



A Tradition of Stewardship
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Agenda Date: 3/2/2016
Agenda Placement: 10B
Continued From: 2/17/16

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: Wyntress Balcher, Planner II - 707 299-1351
SUBJECT: 3646 SMR Vineyards Winery Use Permit #P14-00327

RECOMMENDATION

3646 SMR VINEYARD WINERY- ANDREW RUDD - USE PERMIT #P14-00327 & ROAD & STREET STANDARDS EXCEPTION REQUEST

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would have potentially significant effects on Biological Resources and Transportation/Traffic unless mitigation measures are adopted. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a new winery Use Permit to allow the following: 1) production up to 20,000 gallons/year; 2) construction of a 10,456 sq.ft. winery building, which includes a 7,404 sf. production area, ±857 sq.ft. covered crush pad, and, 2,195 sq.ft. accessory area (office, tasting room, restroom, 644 sq.ft. terrace, and a 304 sq.ft. commercial kitchen); 3) construction of wastewater treatment facilities; 4) installation of two 20'-25' water storage tanks (30,000-60,000 gallons); 5) installation of landscaping; 6) construction of winery access road improvements; 7) a maximum of 10 employees; 8) tours and tasting by appointment only for a maximum of 12 visitors per day, maximum of 84 visitors/week; 9) hours of operation, 7 days/week from 6:00 am to 6:00 pm (production) and 10:00 am to 6:00 pm (hospitality); 10) a marketing program for a total of 27 events per year, which includes food and wine parings, twelve (12) events for a maximum 12 persons and twelve (12) events for a maximum 20 persons (maximum 4 per month), two (2) wine club and release events per year for a maximum 50 persons), and one (1) Auction Napa Valley event for a maximum 100 persons; 11) construction of 6 parking spaces; and, 12) on-premise consumption of wines produced on-site within the tasting room and the 644 sq.ft. outdoor deck/terrace, consistent with Business and Professions Code §23356, §23390, and §23396.5. The winery will be two-stories, ± 28 feet in height; wood siding, doors and trusses will be used for the winery building finishes; and stone terraces and concrete retaining walls. The proposal includes preparation of food in a commercial kitchen; large events will be catered. The project also includes a request for an exception to the Napa County Road and Street Standards (RSS), for a reduction to the width on portions of the access driveway to less than the required 20 ft. road width because of unique features of the natural environment which include, but not limited to steep slopes, heritage oak

trees and other trees at least 6" dbh. The project is located on a 56.75-acre parcel north of Spring Mountain Road, approximately .5 miles on a private access road and its intersection with Spring Mountain Road, within the Agricultural Watershed (AW) zoning district; 3646 Spring Mountain Rd, St. Helena, CA 94574; APN: 022-150-026.

Staff Recommendation: Adopt the Mitigated Negative Declaration, approve the Road and Street Standard Exception, and approve the use permit request as conditioned.

Staff Contact: Wynress Balcher, (707) 922-1351 or wynress.balcher@countyofnapa.org.

Applicant Contact: Donna Oldford, (707) 963-5832 of dBoldford@aol.com

CONTINUED FROM THE FEBRUARY 17, 2016 REGULAR MEETING.

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration, based on Findings 1-6 of Exhibit A;
2. Approve the requested Exception to the Napa County Road and Street Standards based on Findings 7-8 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B); and
3. Approve Use Permit (P14-00327) based on Findings 9-13 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B).

Discussion:

The applicant requests approval of a Use Permit for the following: 1) production of up to 20,000 gallons per year; 2) construction of a 10,456 sq.ft. two story winery building consisting of a 7,404 sq. ft. production area (3,858 sq.ft. lower cellar for barrel storage, general storage and work area); 2,195 sq.ft. for administration/hospitality areas (office, tasting room, restrooms, 304 sq. ft. commercial kitchen, and a 644 sq.ft. outdoor deck); ±857 sq.ft. covered crush pad/receiving area.; 3) construction of five (5) parking spaces and one loading area; 4) construction of winery access driveway to the proposed winery building; 5) 10 or fewer employees; 6) tours and tastings by appointment only on a daily basis up to a maximum of twelve (12) visitors per day and a weekly maximum of 84 visitors, to include light fare foods; 7) a marking program to include: food and wine pairings 24 per year, half with a maximum of twelve (12) guests and half with a maximum of 20 guests; 8) wine club and release marketing events up to 2 per year with a maximum of (50) guests; 9) large auction-related marketing events up to 1 per year with a maximum of (100) guests; 10) request for on premise consumption of wines produced on site within the tasting room, terrace, and deck in accordance with AB 2004. The project also request approval of a Napa County Road and Streets Standards Exception (RSS), to reduce the amount of tree removal, avoid steep slopes, and geologic features by allowing reduced road widths; by providing intervisible turnouts, improving line of sight through a vegetation management plan, and providing wide angle mirrors.

Staff finds the proposed project consistent with the Napa County Zoning Ordinance and applicable General Plan Policies and recommend approval of the project, subject to the proposed conditions based upon the following reasons: 1) the large parcel size; 2) the distance from Spring Mountain Road and residences from the proposed winery; 3) no viewshed issues; 4) the placement of the winery building on previously disturbed land with no vineyard removal; and, 5) the small level of visitation. The request for an exception to the Road and Street

Standards has been reviewed by the Engineering Services Division and the Napa County Fire, who support the proposal, confirming the unique features of the environment and finding that the proposed alternate improvements meet the same overall practical effect of the RSS.

The Commission has four general decision making options as follows and detailed in the main body of this report: 1) approve Applicant's proposal (Staff Recommendation); 2) a Reduced Visitation/Marketing Alternative; 3) deny the request; or 4) continue the project.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the project would have potentially significant effects on Biological Resources and Transportation/Traffic unless mitigation measures are adopted. 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/Applicant: Andrew Rudd (925) 788-6571, arudd@advisorsoftware.com

Representative: Donna Oldford, Plans4Wine, (707) 963-5832, dBoldford@aol.com

Zoning District: Agricultural Watershed (AW)

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

Filed: October 9, 2014. **Resubmission:** March 10, 2015. **Resubmission:** October 14, 2015. **Complete:** November 14, 2015

Parcel Size: 56.75 acres

Existing Development: A single family residence, agricultural building with ±8.9 acres of vineyards

Vineyard Acreage (Existing): ±8.9 acres

Vineyard Acreage (Proposed): Total ±10.9 acres (approval issued, but not planted)

Winery Characteristics:

Winery Size (Proposed): New construction of a 10,456 sq.ft. two story winery building consisting of a 7,404 sq. ft. production area (3,858 sq.ft. lower cellar for barrel storage, general storage and work area); 2,195 sq.ft. for administration/hospitality (offices, tasting room, restroom, 304 sq.ft. commercial kitchen and also includes a 644 sq.ft. outdoor deck); and a ± 857 sq.ft. covered crush pad/receiving area.

Production Capacity (Proposed): 20,000 gallons

Development Area (Proposed): 4,765 sq.ft.; 0.11 acres

Winery Coverage (Proposed): Approximately 42,830 sq.ft., 0.98 acres or 1.7% (Maximum 25% or 15 acres)

Accessory/Production Ratio (Proposed): ± 2,195 sq.ft. accessory and 7,404 sq.ft. production; 29.6% (Maximum 40% allowed); the outdoor area ±644 sq.ft. deck is included in coverage calculation but the ±300 sq.ft. terrace was not, resulting in a total 33.6% coverage.

Number of Employees (Proposed): Ten (10) or fewer employees: 2 full time-2 part time

Visitation (proposed): Maximum of 12 visitors/day (By Appointment Only); maximum 84 visitors per week.

Marketing Program (Proposed): A total of 27 marketing events/year: Twenty-four (24) food and wine pairings - twelve(12) events for twelve (12) guests and twelve (12) events for twenty (20) guests (maximum 4/month); two (2) wine club and release events (maximum 50 guests); and one (1) large Napa Valley Auction-related event (maximum 100 guests).

Days and Hours of Operation (Proposed): 7 days per week; 6:00 am to 6:00 pm (production); 10:00 am to 6:00 pm (hospitality)

Parking (proposed): 5 spaces; 1 loading area

Setbacks (Required): 20' front; 20' side; 20' rear; 300' Private Access Road

Setbacks (Proposed): ±423' front, ±676' side; ±627' rear; ±780' Private Access Road

Adjacent General Plan Designation/Zoning District/Land Use:

North: AWOS General Plan Designation, AW Zoning – recreation, unimproved forest lands (State of California Department of Parks and Recreation).

South: AWOS General Plan Designation, AW Zoning –Robert Keenan Winery, residence, vineyards, and a reservoir.

East: AWOS General Plan Designation, AW Zoning – Low density residential development (applicant's residence) mixed with vineyards and forest.

West: AWOS General Plan Designation, AW Zoning – Dense forest canopy and low density residential.

Wineries in the Vicinity (located within 1 mile of the project): Refer to Attachment A

Property History: The ±56.75 acre parcel consists of vineyards, a single family residence, agricultural building, pond and a dense mixed forest canopy. On July 24, 1992, a Home Occupation Permit was issued to the previous owner for a wholesale wine office. This permit is no longer valid. On October 15, 1999, an Erosion Control Application was approved for the development of approximately 14.6 acres of new vineyard on the westerly side of the property.

Code Compliance History:

There are no open or pending code violations for the subject site.

Discussion Points:

Setting - The 56.75 acre parcel is located north of Spring Mountain Road on a private access road approximately .5

miles from its intersection with Spring Mountain Road. Said intersection is approximately .5 miles northwest of Langtry Road. The north and east side of the parcel is steeply sloped downhill with a dense canopy of a mixed woodland of black oak, pines, madrone, and firs. The southern portion of the parcel has slopes that are less steep, 15% or less, and is planted in vineyards. There are approximately 8.9 acres of existing vineyard. An additional acre of land has been proposed for vineyard, but has not been planted. The existing pond is natural and is not used for irrigation, and there is no proposal to disturb the existing pond. The existing agricultural building will be removed for the site of the proposed winery. The existing residence will remain and is located adjacent to the winery.

The property is located in a low density residential area, and the private access road is shared with approximately eight other addresses. The closest residence is over 1,000 feet from the winery site (owned by the applicant), with a dense tree canopy running between. There is a thick woodland grove between the winery site and a residence located to the south.

Winery Proposal – As proposed, the existing agricultural building will be demolished. The proposed winery building will utilize vertical wood siding, with wood brackets and trusses, standing seam metal roofing and stone terraces. The height of the building will be ±28 feet. The receiving area is located on the main level where production occurs. The cellar level is the barrel storage area. The terrace on the south side of the winery is proposed for tasting along with a proposed ±644 sq. ft. deck to be constructed adjacent to the pond. Five (5) new parking spaces and one loading space are proposed adjacent to the building and improvements are proposed to the existing access driveway.

Tours & Tasting/Marketing Events – Please note that staff has attached a winery comparison chart to this report for informational purposes. It should be noted that the proposed winery ranks at the lower end of the “By Appointment Only” wineries of similar wine production for the daily visitation (proposed 12 versus Average 14 visitors, Median 10 visitors) and with the proposed weekly visitation at 84, it is just above the average (62 visitors). With 27 events, the proposal is above average on the total number of events per year (11), however the size of the groups is small for most of the events. Based on the results of locational and operational criteria, this leads staff towards recommending approval of the proposed visitation due to large parcel size, distance of the winery to the Spring Mountain Road and to the neighbors. No variances are requested; there are no viewshed impacts, no vineyard removal, an availability of estate grapes, and there are letters supporting the applicant and project. Considering all of the enumerated reasons, staff finds the level of visitation acceptable.

Traffic & Parking – Traffic generated by the winery is expected to be minimal, as concluded in the Traffic Impact Report prepared by Mark D. Crane, PE for the project (dated July 9, 2014). Project traffic impacts were determined for near 2016 (full production) and long term horizons (2030, General Plan buildout). Traffic counts were taken in mid-June 2014. The existing June two-way traffic volume on Spring Mountain Road at the property access road was found to be greater at the Friday PM peak hour (3:15 pm – 4:15 pm) than the Saturday PM peak hour (2:30pm-3:30 pm). The two-way existing traffic volume entering the SR 29/Madrona Avenue-Fulton Lane intersection was found to be higher during the Friday (harvest) PM peak hour (3:15 pm – 4:15 pm) than the Saturday PM peak hour (3:30-4:30 pm).

Based upon the project description, the report concluded that the project will result in 1-2 inbound trips and 1 outbound trip during the harvest Friday PM peak hour at the SR 29/Madrona Avenue-Fulton Lane intersection (3:15 pm to 4:15 pm), with about 1-2 inbound and 1 outbound trip during the harvest Saturday PM peak hour (3:30 to 4:30). Project trips during both Friday and Saturday PM peak hours will be visitors by appointment. Further, the report concluded that the project traffic would not produce any significant operational impacts (level of service or delay) at the SR 29/Madrona Avenue-Fulton Lane intersection in St. Helena during either Friday or Saturday year 2016 PM peak hours along SR 29. Project traffic would not change acceptable LOS C operation during either the Friday or Saturday PM peak traffic hours. Project PM peak hour volume increases would be less than half a percent at this location. In addition, the report further concluded that the project traffic would not produce any significant operational impacts (level of service or delay) at the SR 29/Madrona Avenue-Fulton Lane intersection in St. Helena

during either Friday or Saturday year 2030 PM peak hours along SR 29. Project traffic would not change acceptable LOS C operation during either the Friday or Saturday PM peak traffic hours. Project PM peak hour volume increases would be less than half a percent at this location.

The existing plus project traffic in combination with ambient traffic volumes along Spring Mountain Road would not meet County warrant criteria for provision of a left turn lane on the eastbound Spring Mountain Road approach to the project entrance. The vast majority of existing traffic accessing the site as well as project employee and visitor traffic will be coming from St. Helena, making a right turn into the driveway connection. However, the traffic analysis prepared for the project identified a potential safety issue because the sight lines at the shared use project driveway connection to Spring Mountain Road for existing and project drivers to see eastbound traffic will continue to be limited due to the hillside and a tree west of the intersection and due to the mailboxes in the middle of the driveway. To reduce the hazard, the report recommended that the mailboxes be moved back at least eight feet from Spring Mountain Road and the installation of a sign warning the presence of a hidden access road be incorporated into the project. These recommendations were incorporated into the project as mitigation measures and conditions of approval.

The project proposes a total of five (5) parking spaces/one loading space, which would be sufficient to accommodate parking needs during normal business days for employees and visitors. The marketing events are small and can be accommodated in the crush/receiving area and cellar covered work area. Valet services will be used for larger events through the use of tandem parking within the proposed visitor and employee parking.

Road and Street Standards Exception - There is an existing improved common access driveway and an existing driveway for the project parcel and access road improvements are required by County Road and Street Standards (RSS). However, to reduce the amount of tree removal, avoid steep slopes and geologic features which are unique features of this environment, the applicant has proposed alternate improvements and has therefore included a request for an exception to the RSS, outlined in the Revised January 15, 2015 letter of Applied Civil Engineering. The exception proposes the following reduction in the width of the shared driveway and private driveway:

STA 501+00 to 502+00

Existing driveway to be reconstructed to provide widening to the maximum extent possible, minimum 14-foot travelway. Full 20-foot roadway width turnout to be constructed at STA 501+75 and horizontal alignment is to be improved to provide minimum required 50 foot inside radius of curvature. An exception is requested for a reduced width to allow preservation of the existing slopes and trees.

STA 501 +75 to 502+75

Existing driveway slope exceeds 20% grade in this area. The existing driveway shall be reconstructed to provide roadway grades as close to 20% as possible and shall provide an approved ribbed concrete surface. Where the access driveway exceeds the maximum gradient of 20%, a structural concrete section shall be provided to meet H20-44 loading criteria with a transverse tining or transverse ribbed finish per Napa County approval. Exception to 20% maximum slope is requested to allow preservation of the existing steep slopes and trees.

STA 502+00 to 503+75

The existing driveway is to be reconstructed to provide widening to the maximum extent possible to preserve the existing natural feature (minimum of 12-foot travelway). An exception is requested for a reduced width to allow preservation of the existing slopes and trees.

STA 503+25 to 503+75

Existing driveway slope exceeds 20% in this area. The existing driveway shall be reconstructed to provide roadway grades as close to 20% as possible and shall provide an approved ribbed concrete surface. Where the access drive exceed the maximum gradient of 20%, a structural concrete section shall be provided to meet H20-44 loading criteria with an tranverse tining or tranverse ribbed finish per Napa County approval. Surface to be upgraded to

grooved concrete. Exception to 20% maximum slope is requested to allow preservation of the existing steep slopes and trees.

STA 503+75 to 513+00 (END)

No roadway exception is granted and the existing driveway is to be reconstructed to provide a full commercial driveway per the current Napa County RSS.

In addition to the driveway improvements outlined above, several other measures have been incorporated into the project design to provide the "same overall practical effect" as the Road and Standards towards providing defensible space and consideration towards life, safety and public welfare while allowing sections of driveway to have a reduced width. Below is a summary of the proposed measures:

1. Horizontal and vertical vegetation management will be implemented along the entire length of the Main Driveway and the 3646 Driveway and around the existing and proposed structures on the 3646 Spring Mountain Road Vineyard property to create defensible space. This will include vegetation management and modification 10 feet horizontally and 15 feet vertically along all access roads and 100 feet around buildings in accordance with Napa County Fire Department requirements.

2. Additional vegetation management will be employed in strategic locations along the driveway to improve line of sight.

The Engineering Services Division and the County Fire Department have discussed the exception and have conducted a field analysis. The Keenan Winery, located next door to the project parcel, had previously received an exception to the RSS on the common access driveway. The Engineering Division has accepted the previously approved Road Exception as part of the proposed project and in their conditions have required traffic related drain inlets to improve drainage and traffic safety. The Engineering Division and the County Fire Department found that the proposed improvements meet the same overall practical effect of the RSS, while preserving unique features of the natural environment by providing widening to the existing paved access driveway to the maximum extent practical, providing intervisible turnouts along the sections of the roadway that do not meet the required widths, improving line of sight through a vegetation management plan, and providing wide angle mirrors through horizontal radii where roadway widths are reduced from the required two travel lanes.

Most importantly, the proposed alternative road design is capable, both in terms of capacity and safety, of serving both the existing uses and the proposed new winery. The new winery has a relatively small production level and associated visitation and marketing activities are relatively modest as well. As a result, the project is anticipated to generate 19 daily trips and 1-2 inbound/1 outbound peak hour trips. Given the proposed number and location of turn outs and segments of standard width roadway, the road will provide adequate areas for emergency vehicle access and two way vehicle movement for the volume of traffic projected. Future widening of this roadway to standard widths may be necessary if additional land uses are proposed and which significant increase traffic volumes on the roadway.

To approve a RSS Exception request, the Planning Commission must find that the project satisfies essentially two requirements: 1) The exception will preserve the unique features of the environment, which includes, but not limited to, natural water courses, steep slopes, geologic features, heritage oak trees, other trees of at least 6" dbh and found by the decision maker to be of significance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences, or the like; and 2) Find that the exception, as conditioned, provides the same overall practical effect as the RSS toward providing defensible space, and consideration toward life, safety and public welfare. The Engineering Services Division and Napa County Fire have reviewed the proposed request and support the applicant's proposal, recommending approval of the exception.

Biological Resources - The project is located within an area sensitive for Spotted Owls, however, there are no other known candidate, sensitive, or special status species, that have been identified as occurring within the project boundaries. Since the project may have a substantial adverse effect on the northern spotted owl, a spotted owl habitat report dated October 14, 2015 was prepared by Pamela Town, Forest Ecosystems Management, LLC. Based upon this report, mitigation measures were incorporated into the project. Tree cutting and harvesting activities shall be restricted to occur outside the owl breeding and nesting season, unless a USFWS Scenario 2 of the Northern Spotted Owl Take Avoidance Scenarios survey with the required 6 NSO calling surveys is prepared and submitted to the Federal Department of Fish and Wildlife for review and approval. The removal of the Fir trees may require a new timber harvest permit from CalFire, and a condition has been included to advise the applicant of this.

Groundwater Availability – The project is not expected to violate any water quality standards or waste discharge requirement nor substantially deplete local groundwater supplies. A Water Availability Analysis (WAA) was prepared by O'Connor Environmental, Inc. (dated August 10, 2015) for the 56.75-acre parcel located in the "hillside" zone. The WAA included a Tier 2 analysis detailing the existing and proposed groundwater demands and an analysis of the aquifer recharge. Groundwater use for the winery project, including winery production, landscaping, winery visitors and events, and winery employees would total 1.54 acre-feet/year (af/yr). In addition to the winery, there is a proposed additional one acre of vineyards to be planted which would increase the demand by an additional .5 af/yr. Therefore, the total increase in demand from the project and future vineyards would be 2.04 af/yr, which represents a 39% increase in groundwater demand relative to existing demand. Under existing conditions (residence and vineyard) water demand is 5.20 af/acre; and with the proposed project, the demand would be 7.24 af/acre.

The total water demand under the proposed project is 7.24 af/yr which is equivalent to 11% of the dry year recharge and <4% of the average year recharge. Given the fact that the proposed use is significantly less than the contributing recharge even during the dry water year of 2014, it is highly unlikely that the proposed pumping would result in long-term declines in groundwater elevations or depletion of groundwater resources. The nearest neighbor's well is located 800 feet from the proposed project well, indicating that the potential well interference is negligible and requiring no further evaluation per the WAA procedures.

Septic System and Hold & Haul - The applicant has proposed that a septic system be installed to serve the winery. However, the applicant has requested a hold and haul option as outlined in the Wastewater Analysis Report remain as an interim wastewater processing system for the first crush season. The Engineer for the project has estimated if the hold and haul were to continue for a duration of up to one year, the tanks would be pumped a total of 35 times assuming full wine production capacity. Current regulations allow hold and haul systems, although there has been some more recent Planning Commission and public concerns raised about the sustainability of allowing hold and haul at wineries. To address this concern, Staff supports allowing hold and haul if needed for the winery's first year's crush only, and has addressed this in the proposed conditions of approval by requiring the on-site system to be completed prior to the following year's crush activities commencing.

Grape Sourcing – The applicant has 8.9 acres planted and approved for a total 10.2 acres. The majority of the wine produced will be estate grown. There will be a small custom crush production allowance for the winemaker within the maximum production level.

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 part of the application materials. The applicant proposes to incorporate GHG reduction methods including: solar hot water heating; energy conserving lighting; energy star roof/living roof/cool roof; install water efficient fixtures; water efficient landscape; implement a sustainable purchasing and shipping program; planting of shade trees within 40 feet of the south side of the

building elevation; site design that is oriented and designed to optimize conditions for natural heating; cooling, and day lighting of interior space and to maximize winter sun exposure; limit the amount of grading and tree removal; education to staff and visitors on sustainable practices and use 70%-80% cover crop.

Public Comments - Two letters were received (Exhibit F) were submitted in support of the project. One letter was received objecting to the project for the following reasons: 1) the road is too narrow and winding to allow two cars to pass without one car pulling off the pavement, and no vision of what is coming around the next bend, of which there are numerous blind bends, causing them to drive very slowly and carefully to avoid collisions; and 2) the lack of a second means of emergency access or exit. They feel that no hospitality uses should be permitted for this project. As discussed above, the applicants propose to incorporate measures into the project design to provide the "same overall practical effect" as the County's Road and Street Standards requires providing defensible space and consideration towards life, safety and public welfare while allowing sections of driveway to have a reduced width. Furthermore, the applicant proposes widening to the existing paved access driveway to the maximum extent practical, providing intervisible turnouts along the sections of the roadway that do not meet the required widths, improving line of sight through a vegetation management plan, and providing wide angle mirrors through horizontal radii where roadway widths are reduced from the required two travel lanes.

As a result of the environmental document for the project submitted to the State Clearinghouse for distribution to State Agencies for review, a letter from the Central Valley Regional Water Quality Control Board (RWQCB) was received. It should be noted that the project is located within the San Francisco Bay RWQCB jurisdiction, and Chapter 16.28 of the Napa County Code, "The Napa County Stormwater Management and Discharge Control Ordinance", is in place to implement the stormwater discharge requirements of the San Francisco Bay RWQCB. The Standard Condition of Approval regarding stormwater address their water discharge concerns: "The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board (SRWQCB)".

No other comments were received.

Consistency with Standards:

Zoning – The project is consistent with 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 18.20.030) are permitted in the AW District with an approved use permit. The project as conditioned complies with the Napa County Winery Definition Ordinance and all other requirements of the Zoning Code as applicable.

Environmental Health Division – Recommends approval with standard conditions in the attached Memorandum dated June 10, 2015.

Engineering Services Division – Recommends approval of the project and RSS exception request with standard conditions in attached two Memorandums dated May 4, 2015.

Public Works Department (Traffic) - Recommends approval in the attached Memorandum, dated December 9, 2015 and December 15, 2015.

Fire Department – Recommends approval with standard conditions in the attached Inter-Office Memo dated October 21, 2014.

Decision Making Options

As noted in the Executive Summary Section above, staff is recommending approval of the project with conditions of

approval as described in Option 1 below. Decision making options also include a reduced visitation/marketing alternative and no project alternative.

Option 1 - Approve Applicant's proposal (Staff Recommendation)

Disposition - This option would result in approval of the proposed 20,000 gallon per year winery and associated visitation and marketing program, and the Exception Request to the Napa County Road and Street Standards.

Action Required - Follow proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant with the implementation of the mitigation measures. With the approval of the road exception, the subject site can accommodate the proposal while minimizing grading and oak tree removal. Sufficient grapes and water supplies are available to serve the proposed project and there is no history of code compliance issues at the project site. The requested number of guests per year for the visitation are close to the median and average amount compared to wineries of similar production levels. The requested number of marketing events per year are higher than median and average amount compared to wineries of similar production, but the proposed events have small numbers of guests, 24 events for 12-20 people and 2 events for 50 people per year, and the events will occur after the closure of the tasting room. In addition, the existing locational and operational criteria of this proposed winery, including the large parcel size, distance of the winery to the Spring Mountain Road and to the neighbors. No variances are requested; there are no viewshed impacts, no vineyard removal, there is the availability of estate grapes, and there are letters supporting the applicant and project. Considering all of the enumerated reasons, staff finds the level of visitation acceptable. The project meets all County Code requirements and complies with General Plan Policies. Staff supports this option based on the reasons discussed above.

Option 2 - Reduced Visitation/Marketing Alternative and Compliance with Napa County Road and Street Standards

Disposition - This option could result in a potential decrease in the proposed visitation and marketing program event and required full compliance with the Napa County Road and Street Standards.

Action Required - Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to reduce the permitted visitation and marketing program events. 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 Project

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 the Road & Street Standards Exception. 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 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 specific 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 Charts
- B . Exhibit A - Findings
- C . Exhibit B - Proposed Conditions of Approval
- D . Agency Comments
- E . Mitigated Negative Declaration
- F . Public Comments
- G . Application Documents
- H . Road & Street Standard Exemption Request
- I . Water Studies
- J . Wastewater Analysis
- K . Traffic Study
- L . Geological Study
- M . Biological Survey
- N . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina