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Agenda Date: 3/20/2019

Agenda Placement: 7B

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission

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

**REPORT BY:** Jason Hade, Planner III - (707) 259-8757

**SUBJECT:** O' Brien Winery Use Permit Major Modification P18-00175 and Use Permit Exception to Conservation Regulations P18-00305

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### RECOMMENDATION

#### **BARTON AND BARBARA O'BRIEN - O' BRIEN WINERY - USE PERMIT MAJOR MODIFICATION NO. P18-00175 AND USE PERMIT EXCEPTION TO CONSERVATION REGULATIONS P18-00305**

**CEQA Status:** Consideration and possible adoption of Categorical Exemptions Class 1, 3, and 4: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities, Section 15303, Class 3 New Construction or Conversion of Small Structures, and Section 15304, Class 4 Minor Alterations to Land which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15303, and §15304. 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 20,000 gallon per year winery to allow the following: **A. Components Necessary to Remedy Existing Violations:** (1) recognition of existing visitation of a maximum of 40 visitors per day; maximum 280 visitors per week; (2) recognition of an existing marketing program with 12 events per year with a maximum of 30 guests for each event (all marketing events would continue to be catered); (3) recognition of existing four (4) full time employees and three (3) part time employees; and (4) recognition of the conversion of approximately 380 square feet of existing production space to an existing tasting area; **B Expansion Beyond Existing Entitlements:** (1) the conversion of an existing approximately 1,250 square foot guesthouse to an ADA compliant office and bathroom; (2) the construction of two canopies totaling approximately 829 square feet to cover existing crush pad areas; (3) on-premises consumption of wines produced on site in the tasting areas (indoor and outdoor) in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; (4) addition of eight (8) parking spaces including one (1) Americans with Disabilities Act (ADA) space for a total of 14 parking spaces on-site; (5) installation of four (4) 10,500 gallon water tanks, a 150 square foot pump house; a 136 square foot trash enclosure, a new gate, and a well; (6) removal of the existing entry structure, approximately 0.2 acres of vineyards; and (7) the improvement of the existing driveway to Napa County Road and

Street Standards. A Use Permit Exception to the Conservation Regulations (P18-00305) is also being requested to construct the canopies (support columns) and curb within the 45-foot creek setback. The project is located on an approximately 26.93 acre site within the AP (Agricultural Preserve) zoning district at 1200 Orchard Avenue, Napa, CA; APN: 035-041-015.

**Staff Contact:** Jason R. Hade, Planner III, (707) 259-8757 or [jason.hade@countyofnapa.org](mailto:jason.hade@countyofnapa.org)

**Applicant Contact:** David Gilbreth, 1152 Hardman Avenue, Napa, CA 94558, (707) 337-6412 or [dgilbreth@gmail.com](mailto:dgilbreth@gmail.com)

**THE PUBLIC HEARING FOR THIS ITEM IS SCHEDULED FOR 1:30 PM**

**EXECUTIVE SUMMARY**

**Proposed Actions:**

That the Planning Commission:

1. Find the project Categorically Exempt based on recommended Findings 1-3 in Attachment A;
2. Approve an Exception to the Conservation Regulations in the form of a Use Permit (P18-00305), based on Findings 4-10 of Attachment A and subject to the recommended conditions of approval in Attachment B; and
3. Approve Use Permit Major Modification No. P18-00175-MOD based on recommended Findings 11-15 in Attachment A, and subject to the recommended conditions of approval in Attachment B.

**Discussion:**

This application was submitted to participate in the County's code compliance program as described in Resolution No. 2018-164 adopted by the Napa County Board of Supervisors on December 4, 2018. Under the program, property owners may apply for a permit to voluntarily remedy existing violations. The proposal is to modify an existing winery Use Permit to recognize an existing visitation and marketing program as well as employees which were not approved under the initial Use Permit for the subject site in 1982. A Use Permit Exception to the Conservation Regulations (P18-00305) is requested to construct the new canopies (support columns) and curb within the 45-foot creek setback.

Staff has reviewed both the components necessary to remedy existing violations as well as the requested expansions beyond the existing entitlements and found them to be consistent with the Zoning Ordinance and applicable General Plan policies. As noted above, the Use Permit Major Modification Application requests recognition of existing visitation, marketing program, employees and the conversion of some of the production area to a tasting area. Although not initially permitted under Use Permit U-378182, these activities are already occurring at the subject site and no intensification of these activities is requested as part of this application.

As described in Resolution No. 2018-164, the subject application was found to be substantially conforming prior to the submittal deadline of March 29, 2019 at 2:00 PM. Accordingly, the County may use the existing operations as the environmental baseline for the CEQA analysis related to this application. No expansion of current operations is requested as part of this application. The existing annual maximum visitation is above both the average and the median of similar production capacity by appointment wineries. The requested number of marketing events is slightly above the average, but below the median for similar production capacity by appointment wineries.

The applicant has already implemented the following GHG reduction methods at the existing winery: installation of

rooftop solar panels; participation in the Williamson Act Contract program; installation of energy conserving lighting; availability of a bicycle rack and showers for employees; location approximately a half mile from the Vine Trail; installation of water efficient fixtures; recycling of 75 percent of all waste; composting 75 percent of food and garden material; implementation of a sustainable purchasing and shipping program; installation of two electric vehicle charging stations; certification as a Napa Green Winery and Napa Green Land; use of recycled materials; education to staff and visitors on sustainable practices; use of 70 to 80 percent cover crop; and no use of herbicides at site. As part of this project, the applicant intends to install additional rooftop solar panels; planting of vegetation within the on-site unnamed blue line stream; implementation of a Transportation Demand Management Program; installation of a living roof; and the creation of permeable parking spaces.

Staff believes that the necessary findings can be made to approve the requested exception to the Conservation Regulations because the project does not result in substantial effects to mapped or designated environmentally sensitive areas or resources. No native trees or native vegetation would be removed to construct the project. No work would be performed within the defined bed and back of the creek other than the construction of support columns for the proposed canopies on existing concrete pads and a six-inch curb along the perimeter of an existing paved area which can be accomplished without entering the bed and bank. The covering of the existing uncovered crush pads is required to address storm water quality control requirements to prevent process wastewater runoff into the unnamed blue line stream. Implementation of the proposed crush pad covers and curb would improve the existing condition at the subject site by preventing runoff into the stream. All other improvements within the stream setback are existing and would remain unchanged.

Based on the reasons stated above, staff recommends approval of the project (the components necessary to remedy existing violations and the requested expansions beyond the existing entitlements), subject to the recommended conditions of approval.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

Consideration and possible adoption of Categorical Exemptions Class 1, 3, and 4: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities, Section 15303, Class 3 New Construction or Conversion of Small Structures, and Section 15304, Class 4 Minor Alterations to Land which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15303, and §15304. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

### **BACKGROUND AND DISCUSSION**

**Owner:** Barton and Barbara O'Brien, 1200 Orchard Avenue, Napa, CA 94558, (707) 332-3117

**Representative:** David Gilbreth, 1152 Hardman Avenue, Napa, CA 94558, (707) 337-6412

**Zoning:** Agricultural Preserve (AP) - District

**GP Designation:** Agricultural Resource (AR) Designation**Filed:** May 7, 2018; **Resubmittal Received:** July 9, 2018 and August 27, 2018; **Deemed Complete:** October 23, 2018**Parcel Size:** 26.93 acres

**Existing Development:** Development on the property includes: a residence, guesthouse, winery building, storage building, entry structure, a waste disposal system, six parking spaces, a well, and approximately 22.47 acres of vineyards. Access to the property is from Orchard Avenue via a paved driveway. The nearest residence to the project site is approximately 675 feet to the northeast. A blue line stream traverses the site to the north of the existing winery structures. Existing winery access is provided via a driveway to Orchard Avenue.

**Proposed and Existing Winery Characteristics****Winery Development Area - Approved:** 10,199 square foot winery development area with uses identified above.**Winery Development Area - Proposed:** 12,731 square feet.

**Production Capacity Approved:** 20,000 gallons per year. Current actual production was 20,000 gallons in 2017. Custom production of up to 10,000 gallons of wine per year by up to two custom producers (other entities than the winery itself) is permitted.

**Production Capacity Proposed:** No change.**Winery Coverage Existing:** 39,851 square feet or approximately 3.4%.**Winery Coverage Proposed:** 46,985 square feet or approximately 4.0%. (Maximum 25% or approximately 15 acres permitted, whichever is less).**Accessory/Production Ratio Existing:** 1,133 square feet accessory/7,313 square feet production - approximately 16%.**Accessory/Production Ratio Proposed:** 1,140 square feet accessory/7,313 square feet production - approximately 16%.**Number of Employees Approved:** One full-time employee and one part-time employee.**Number of Employees Existing:** Four full-time employees and three part-time employees.**Number of Employees Proposed:** Recognition of existing condition.**Visitation - Approved:** None.**Visitation - Existing:** 40 visitors per day by appointment and 280 visitors maximum per week.**Visitation - Proposed:** Recognition of existing condition.**Marketing Program - Approved:** None.**Marketing Program - Existing:** 12 events per year for up to 30 guests. Food service would continue to be catered by licensed caterers.**Marketing Program - Proposed:** Recognition of existing condition.**Days and Hours of Operation - Approved:** 9:00 AM to 5:00 PM daily (production hours)**Days and Hours of Operation - Existing:** 9:00 AM to 5:00 PM daily (production hours) and 9:00 AM to 5:00 PM daily (visitation hours). All events to conclude by 9 PM.**Days and Hours of Operation - Proposed:** No change.**Parking - Approved:** 6 parking spaces.

**Parking - Proposed:** 14 parking spaces.

**Setbacks:**

Required Road setbacks – 30 feet from the centerline of Orchard Avenue.

Required Property line setbacks - 20 feet side and rear yard setbacks (for structures).

Required Creek setback - 45 feet from top of bank.

Proposed Setbacks - The existing winery building is located approximately 740 feet from the centerline of Orchard Avenue, 570 feet from the rear property line, 405 feet from the western side property line, 330 feet from the eastern side property line and 28 feet from the top of bank of the unnamed blue line stream. No change to the existing building setbacks is proposed other than the support columns for the proposed covered crush pads. The support column nearest the unnamed blue line stream would be approximately ten feet from the top of bank.

**Building Height-Existing:** Approximately 28 feet.

**Building Height-Proposed:** No change. 35 foot maximum height permitted.

**Adjacent General Plan Designation/ Zoning / Land Use:**

North: Agricultural Resource (AR)/Agricultural Preserve (AP) zoning district/agricultural use (vineyards)

South: AR/AP/zoning district/rural residential and vineyards

East: AR/AP/rural residential and vineyards

West: AR/AP zoning district/agricultural use (vineyards)

**Nearby Wineries: (located within 1 mile of the project)**

Please refer to Attachment J.

**Parcel History:**

Use Permit U-378182 was approved by the Planning Commission for the subject site on July 21, 1982 permitting a maximum production capacity of 20,000 gallons per year with no public tours, tastings or marketing events. No public tours and tastings were requested at the time of application filing pursuant to the application materials submitted in 1982. A Minor Use Permit Modification (#00405-MOD) was approved by the Zoning Administrator on August 3, 2001 which authorized custom production of up to 10,000 gallons of wine per year by up to two custom producers (other entities than the winery itself), both of which are “alternating proprietors.”

**Code Compliance History:**

A site inspection was conducted by Code Compliance, Planning, and Engineering staff on May 30, 2018 to identify any potential health and safety issues, as well as, to review the existing use and proposed changes. As a follow-up to the site inspection, a notice regarding apparent code violations was issued to the property owner by the Code Enforcement Division on July 17, 2018. It is attached as Attachment K. Apparent code violations include the conversion of a previously approved production space to a tasting area without building permits and the hosting of tastings, tours, and marketing events without authorization by Use Permit.

**Discussion Points:**

Setting - The project is located on a 26.93-acre parcel on the north side of Orchard Avenue. The General Plan land use designation is Agricultural Resource and is within the Agricultural Preserve (AP) zoning district; 1200 Orchard Avenue, Napa. Development on the property includes: a residence, guesthouse, winery building, storage building,

entry structure, a waste disposal system, six parking spaces, a well, and approximately 22.47 acres of vineyards. Access to the property is from Orchard Avenue via a paved driveway. The nearest residence to the project site is approximately 675 feet to the northeast. A blue line stream traverses the site to the north of the existing winery structures. The site is surrounded by rural residential and agricultural (vineyard) uses.

Winery Proposal - The request is to modify an existing winery to recognize an existing visitation and marketing program as well as employees and a tasting area which were not approved under the initial Use Permit for the subject site in 1982. In addition to the changes requested to remedy existing violations, several expansions beyond the existing entitlements are requested including a Use Permit Exception to the Conservation Regulations (P18-00305) is to construct the new canopies (support columns) and curb within the 45-foot creek setback.

Winery Colors - Minimal exterior changes would occur and the proposed exterior changes (canopy covers and pump house) would comply with Condition of Approval No. 6.5 which requires the use of earth tone colors to blend in with the surrounding area. No highly reflective surfaces are proposed.

Visitation/Marketing Program - As shown in Attachment J, the existing annual maximum visitation is above the average and the median of similar production capacity by appointment wineries. The existing number of marketing events is slightly above the average, but below the median for similar production capacity by appointment wineries. Existing daily visitation can result in a maximum of 14,560 tastings per year but the winery does not host 40 visitors for 365 days per year. Marketing events with 30 guests are occurring on weekdays and weekends between the hours of 12:00 PM to 9:00 PM. Staff has provided a decision making option below which would reduce the number of authorized daily tastings to more closely match the average and median of similar production capacity by appointment wineries.

Food Service - No commercial kitchen is proposed and food service would continue to be provided by licensed caterers. As indicated in the affidavit submitted by the applicant (Attachment E), wine and food pairings are not requested and food service would not be the predominant use at the marketing events requested for recognition. All marketing events would be required to conform to Condition of Approval No. 4.3 which addresses food service as it relates to the marketing of wine.

Traffic and Parking - No change from the existing visitation, marketing program and number of employees currently occurring at the site is requested. As this is an existing condition, no further impacts would occur. Public Works Department staff reviewed the submittal and concluded that a traffic study was not required and that the project would not result in any significant impacts, either project-specific or cumulative, on traffic circulation in the vicinity. Based on the existing trip generation data, a left turn lane is not warranted.

The proposal includes the construction of eight additional parking spaces for a total of 14 parking spaces at the subject site. Based upon the County standard of 2.6 persons per vehicle during weekdays and 2.8 persons per vehicle during weekends and 1.05 persons per vehicle for employees the minimum parking required for daily activities would be 23 parking spaces. However, the winery does not typically host 40 visitors at one time on a weekday and have four full-time employees and three part-time employees at the site at one time.

Groundwater Availability - The water sources for the project site consist of one existing well used for process water, landscape, and vineyard irrigation. A new well would be installed to be used for the public water system and would have a 50-foot annular seal. The applicant submitted a Tier 1 Water Availability Analysis (WAA) completed by RSA on July 6, 2018 showing the projected water use for the project plus existing demand is 12.28 AF/YR. No increase in water demand would occur as part of the proposed project. The parcel water demand has been met with the existing project well. The Water Availability Analysis concluded that sufficient water would be available to serve the proposed project as the estimated groundwater recharge for this project site located on the valley floor is 26.93 AF/YR (1.0 AF/YR X 26.93 acres). The winery, as part of its entitlement would include the County's standard condition of approval (COA 4.9 - Attachment B) requiring well monitoring as well as the potential to modify/alter

permitted uses on site should groundwater resources become insufficient to supply the use.

Wastewater - Wastewater disposal would be accommodated on-site and in compliance with State and County regulations. According to the Wastewater Disposal Feasibility Report prepared by RSA on July 6, 2018, the project site and proposed system, including system repairs, has adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings.

Greenhouse Gas Emissions - 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 Attachment E. As discussed above, the applicant has already implemented the following GHG reduction methods at the existing winery: installation of rooftop solar panels; participation in the Williamson Act Contract program; installation of energy conserving lighting; availability of a bicycle rack and showers for employees; location approximately a half mile from the Vine Trail; installation of water efficient fixtures; recycling of 75 percent of all waste; composting 75 percent of food and garden material; implementation of a sustainable purchasing and shipping program; installation of two electric vehicle charging stations; certification as a Napa Green Winery and Napa Green Land; use of recycled materials; education to staff and visitors on sustainable practices; use of 70 to 80 percent cover crop; and no use of herbicides at site. As part of this project, the applicant intends to install additional rooftop solar panels; plant vegetation within the on-site unnamed blue line stream; implement a Transportation Demand Management Program; install a living roof; and create permeable parking spaces.

Grape Sourcing - No change in the winery's production capacity is requested as part of this application. As a pre-WDO winery, the existing production capacity of 20,000 gallons is not subject to the 75% rule.

Exception to the Conservation Regulations – Among the purposes of the Conservation Regulations (County Code Section 18.108.010) are intentions for the County to: 1) minimize the effects of cut, fill, earthmoving, grading operations and similar activities on the natural terrain; 2) minimize soil erosion caused by human modifications to the natural terrain; 3) maintain and improve water quality by regulating stormwater quality and quantity; 4) preserve riparian areas and other natural habitat near streams; and 5) encourage development that minimizes impacts to existing land forms, avoids steep slopes and preserves existing vegetation and unique geologic features.

The unnamed blue line stream which traverses the site is not mapped as an environmentally sensitive resource (source: Napa County Geographic Information System including California Natural Diversity Database layer). However, the stream is designated as a critical linkage riparian corridor. The project does not result in substantial effects to mapped or designated environmentally sensitive areas or resources. No native trees or native vegetation would be removed to construct the project. No work would be performed within the defined bed and bank of the creek other than the construction of support columns for the proposed canopies on existing concrete pads and a six-inch curb along the perimeter of an existing paved area which can be accomplished without entering the bed and bank. The covering of the existing uncovered crush pads is required to address storm water quality control requirements to prevent process wastewater runoff into the unnamed blue line stream. Implementation of the proposed crush pad covers and curb would improve the existing condition at the subject site by preventing runoff into the stream. All other improvements within the stream setback are existing and would remain unchanged.

To justify an exception to the Conservation Regulations, additional findings are necessary, including findings that the proposed project would complement natural landforms; would require minimal grading, minimal removal of vegetation, and minimal disturbance to watercourses; and would not result in significant adverse impacts to sensitive species or stormwater quality. Staff believes that the necessary findings can be made to approve the requested exception to the Conservation Regulations (Attachment F) due to the proposed covered crush pad's limited encroachment into the required stream setback (a 10-foot setback from the unnamed blue line stream would be provided from the four proposed support columns) and improvement of the existing site condition by

preventing runoff into the stream.

Public Comments - At the time of staff report preparation, three public comment letters had been received from neighbors supporting the project. They are included as Attachment L.

Pursuant to BOS Resolution No. 2018-164 (Attachment M), Staff has provided separate decision-making options for the components of the project necessary to remedy existing violations and the new expansions beyond existing entitlements.

### **Decision Making Options Regarding Remediating Existing Violations:**

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

#### Option 1 - Approve Applicant's Proposal

Disposition - This option would result in approval of the existing employees and visitation and marketing program levels at the winery. Staff recommends this option as the request is consistent with the Zoning Ordinance and applicable General Plan policies. Further, staff recommends recognition of the existing visitation and marketing program and converted production space area based upon the site's lack of environmental constraints, non-remote location, sufficient access, proximity to the Vine trail and transit, availability of adequate water supplies, and letters of support from many of the project's neighbors. The project was found to be Categorical Exempt from CEQA. No traffic impacts would occur. The applicant also proposes to incorporate additional GHG reduction methods beyond those reduction measures which have already been adopted at the site.

Action Required - Follow the 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 and was found to be Categorical Exempt from CEQA.

#### Option 2 - Reduced Visitation and/or Marketing Program Alternative

Disposition - This option would require that the applicant reduce their existing maximum daily visitation numbers and/or the number of marketing events. As noted above, the existing maximum visitation is above the average and the median of similar production capacity by appointment wineries. The requested number of marketing events is slightly above the average, but below the median for similar production capacity by appointment wineries. If the Commission elects this option, staff recommends that only the maximum daily visitation be reduced as the existing marketing program is consistent in marketing program intensity with similar production capacity by appointment wineries. Staff recommends no changes to the number of events requested.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to reduce the maximum daily visitation and required conditions of approval. The item will need to be continued to a future date if significant revisions to the recommended conditions of approval are desired.

#### Option 3 - Deny Applicant's Proposal

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 modification, 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 modification is not being



approved.

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.

#### **Decision Making Options Regarding Expansions Beyond Existing Entitlements:**

Staff recommends approval of the applicant's proposal as described in Option 1 below.

#### Option 1 - Approve Applicant's Proposal

Disposition - This option would result in approval of the expansions beyond the existing entitlements which are requested including additional parking spaces and a Use Permit Exception to the Conservation Regulations (P18-00305) to construct the new canopies (support columns) and curb within the 45-foot creek setback. Staff recommends this option as the changes requested such as the new canopy covers, water tanks, parking spaces, and improvement of the driveway to Napa County Road and Street Standards are operational modifications needed to ensure consistency with County Code and to support the requested recognition of the existing visitation and marketing program outlined above.

Action Required - Follow the 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 and was found to be Categorically Exempt from CEQA.

#### Option 2 - Redesign Alternative

Disposition - This option would require that the applicant attempt to relocate the proposed covered crush pad to completely avoid the stream setback or further minimize the proposed covered crush pad's encroachment into this setback. However, this would be challenging as the crush pad areas are existing and the proposed canopy support columns need to be located on the existing crush pads. Relocating the covered crush pads outside the stream setback would potentially require additional grading. A new covered crush pad would also fail to take advantage of utilizing the existing previously developed crush pad area footprint and result in inefficient winery business operations.

Staff does not support this option because it appears that an alternate covered crush pad location would not have significantly fewer environmental impacts than the proposed project. Although outside the stream setback, such an alternative location may require additional vegetation removal and disturbance, potentially leading to greater environmental impact and the need for additional CEQA review.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to revise the location of the covered crush pad and required conditions of approval. The item will need to be continued to a future date to complete CEQA review on the new covered crush pad and any associated required improvements.

#### 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 modification and Conservation Regulations 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 modification and Conservation Regulations Exception is not being approved.

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 . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Previous Conditions
- D . CEQA Memorandum
- E . Use Permit Application Packet
- F . Conservation Regulations Exception Application Packet
- G . Water Availability Analysis
- H . Wastewater Feasibility Study
- I . Graphics
- J . Winery Comparison Analysis
- K . Notice of Violation
- L . Public Comments
- M . Board of Supervisors Resolution No. 2018-164

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina