity is requested, but nine additional employees are proposed for a total of 24 employees at the site.

The requested Variance cannot be supported by staff as all of the required findings cannot be met, specifically Finding numbers 2 and 3, as discussed below. As shown in Attachment A, Winery Comparison Analysis, the requested visitation increase by appointment only falls below the average, but exceeds the median, visitation programs compared to wineries of similar production levels. However, the requested marketing program change significantly exceeds the average and median marketing programs compared to wineries of similar production levels. Based on this information, Staff is recommending approval of a modified project alternative which reduces the number of permitted marketing events and associated maximum guests subject to the proposed conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration Prepared. According to the proposed Negative Declaration, the project would not have any

potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Bouchaine Vineyards, Incorporated

Owner's Representative: Chris Kajani; 1075 Buchli Station Road, Napa, CA 94559; (707) 252-9065

Applicant: Michael Cook, Firma Design Group, 418 B Street, Third Floor, Santa Rosa, CA 95401 (707) 792-1800

Zoning: Agricultural Watershed (AW) - Airport Compatibility (AC) Combination District

GP Designation: Agricultural Resource (AR)

Filed: December 19, 2014

Resubmittal Received: February 18, 2015; April 15, 2015; May 26, 2015; October 30, 2015; and December 2, 2015.

Deemed Complete: December 11, 2015

Parcel Size: 102.28 acres

Existing Development: The existing winery covers 117,325 square feet or 2.63 percent of the parcel consisting of a 23,064 square foot wine production facility, 2,736 square foot covered crush pad area, 6,561 square foot uncovered crush pad area, 3,409 square feet of accessory uses including a 2,964 square foot tasting room, office, and storage building, a 18 public space parking lot, access driveways; a 50,000 gallon water storage tank and 10,000 gallon water storage tank; and the sanitary and process waste disposal systems. Two existing unoccupied single-family residences are also present at the site and slated for demolition as part of the project. The site contains 98.79 acres of planted vineyards.

Proposed and Existing Winery Characteristics

Winery Size- Approved: 38,593 square foot winery development area with uses identified above.

Winery Size- Proposed: 46,560 square foot winery development area with 4,897 square foot hospitality center, 35 additional parking spaces (32 standard spaces and three ADA spaces), and enclosing of 1,608 square foot dry storage area within the existing winery building.

Production Capacity Approved: 225,000 gallons per year.

Production Capacity Proposed: No change.

Winery Coverage Existing: 117,325 square feet or approximately 2.69%.

Winery Coverage Proposed: 140,623 square feet or approximately 3.2% (Maximum 25% or approximately 15 acres permitted).

Accessory/Production Ratio Existing: 3,409 square feet accessory/36,856 square feet production - approximately 9%.

Accessory/Production Ratio Proposed: 8,698 square feet accessory/39,357 square feet production -

approximately 22%.

Number of Employees Existing: 15
Number of Employees Proposed: 24

Visitation - Approved: The existing 750 square foot tasting room was established prior to the County's Winery Definition Ordinance (WDO). Although no specific conditions of approval were found within the previously approved Use Permits which address any limitation to the number of tastings, Use Permit Modification #U-528283-MOD 1 approved by the Planning Commission on October 19, 1988 included a Use Permit Supplemental Information Sheet completed by the applicant which lists the proposed maximum number of daily visitors as 30 guests. Please refer to the Visitation and Marketing section below for additional discussion regarding this issue.

Visitation - Proposed: The pre-WDO 750 square foot tasting room is proposed to be relocated to the hospitality center with unlimited public drop-in visitation. Additionally, by appointment, a maximum of 60 persons per weekday and 150 persons per weekend day for a total of 600 persons per week are requested. As noted below under the Visitation and Marketing section, the concept of "unlimited" visitation does not exist under the WDO. The WDO recognizes what was occurring at a site at the time of its adoption which in this case was a maximum of 30 visitors per day and 150 visitors per week.

Marketing Program- Approved and Proposed: Approved and proposed marketing plan described in the table below.

Event Type	Existing Marketing Plan	Proposed Marketing Plan
	Events per year/Attendance (persons)	Events per year/Attendance (persons)
Private Promotions & Dinners	8/year 12 maximum	15/year 50 maximum
Annual Wine Auction	2/year No limit	2/year; 50 maximum per event
"April in Carneros"	2/year No limit	To be deleted
Wine related groups with catered meal	4/year 24 maximum	50/year; 25 maximum per event
Additional meetings (tasting, speeches, lunch, or dinner)	12/year 80 maximum	50/year; 80 maximum per event
"Holiday in Carneros"	2/year up to 300 in two days	To be deleted
Chef's Dinner Series	Not included in current marketing plan	48/year; 80 maximum per event
Special Wine & Food Events	Not included in current marketing plan	1/week 52/year; 60 maximum per event
Wine & Food Pairings	Not included in current marketing plan	10/day; 3,650/year; 4 maximum per pairing

The marketing plan modification would increase from a total of 30 events with an estimated 2,540 participants annually to 217 events for a maximum 27,620 participants annually including wine and food pairings.

Days and Hours of Operation- Approved: 7 AM to 4:30 PM daily (production hours) and 10:30 AM to 5:30 PM daily (visitation hours). All events to conclude by 10 PM.

Days and Hours of Operation-Proposed: No change.

Parking- Approved: 18 parking spaces.

Parking-Proposed: 35 additional parking spaces (32 standard spaces and three ADA spaces).

Adjacent General Plan Designation/ Zoning / Land Use:

North: Agricultural Resource (AR)/Agriculture Watershed (AW) zoning/large lot residential

South: Agricultural Resource (AR)/Agricultural Watershed - Airport Compatibility (AC) combination zoning/agricultural use (vineyards) and agricultural support business/storage yard

East: Agricultural Resource (AR)/Agricultural Watershed - Airport Compatibility (AC) combination zoning/agricultural use (vineyards)

West: Agricultural Resource (AR)/Agricultural Watershed - Airport Compatibility (AC) combination zoning/agricultural use (vineyards) and large lot residential

Nearby Wineries (located within 1 mile of the project)

Please refer to Attachment A.

Parcel History

Bouchaine Winery has operated at its present location since 1961 before Use Permits for wineries were required. The current property owners acquired the property in 1981 at which time the winery's annual maximum production capacity was 225,000 gallons per year.

Use Permit #U-528283 was approved by the Planning Commission on August 3, 1983 and authorized the construction of a wastewater disposal pond at the subject site. A modification of Use Permit #U-528283-MOD 1 to convert an existing private tasting room to a public tasting room for public tours and tastings at the existing winery facility was subsequently approved by the Planning Commission on October 19, 1988.

A Certificate of Extent of Legal Nonconformity was issued by the Zoning Administrator in 1993 which recognized two winery structures which both encroach into the required front yard and road setbacks.

Use Permit #93033-UP was approved by the Planning Commission on October 6, 1993 and permitted the construction of three cupolas along the building ridgeline at a height of 49.5-feet above the original ground elevation exceeding the 35-foot maximum airport height restriction.

A modification for Use Permit #U-528283 was approved by the Zoning Administrator on October 8, 1993 which authorized the remodel and rehabilitation of the existing winery as well as the installation of a 60,000 to 70,000 gallon water storage tank for fire protection.

On June 20, 1997, the Zoning Administrator approved a modification to Use Permit #U-528283 to increase the size of an existing outdoor deck by 342 square feet, install a business identification sign, and establish a marketing plan.

On October 13, 2000, the Zoning Administrator approved Minor Use Permit Modification #99513-MOD which authorized custom production of up to 24,500 gallons of wine per year by up to four custom producers. A Certificate of Extent of Legal Nonconformity was also granted in 2000 which recognized the winery's annual maximum production capacity as 225,000 gallons per year.

The most recent modification request, Use Permit Modification #03092-MOD, was approved by the Planning

Commission on August 6, 2003, and permitted the construction of an additional 300-feet of septic leach line, two off-site directional signs, two additional custom production clients, and the addition of several marketing events.

Code Compliance History

The site lacks a water supply permit, but has been working closely with the Environmental Health Division to resolve this issue and obtain the required water supply permit. This would need to occur prior to implementation of this Use Permit Major Modification request. In 2013, the winery was found to be providing food and wine pairings in violation of Use Permit #U-528283. They were directed to immediately cease all food service and to apply for a Use Permit modification to include a commercial kitchen for on-site food preparation. A commercial kitchen is requested as part of this project.

Discussion Points

Setting - Existing improvements are detailed above under "Existing Development." Surrounding land uses consist of large lot residential development and agricultural vineyards to the north, east, and west of the project site and an agriculture support related business/storage yard to the south. The closest residence is approximately 530 feet from the winery structure. Approximately 1.23 acre of vines would be removed for the construction of the proposed project and 0.10 acres replanted as part of the project's proposed landscape plan.

Project Summary - The proposal includes the construction of a new hospitality center, a modified marketing program, and Variance to the required setback from Buchli Station Road to facilitate the enclosing of an existing dry storage area. No increase in the production capacity is requested, Proposed architectural design of the hospitality center would complement the existing winery and utilize high quality materials such as wood siding and stone. The proposed additional parking spaces would be located behind the hospitality center effectively screening this area from view from Buchli Station Road. Landscaping is proposed along the perimeter of the parking area and hospitality structure as well.

Visitation and Marketing - As with many wineries that were established prior to 1975 and the requirement to have a Use Permit, the extent of pre-WDO visitation is fairly vague. Since 2010, it has been the County's practice to determine the full extent of pre-WDO visitation and marketing activities as part of processing Use Permit expansion requests if an increase in visitation and marketing is requested. In this case, the applicant believes there is no limitation regarding the number of visitors to the existing 750 square foot tasting room. A detailed review of the site's entitlement history indicates no specific conditions of approval which address limitations to the number of tasting room visitors. However, Use Permit Modification #U-528283-MOD 1 approved by the Planning Commission on October 19, 1988 included a Use Permit Supplemental Information Sheet completed by the applicant which lists the proposed maximum number of daily visitors as 30 guests. This is further supported by 18 approved parking spaces intended to accommodate approximately 30 visitors per day as well as employees. Staff's analysis of the applicant's list of visitors to the winery from August 20 to August 28, 1988, indicates 14 visitors on the busiest day and an average of 75 visitors per week. According to Environmental Health Division records related to Use Permit Modification #U-528283-MOD 1, the applicant proposed 30 daily visitors and 150 visitors per week. As such, no septic improvements were required based upon the proposed number of visitors. This information was shared with the applicant who disagrees that it was intended to limit the number of guests to the tasting room, but did not provide any additional evidence to support their claim of unlimited drop-in visitation. Current visitation information in the County's winery database indicates a maximum of 30 visitors per day for the winery. Staff recommends a maximum of 30 daily drop-in visitors and 150 weekly visitors be permitted to use the pre-WDO 750 square foot tasting room.

As shown in Attachment A, the requested visitation increase by appointment only falls below the average, but exceeds the median, visitation programs compared to wineries of similar production levels. However, the

requested marketing program change significantly exceeds the average and median marketing programs compared to pre-WDO and WDO wineries of similar production levels. Based on this information, Staff is recommending approval of a modified project alternative which reduces the number of permitted marketing events and associated maximum guests subject to the proposed conditions of approval. Under the applicant's proposal, an unlimited number of visitors could visit the 750 square foot tasting room on a typical weekend day as well as 150 guests by appointment also on a typical weekend day, and lastly a special event lunch or dinner with up to 80 guests (referred to as "additional meetings" in marketing program table above) could be held on that same typical weekend day. Based upon the number and frequency of events requested, this same scenario could occur on nearly every weekend throughout the year. For this reason, staff recommends a modified marketing program outlined in Attachment A which would limit marketing events to 60 events per year more in line with the median calculation of both pre-WDO (60 events) and WDO (50 events) wineries with similar production levels. Under this proposal, annual marketing visitors would be limited to 3,380 guests. Staff also recommends that wine and food pairing events be reduced and included within the tasting by appointment category. Other staff recommendations consist of including any wine club members visiting the wine club tasting room within the by appointment only tasting room numbers and that drop-in visitors be permitted to access only the 750 square foot tasting room not from other areas of the hospitality center which would require an appointment. These suggestions have been incorporated into the recommended conditions of approval.

Tasting Room - Under the WDO, the size of the drop-in tasting room to be transferred from the existing accessory building to the new hospitality center is limited to 750 square feet. The 126 square foot art display area and 95 square foot retail display area shown on sheet UP2.2 of the proposed hospitality center floor plan are inconsistent with the WDO because they are not separated from the proposed 750 square foot tasting room. Prior to building permit issuance, staff suggest this issue be addressed by removing these areas from the tasting room.

Setback Variance Request – This proposal is subject to a 300 foot setback from Buchli Station Road (County Code Section 18.104.230). While the proposed hospitality center would be set back 300-feet from Buchli Station Road consistent with this requirement, the proposed enclosing of a portion of the existing production building which is 62-feet from the centerline of Buchli Station Road triggers the need for the variance application. This enclosed dry storage area would extend approximately 258-feet into the existing setback and would be located 42-feet from the centerline of Buchli Station Road. To approve a variance the Planning Commission must make all five of the required findings listed below. Because at least one finding cannot be supported based on information provided to date, Staff recommends denying the variance request.

Required Findings pursuant to 18.128.060:

1) That the procedural requirements set forth in this chapter have been met.

Staff Comment: This requirement has been met.

2) 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.

Staff Comment: The site is an existing operational winery that was originally constructed prior to the adoption of the 300 foot setback requirement. The proposed modification would occur within an existing previously disturbed development footprint area. There are no special circumstances existing on the property as the 100-acre parcel is fairly flat, rectangle shaped, and located in the Carneros region with no environmentally sensitive areas. At this point, staff and the applicant have been unable to document any special circumstances existing on the property, such as size, shape, or topography that would prevent the proposed enclosed dry storage area from being located outside the required setback. The applicant asserts that denial of the variance request would require the

construction of a new structure resulting in substantial vineyard loss, disruption of existing winery operations, and inefficient product flow. However, it should be noted that loss of vineyards is not a valid reason for support of a variance. Further, vineyard loss would occur as part of the construction of the proposed hospitality center. Staff has prepared an exhibit illustrating potential alternatives for the enclosed dry storage area that would not require a variance. There is no comparison of the circumstances of the applicant's property to other properties in the vicinity and within the same zoning designation. The applicant has only provided information about its property with no discussion or comparison of surrounding properties, therefore it is not possible for staff or the Commission to determine if in fact special circumstances exist at the property necessitating the location of the enclosed dry storage area within a setback.

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

Staff Comment: The site already contains a large winery complex, which in itself represents a substantial property right. The enclosing of the dry storage area is potentially an expansion of property rights. It can be argued that expansion is not necessary to preserve the substantial property rights that already exist. As shown in the "Alternate Enclosed Dry Storage Locations" exhibit, the applicant could still expand the production building without the need for a variance provided it does not further encroach into the required winery setback. This area would also be attached to the existing production building to maintain operational efficiency. Based on this information, staff does not believe the variance is necessary for the preservation and enjoyment of substantial property rights.

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

Staff Comment: There is nothing included in the variance proposal that would result in a measurable impact on the public health, safety, or welfare of the County of Napa. Construction of the new enclosed dry storage area 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 setback will not adversely affect the health or safety of persons residing or working in the neighborhood of the property. There have been no adverse impacts to public health, safety or welfare from the existing production building constructed in the 1920's. Various County departments have reviewed the project and commented regarding water, waste water disposal, access, building permits, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure protection of public health, safety, and welfare.

5) Findings 5, 6 and 7 pertain to groundwater use, and the applicable finding depends on whether the project is located in a groundwater deficient area (#5), outside of a groundwater deficient area (#6), or connecting to a public water supply (#7). In this case finding #6 applies with operative language as follows: "...substantial evidence has not been presented demonstrating that grant of the variance might cause a significant adverse affect on any underlying groundwater basin..."

Staff Comment: As set forth in the attached initial study hydrologic section and water availability analysis, the project does not have a significant impact on groundwater resources and this finding can be met.

Traffic - The project site is located on the west side of Buchli Station Road, approximately 0.25 miles south of its intersection with Las Amigas Road, south of the City of Napa and State Route 12-121. State Route 12 provides access to Sonoma County to the West and continues east through Napa County. State Route 121 provides access from State Route 37 in southern Sonoma County to the City of Napa. Buchli Station Road is a local road that runs in the north-south direction adjacent to the project site and dead-ends approximately 0.4 miles south of the project's driveway. Other local roads within the project vicinity include Las Amigas Road, Duhig Road, and Cuttings Wharf Road. As stated in the CEQA document, the traffic study found that the proposed project would result in an increase of an average of 45 daily trips during the weekday, 16 trips during the PM peak hour, 54 trips during the weekend and 29 trips during the weekend midday peak hour, including the change in tasting room visitors from existing

conditions to the level proposed under plus project conditions. These numbers do not include the proposed special events. The largest requested events would have up to 80 attendees per event and occur 24 times a year from 7:00 to 10:00 PM after the evening peak period. These events would typically be held on Saturday evenings and would be anticipated to generate 58 trip ends for guests plus ten trips for staff arriving and departing. On average, there would be a net increase of 33 daily trips related to special events on-site with the project. According to the study, State Route 12-121 is projected to continue to operate deficiently at LOS E under cumulative conditions. Under Future conditions, Duhig Road and Cuttings Wharf Road are expected to operate acceptably at LOS A. State Route 12-121 would operate at LOS E under the future conditions scenario. The addition of project trips to either cumulative or future traffic volumes would result in no measurable change to operation on the study roadways. As proposed, the project would result in a nominal increase in trips on the study roadways. Additionally, a project specific condition would ensure that all additional marketing events be scheduled outside peak weekend and weekday traffic hours. Impacts would be less than significant.

The need for left turn lanes on Buchli Station at the project driveways was evaluated as part of the project's traffic study based on the criteria contained in the *Napa County Road and Street Standards, 2011*. Based on the proposal's traffic levels, a left turn lane would not be warranted at the driveways serving the project site. Proposed site access was reviewed and approved by the Napa County Fire Department and Engineering Services Division, as conditioned.

Groundwater Availability - The proposed operation of the water system would remain as a Transient Non-Community System (public water systems which serve at least 15 service connections or 25 or more persons for at least 60 days of the year). As part of the water system permit implementation, a well number six would be added to the system with a capacity of 7,200 gallons per day of groundwater for a total supply of 23,040 gallons per day from on-site wells (Water Availability Analysis, 2015). A pump test was conducted for the well #6 as part of the Water Availability Analysis which indicates a yield of 10 gallons per minute after nine hours of continuous pumping (Well Inspection Report for Bouchaine, 2014). An application for a Domestic Water Supply Permit was prepared by the Firma Design Group, Inc. in November 2014 and concluded that there is adequate water available to serve the project.

The applicant completed a Water Availability Analysis which included a parcel specific recharge evaluation. According to the recharge evaluation, "application of the Soil Water Balance (SWB) model to the project recharge area revealed that average water year recharge was approximately 3.9 inches/yr or 301.3 ac-ft/yr. During drought conditions, recharge was significantly lower at approximately 0.7 inches/yr or 54.1 ac-ft/yr. These recharge estimates are conservative in that they represent recharge from infiltration of precipitation only. Significant additional recharge may occur through streambed infiltration, groundwater inflows from outside the defined project recharge area, and/or from excess irrigation." (Bouchaine Vineyards, Inc. Supplemental Water Availability Analysis Tier I Recharge Estimation and Tier II Well Interference Analysis, 2015). The estimated water demand of 18.27 af/yr for the entire site represents an increase of 1.99 af/yr over the existing condition. This is below the 301.3 ac-ft/yr average water year recharge calculation for the site as well as 54.1 ac-ft/yr anticipated recharge under drought conditions. Sufficient groundwater resources are available to serve the projected needs of the proposed project.

Estimated water demand for the winery is 6.15 af/yr which includes winery processing for the 225,000 gallon winery as well as landscaping, staff and visitor water use, and water utilized for the proposed visitation and marketing program. Approximately 12.12 af/yr would be needed for vineyard irrigation. The vineyard is irrigated with off-site, non-groundwater sources or from winery process water and stormwater runoff out of the existing process water pond, not additional well pumping.

Greenhouse Gases/Climate Action Plan - The County requires project applicants to consider methods to reduce Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department's Best Management Practices Checklist for Development Projects, which is attached to this report as Exhibit H. The project would incorporate the

following voluntary best management practices: photo-voltaic panels on roof of new hospitality center; bio retention swales in the proposed parking areas, as well as landscaping; motion sensitive lighting; natural ventilation within production areas and hospitality center; preferred parking locations for carpools, bicycle parking, on-site showers for employees, and electric vehicle charging stations; use of recycled water from the Los Carneros Water District; water efficient landscaping; and the planting of new trees on south side of the proposed dry storage area and hospitality center building. The project also intends to become a certified Napa Green Winery.

GHG Emission reductions from local programs and project level actions, such as the application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project specific on-site programs including those winery features noted above would combine to reduce emissions.

Public Comments - Four letters (Exhibit G) in support of the proposed project was received at the time of preparation of this staff report.

Consistency with Standards

Zoning - The project is consistent with the AW (Agricultural Watershed) zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.16.030) are permitted in the AW zoning district subject to an approved Use Permit. The project, as conditioned, complies with the Napa County Winery Definition Ordinance and all other requirements of the Zoning Code.

Engineering Services Division - Recommends approval with standard conditions in the attached Memorandum, dated December 17, 2015.

Environmental Health Division - Recommends approval with standard conditions in the attached Memorandum, dated December 9, 2015.

Fire Department - Recommends approval with standard conditions in the attached Memorandum, dated January 14, 2015.

Los Carneros Water District - Recommends approval with standard conditions in the attached Memorandum, dated March 11, 2015.

Decision Making Options

As noted in the Executive Summary Section above, Staff is recommending approval of the Option 2 Reduced Marketing Alternative with conditions of approval as described below. Decision making options also include approval of the applicant's proposal and project denial.

Option 1 – Approve Applicant's Proposal

Disposition - This option would result in the approval of the Variance for the proposed production building expansion, proposed hospitality center and associated visitation and marketing program.

Action Required - Staff does not support approval of the variance because at least one of the five required findings cannot be made. If the Commission finds, based on evidence in the record, that all findings can be made and wish to approve the project, then such direction should be provided to staff in the form of a Tentative Motion with action to continue the item to a future date for staff to return with findings and final conditions of approval. This option has

been analyzed for its environmental impacts, which were found to be less than significant.

Option 2 – Reduced Marketing Alternative (Staff Recommendation)

Disposition - This option would result in a decrease in the proposed marketing program, as well as, the denial of the Variance for the proposed production building expansion and approval of the hospitality center.

Action Required - Follow the proposed actions listed in the Executive Summary. The scope and project specific conditions of approval to reduce the permitted marketing program events has been incorporated into the findings and conditions of approval as discussed above. Staff's recommendation recognizes the pre-WDO maximum visitation for the drop-in tasting room as 30 visitors per day and 150 visitors per week, only permitting drop-in access to the 750 square foot tasting room, including wine club members within the requested by appointment only visitation numbers, and approving the modified marketing program identified as "staff's proposal" in Attachment A. Under staff's proposal, the winery would be limited to 60 marketing events per year with up to 3,380 marketing related visitors per year. Staff also suggests re-evaluating the number of requested employees if this alternative is selected. If major revisions of the conditions of approval are required, the item will need to be continued to a future date.

Option 3 – Deny Proposed Modification

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of a Use Permit and Variance, Commissioners should identify what aspect or aspects of the project are in conflict with the required findings. State law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Use Permit and Variance is not being approved. Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence supporting denial of the project.

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

Option 4 –Continuance Option

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

SUPPORTING DOCUMENTS

- A . Winery Comparison Analysis
- B . Exhibit A - Findings
- C . Exhibit B - Recommended Conditions of Approval
- D . Agency Comments
- E . Previous Project Conditions
- F . Initial Study/Negative Declaration
- G . Public Comments
- H . Use Permit Application Packet
- I . Variance Application Packet

- J . Water Availability Analysis
- K . Wastewater Feasibility Study
- L . Traffic Study
- M . Biological Study
- N . Stormwater Control Plan
- O . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina