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Agenda Date: 4/21/2010

Agenda Placement: 9B

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** Trish Hornisher, PLANNER III - 299-1349  
**SUBJECT:** Wallis Family Estate Winery Use Permit

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### **RECOMMENDATION**

#### **WALLIS FAMILY ESTATE WINERY / EDWARD & MARILYN WALLIS TRUST- USE PERMIT #P08-00197-UP**

**CEQA Status:** Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Aesthetics, Biological Resources, Cultural Resources and Hydrology & Water Quality. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

**Request:** Approval of a Use Permit, including application for a County Historical Landmark Designation, to establish a 30,000 gallon per year winery to include: (1) seismic retrofit, restoration and rehabilitation of the existing 6,711 sq. ft. historic Pacheteau's Castle for reuse as a wine barrel storage, office, tasting room and sales building and the existing 5,000 sq. ft. historic Carriage House for reuse as a winery production building and rehabilitation of an existing 1,200 sq. ft. concrete area for use as a crush pad for a winery totaling 12,911 sq. ft.; (2) two full-time and three part-time employees; (3) 27 parking spaces; (4) tours and tasting by prior appointment with a maximum of 18 visitors per day (maximum of 108 visitors in a proposed six day week); (5) a marketing plan with: three private food and wine tasting events per year with 75 persons per event (all food service to be catered by Napa County licensed operators) and participation in one Napa Valley Wine Auction Event; (6) installation of a new combined process and domestic wastewater system using a standard gravity distribution type septic disposal system; (7) alterations to the two existing wells to eliminate their interconnectivity; (8) widening the existing private driveway to the winery site; and, (9) a Lot Line Adjustment to bring the winery production and accessory buildings onto a single parcel. The winery project is located on two parcels of 33.49 and 12.34 acres (pending Lot Line Adjustment) with access off a private driveway on the north side of Pacheteau Road, approx. 680 feet northwest of its intersection with Diamond Mountain Road and about 1.5 miles west of the City of Calistoga within an Agricultural Watershed (AW) zoning district; Assessor's Parcel #: 020-450-013 SFAP, 020-450-014, 020-450-015 SFAP, 016 SFAP & 017 SFAP (pending a Lot Line Adjustment); 1670 Diamond Mountain Rd., Calistoga.

**Recommendation:** Adopt the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program, Use Permit and Landmark Designation as proposed with conditions of approval.

**Staff Contact:** Patricia Hornisher 299-1349 or [Trish.Hornisher@countyofnapa.org](mailto:Trish.Hornisher@countyofnapa.org)

## **EXECUTIVE SUMMARY**

### **Project Action:**

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Wallis Family Estate Winery, based on findings 1 - 6 of Exhibit A;
2. Find the General Rule applies to the designation of a local Landmark under CEQA based on finding 12 of Exhibit A;
3. Approve Use Permit #P08-00197-UP based on findings 7-11 of Exhibit A and designate the Wallis Family Winery, its site and associated historic resources a local Napa County Landmark based on findings 13-17 of Exhibit A subject to the recommended Conditions of Approval (Exhibit B).
4. Direct Staff to place the Wallis Family Estate Winery site on the Napa County Historic Resources Inventory and forward relevant documentation to the California Office of Historic Preservation to be placed on the California Register of Historic Places.

### **Discussion:**

The applicant proposes a new 30,000 gallon per year winery to be located on a 16.80 acre parcel which is accessed from a private driveway off Pacheteau Road on the northwest side of Diamond Mountain Road. The site, which is about one and a half miles west of the City of Calistoga, contains a well maintained historic residence built in 1870 (known as Pacheteau's Castle) and a 1900's historic carriage house now used for a home office and storage. Estate vineyards are located on an adjacent 33.49 parcel owned by the applicant. The applicant proposes to seismically retrofit, restore and rehabilitate both structures for reuse as a winery. The Castle will be used as a marketing, administrative office and barrel storage facility while the Carriage House will become the wine production and case good storage facility. A Lot Line Adjustment will be required to bring the winery and accessory structures onto a single parcel. No structural changes or additions to the structures are proposed resulting in a winery totaling 12,911 square feet. The proposed winery would have a maximum of 18 by-appointment only visitors per day (108 maximum in a 6 day week) and 3 marketing events per year with no more than 75 persons. Pacheteau's Castle is listed on the local Napa County Historic Resources Inventory 1976-1978 and is rated NR 3 (Appears eligible for listing on the National Register). The recent historic evaluation report indicates both structures have a high degree of integrity thus qualifying both structures as eligible for listing on the California Register. This restoration and reuse project will perpetuate the life of two significant and irreplaceable cultural resources and is very much in keeping with the Cultural Resource Goals and Policies of the newly approved 2008 General Plan. Staff believes required findings can be made in support of the requested use permit and local landmark designation and recommends approval as conditioned.

## **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Aesthetics, Biological Resources, Cultural Resources and Hydrology & Water Quality. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

Landmark Designation: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable [Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)]

**BACKGROUND AND DISCUSSION**

**Owner:** Edward and Marilyn Wallis Trust

**Applicant:** Edward Wallis

**Representative (Project Manager):** Juliana Inman, A.I.A., Architect and Michael Muelrath, P.E., Applied Civil Engineering Inc.

**Zoning:** AW (Agricultural Watershed)

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

**Filed:** March 18, 2008 / Resubmitted: April 18, 2009 / Complete for CEQA Review: January 22, 2010

**Building Size(s):** Pacheteau's Castle: 6,711 square feet; Carriage House: 5,000 square feet (with an additional 1,200 square foot outdoor crush pad)

**Production Capacity:** 30,000 gallons per year

**Visitation:** A maximum of 18 by-appointment visitors per day with no more than 108 persons during a six day week operation

**Marketing:** Three private food and wine tasting events per year with a maximum of 75-persons per event (all food service to be catered by Napa County Licensed operators) and participation in one Napa Valley Wine Auction Events as a Category 5 Temporary Event

**Number of Employees:** Two full-time and three part-time employees

**Days and Hours of Operation:** 7:30 AM to 6:00 PM (Winery - seven days/wk); and, 10:00 AM to 4:00 PM (Visitors six days/wk)

**Parking:** 27 parking spaces, including 2 ADA-accessible space

**Adjacent Zoning / Land Use:**

North

AW - Agricultural-Vineyard / Winery (69.86 acres)

South

AW - Rural Residential with vineyard (26.23 Acres)

East

AW - Vacant / Vineyard / Vineyard with Residential (Three parcels: 9, 20 & 12 Acres)

West

AW - Rural Residential / Vineyard (Three parcels: 7, 22, & 16 Acres)

Nearby Wineries (within one mile of the project site):

Diamond Creek Vineyards - 1500 Diamond Mountain Rd - Approved 04/03/1972 - 10,000 gal/yr - 7,772 sq. ft. - 2 By Appt Visitors/Wk - No Marketing

Von Strasser Winery - 1510 Diamond Mountain Rd Approved 10/15/1979 - 24,000 gal/yr - 11,000 sq. ft. - 28 By Appt Visitors/Wk - No Marketing

Reverie on Diamond Mtn – 1520 Diamond Mountain Rd – Approved 06/21/1995 - 5,000 gal/yr – 5,237 sq. ft. - 20 By Appt Visitors/Wk - Marketing with 14 events of 25 visitors or less

Diamond Mountain Winery (Constant) – 2121 Diamond Mountain Rd - Approved 07/20/1994– 10,000 gal/yr – 2,948 sq. ft. - 10 By Appt Visitors/Wk - Marketing with 14 events of 25 visitors or less

**Property History:**

May 1985 - Planning Department approves application for 2nd Unit SD-478586.

July 1990 - Building Department issues a final Certificate of Occupancy for a new 2nd Dwelling Unit BP-36133.

October 1990 - Planning Department Unconditional Certificate of Compliances recorded for parcels within project area PS-268990.

September 2007 - Planning approves Home Occupation permit for wine sales in 2nd Dwelling Unit P07-00645

**Code Compliance History:**

Based on a review of the County Planning and Building files, there have been no complaints or code compliance issues filed against this property.

**Discussion Points:**

1. The Winery Proposal - The Wallis' seek approval of a use permit from the County of Napa to establish a 30,000 gallon per year winery on a property located off Pachetaeu Road in the western hills of the Napa Valley approximately one and a half miles west of the City of Calistoga. The project involves two parcels currently owned, farmed and homesteaded by the Wallis' since the early 1970's. The winery is proposed to be established within

two existing historic structures -- the historic Pacheteau residence (also known as Pacheteau's Castle) and the historic carriage house -- built in 1906. The applicant intends to record a Lot Line Adjustment to bring both structures onto the same parcel which will total 16.08 acres. The structures will be restored and rehabilitated for using, *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, for reuse as the winery facility. The Carriage House will serve as the wine production and case storage facility totaling 5,000 square feet. The Castle will be utilized for marketing and sales, administrative offices as well as barrel storage and total 6,711 square feet. The existing crush pad, located adjacent to Carriage House totaling 1,200 square feet, will also be improved and utilized for wine production.

The operation will include: two full-time and three part-time employees; three separate parking areas totaling 27 spaces (including two ADA spaces); by appointment tours and tasting with a maximum of 18 visitors per day (108 in a proposed six day week); and, a marketing plan of three wine and food paring events per year with a maximum of 75 visitors per event. Civil improvements are planned for the existing main driveway access to the winery that will meet the required County road width of 20 feet. A new combined process and domestic wastewater system using standard gravity distribution for septic disposal will be installed and the two existing wells will be altered to eliminate their interconnectivity between the winery operation and the two residences on adjacent parcels. Finally, a Lot Line Adjustment will be recorded to bring the winery production building (Carriage House) and the barrel storage/marketing administration building (Pacheteau's Castle) onto a single parcel.

2. Visitation and Marketing - The original visitation and marketing proposal was revised by the applicant in response to comments received from Napa County's Transportation Engineer and the City of Calistoga. The resulting current proposal reduced the number of marketing events to 3 per year with no more than 75 visitors and one Wine Auction event. Tours and tasting visitors will arrive and depart outside of peak traffic hours and will not exceed 18 visitors per day. Tours and tasting appointments will also not be scheduled on the same day as a marketing event nor will marketing events be scheduled on harvest or crush days. Napa County Public Works has requested these traffic reduction strategies be included as conditions of approval for the use permit. Compared to wineries in the vicinity, the current visitation and marketing proposal for Wallis Family Estate Winery is modest and compatible with neighboring winery operations. With the inclusion of the trip reduction strategies as a condition of approval, staff believes the County and City of Calistoga concerns regarding traffic are addressed and will not represent a substantial traffic impact (See further discussion Section 3 below).

3. Winery Operation and Traffic Loads - According to the Napa County Transportation Engineer, Traffic volume on Diamond Mountain Road equates to Level of Service A. In 2005, the traffic counts on Diamond Mountain Road south of Pacheteau Road measured 112 vehicles average daily traffic (ADT). These counts have not been updated but Public Works advises no significant increase has occurred. In contrast, traffic counts at the intersection of Diamond Mountain Road and St. Highway 29 east of the project site are approximately 463 (ADT). This is due to the fact that a greater number of residents and three winery facilities have access on this segment of Diamond Mountain Road.

The submitted traffic information sheet indicates the subject property currently generates approximately 48 trips daily with 9 of these occurring during peak hour. The proposed project will increase trip generation to 58 daily trips on a typical business day. Thus, the "net increase" of traffic associated with the project equates to 10 daily trips during typical operations. 58 daily trips will occur during a maximum event, however, event trips are considered negligible because they occur only three times per year. The project will include trip reduction strategies as a condition of approval that require tours and tasting appointments and marketing events to occur on separate days of the week and marketing events not to occur during harvest or crush days. Additionally, as noted in the submittal material, there will be a reduction in the number of grape hauling trips on Diamond Mountain Road because wine production will be moved on-site. Finally, the submitted site distance documentation shows the operational condition of the site access from Pacheteau Road meets the site distance requirements in accordance with Cantrans' Design Manual. Therefore, with the inclusion of the trip reductions strategies, the project as proposed will not result in a noticeable change to the traffic volumes nor change the Level of Service on Diamond

Mountain Road or any of its intersections. The net increase will be arriving and departing throughout the day thus not resulting in a noticeable increase in traffic. Staff concludes the project will not result in a significant impact individually or cumulatively to the surrounding street capacity, traffic load or level of service.

4. Civil Improvements / County Road and Street Standards / Parking - The revised project submittal includes only the existing main driveway for access to the winery facility. The use of the existing "lower road" was removed from the project because the applicant found the required improvements to be infeasible. Plant and animal surveys were therefore not completed in this area but are recommended if the project is modified in the future to include this road. Based on Public Works' comments, the main access will be improved to the required County standard width of 18 feet with 2 feet of shoulder; the existing gate entrance can remain due to its historic relationship to existing historic on-site structures.

Planning staff reviewed the proposed parking request for 27 spaces (including 2 ADA spaces). Based on staff calculations, the proposed number seems over twice the amount needed. For example, if the total number of tours and tasting visitors (with an average per vehicle of 2.6 visitors) all arrived at the same time, 7 spaces would be needed. (Normally, this number is spaced out over the six hour day thus requiring even fewer spaces per hour.) Adding 2 full-time and three part-time employees, at most 5 more spaces would be needed for a total requirement of 12 spaces for daily operations. Calculating the events in the same manner, 34 spaces maximum would be needed. However, events are infrequent and allow parking throughout the site on these occasions. Staff suggests the parking areas be reduced by at least one-third to 18 spaces (including 2 ADA) thus preserving open space and reducing the creation of unnecessary impervious surfaces.

5. Water Supply - The revised application indicates the lower well will serve the winery's domestic water needs. However, review of the site plans shows there are two wells (a lower and an upper well) and a spring that are connected and serve several parcels and multiple dwellings. On March 10, 2010, Environmental Management commented that adding the winery development to this system would require regulation as a public water system. Alternatively, the water system must be reconstructed so that the lower well is only utilized by the winery and no longer serves the residences. The applicant is in agreement with reconstructing the water system so that the winery and residential uses do not connect. The property owner has signed the project revision statement requiring the reconstruction of the existing water system so that only the lower well will serve the winery operation with review and approval of the reconstructed system by the Department of Environmental Management prior to issuance of a building permit for any portion of the winery. The newly constructed water system shall also be subject to inspection by the Department.

6. Groundwater Availability - As described above, several interconnected sources of water currently exist serving both the residential and vineyard uses of the parcels involved in the project: a lower well, an upper well, a reservoir and a spring. The applicant states in the project description that a Lot Line Adjustment will be recorded to bring the existing historic structures proposed for reuse as the winery facility onto a single parcel. Since the Lot Line Adjustment is pending, Public Works requires a Pre and Post Phase 1 Water Availability Analysis to ensure water allotments are met for the existing and proposed uses as they pertain to the current and proposed parcel configurations.

On September 23, 2009, Applied Civil Engineering Inc. submitted the pre and post Phase 1 Water Availability analysis for the current and proposed uses on the parcels. The analysis states this project is located in the Mountain Areas of the Napa Valley which has an established acceptable water use criteria of 0.5 acre feet per acre per year (af/yr). The County's established allowable water allotment for the pre Lot Line Adjustment (pre-LLA) configuration totalling 33.50 acres is 16.75 af/yr. The estimated water demand for both the existing and proposed uses is 1.1 af/yr including: 0.3 af/yr for existing vineyards and 0.75 af/yr for domestic use (main residence). The uses on the parcels will remain the same (pre & post LLA) therefore no change in water usage is expected. Currently usage of water for the existing site conditions is well within the established allotment.

The post LLA will incorporate lands from an additional parcel to create a new total of 16.80 acres. Based on the 0.5 af/ac/yr factor, the allowable water allotment is 8.4 af/yr. The estimated water demand for the post parcel configuration for the existing uses is 0.75 af/yr including: 0.75 af/yr for domestic uses [main residence (Pacheteau Castle) and landscaping]. Estimated water demand for the proposed uses (post LLA) is 0.80 af/yr including: 0.8 for winery uses [winery (Carriage House and Pacheteau Castle) and landscaping]. This represents an incremental increase of 0.1 af/yr however, the total usage (0.8 af/yr) is well within the established allotment. Public Work's Groundwater engineer comments water use for the project for each property configuration is below the allotment established by Napa County and requires no further analysis.

7. Wastewater Feasibility - The proposed combined process and domestic wastewater system is described in full in the submitted, "Wallis Winery Septic Feasibility Report", submitted by Kenneth Deibert Jr., P.E., of REB Engineering dated 7/10/07 (See attachment.) Mr. Deibert proposes to use a conventional leach field sewage disposal system whereby two separate tanks will capture the domestic and process wastewater at the winery and then flow into the disposal field. Based on the soil conditions and application rate, 900 feet of trench will be needed. The reserve area is designated in an area approximately 50 ft. north of Pacheteau's Castle. The Department of Environmental Management has reviewed the proposed septic feasibility report and will require that all their conditions of approval be met prior to issuance of any grading or building permit.

## 8. Historic Resources / Local Landmark Designation

### A. Resource Evaluation and Compliance with CEQA -

Based on the project description and submitted application, staff determined there was potential for impacts to occur to the two historic resources (Pacheteau's Castle and the Carriage House) that exist within the project site. As part of its CEQA analysis, an historic evaluation report of the site from a qualified historic architect was requested to confirm the significance of the resources and analyze potential project impacts.

*"The Wallis Family Estate Winery: Historical Findings"*, report was submitted by Juliana Inman, Architect on March 12, 2008. The report states that Pacheteau's Castle was constructed as a residence in 1906 by the stonemason company Bennisini & Maggetta for then owner, Jacques Pacheteau. It became known as a "castle" because it is uniquely constructed with Napa native stone and has a massive false front with architectural features reminiscent of a Medieval parapet. Likewise, the Carriage House was designed in the same era by the then famous William Corlett, a renowned turn of the century architect of the time. This structure is unique for the inventive engineering of its truss bracing system above the second floor and the fine louvered cupola on the high pitched hipped roof. The architect's original drawings are extant having been carefully preserved by the Wallis family.

Napa County historic files indicate the Castle is currently listed on the Napa County Historic Survey 1977-78 and it has a completed Department of Parks and Recreation (DPR) Form 523 detailing its history. At the time of the survey, the evaluator assigned the Castle a status code of NR3 (meaning, "appears eligible for listing on the National Register by the evaluator"). The form indicates other structures are present on the site but no additional historical detail is provided for them or the status of the Carriage House.

As stated in the Ms. Inman's report, the California State Office of Historic Preservation (SHPO) considers designations and surveys over five years old to be out-of-date thus requiring a new evaluation of existing conditions to determine the integrity of the historic resource. The historic evaluation submitted by Ms. Inman reestablishes that the project site and its resources (the Castle and Carriage House) meet the State's criteria standards for integrity which are: location, design, setting, materials, workmanship, feeling and association. Since the resources retain the seven required qualities of integrity, she concludes they are significant historic resources eligible for listing on the California Register or National Register. Based on this report, staff recommends updating the sites DPR forms documenting the site's historic resources and that they be submitted to the State Office of Historic Preservation for inclusion California Registry as a Napa County local landmark.

Finally, as stated in the Inman report, the proposed project will have a less than significant impact on the historical resources. The project description proposes to seismically retrofit, rehabilitate and renovate the historic structures. As analyzed by Ms. Inman, the project complies with all ten required standards as detailed in, *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (the Standards). Compliance with the Standards and Guidelines avoids any negative impacts to the existing historic resources. The applicant has signed the project revision statement requiring written verification from a qualified historic architect that the construction plans meet the Standards referenced above prior to issuance of any grading or building permit.

#### B. Use of the State Historic Building Code and Local Landmark Designation -

To ensure compliance with the Standards, the applicant requests utilization of the State Historic Building Code. The purpose of this code is to provide alternative building regulations and building standards for rehabilitation, preservation, and restoration of buildings or structures designated as historic buildings. To be considered a qualified historical building or structure under this code, it must be 50 years old and deemed important to the history, architecture or culture of an area by an appropriate local or state governmental jurisdiction. The qualification includes structures already on a National, State or Local registers or inventories of historically significant sites or landmarks. As discussed above, the Castle is over fifty years old and is currently on Napa County's local historic inventory; the Carriage House meets the age criteria but is not any historic list. Since compliance with the Standards is recommended to avoid impacts to these historic resources, staff recommends the site and its historic resources be listed as a local Landmark under Section 15.52.030 so that the State Historic Building Code can be employed for both structures as requested by the applicant.

On April 9, 2010, the project was duly noticed for designation as a local landmark in accordance with the County Landmark Preservation Ordinance section 15.52.030. In accordance with subsection (B) of this code, staff has included the appropriate findings that the proposed landmark has special historical architectural, cultural and engineering interest of a historical nature. Based on the submitted historical evaluation report, staff believes the site and related historic resources (Pacheteau's Castle, Carriage House) qualify under Section (B) (1.) (b.) & (2) (b.) due to Jacques Pacheteau's place in shaping Napa County's hot springs resort history and the importance in local history of both the architect and builder of the structures. Staff believes the site and its structures meet the criteria established in the Landmark Preservation Code for designation of the site and its structures as a Napa County Landmark and recommend their inclusion in the Napa County historic resources inventory.

9. Biological Resources - In December of 2009 and January of 2010, botanist Jane Valerius, performed a botanical survey for special status plants and habitat including, *Ceanothus divergens*, in the areas proposed for ground disturbance. The report concluded no impact to candidate, sensitive or special status species will occur in the areas designated for development. However, it was noted that should the project be modified to include the potential habitat located adjacent to the lower road on the property, an additional survey covering this area should be undertaken.

In addition, a survey for potential impacts to known Northern Spotted Owl (NSO) roosts and nesting sites was performed by Jon Winter in November 2009 because trees and riparian areas to the south and southeast of the project area contain habitat that would support Northern Spotted Owl. However, Mr. Winter found that since the project will not remove any trees, no potential habitat will be affected. He noted an abandoned Red Hawk nest located on-site could serve as an existing or future NSO nesting site. The hawk nest showed no existing signs of NSO activity in the form of feather or whitewash. Mr. Winter recommended a pre-construction survey if construction occurs between the spring months of February - July to confirm no new NSO activity is present. The applicant signed the project revision statement to complete a pre-construction survey when construction occurs between the stated time frame. In the case of noise disturbance, Mr. Winter found that noise from construction or from daily business operations will not occur at night which would disturb hunting activities. Additionally, the project is well beyond any reasonable concern for noise abatement associated with the project and any of the NSO sites in the vicinity of the project. The report concluded that with the inclusion of the recommended pre-construction



survey and USFWS avoidance protocols, the project will not impact potential NSO habitat or any existing NSO nesting or roosting sites.

10. Archaeological Resources - The Napa County Environmental Sensitivity GIS layers for archaeological sites show no known sites within the project site. The nearest survey is located 900 feet north of the project site which found no archaeological evidence present. The project involves minimal ground disturbance to create two parking areas, widened the existing driveway and grade minimally for landscaping purposes. The applicant has signed a project revision statement to verify that the grading and construction plans comply with the Secretary of the Interior's Standards for rehabilitation prior to issuance of any building or grading permit. Secretary of the Interior's Standard 8, calls to protect and preserve significant archaeological resources affected by the project. Standard Conditions of approval for protection of discovered archaeological materials are also included for all discretionary projects. With the inclusion of standard conditions of approval and mitigation measures no impacts to archaeological resources are expected to occur.

11. City of Calistoga Comments - The County received comments from the City of Calistoga's Planning and Building Director. Staff responded to these comments and believes the project as revised, resolves their initial concerns.

12. Contact with Neighbors - On March 22, 2010, Mr. Wallis distributed a letter discussing his plans for the new winery to all surrounding neighbors and welcomed discussion. (See letter sent to surrounding neighbors attached.) As of the date of this report, no inquiries have been received by the Planning Department regarding this project.

### **Consistency with Standards:**

#### Zoning

The project is consistent with AW (Agriculture Watershed) zoning district regulations. A winery (as defined in Napa County Code Section 18.08.640) and uses in connection with a winery (see Napa County Code Section 18.20.030) are permitted in the AW district with an approved use permit. This application complies with the Winery Definition Ordinance and the setbacks and other requirements of the Zoning Code. A Lot Line Adjustment to bring the winery structures onto a single parcel is recommended as a Condition of Approval.

#### Building Division Requirements

The Building Division recommends approval with standard conditions. Please see their March 16, 2010, memo.

#### Fire Department Requirements

The Fire Department recommends approval of the requested winery use permit with conditions of approval and recommends a standard winery road width with no loop road. See June 17, 2009, memo for Use Permit and March 11, 2010, email.

#### Public Works Department Requirements

The Public Works Department recommends approval with conditions of approval under their memo dated March 11, 2010; their memo dated March 11, 2010, for Groundwater and their memo dated December 14, 2009 for Traffic Impacts.

#### Environmental Management Department Requirements

The Department recommends approval provided all mitigations and conditions of approval are satisfied. Please see their memo of March 10, 2010.

Sheriff's Department Requirements

The Sheriff's Department has reviewed this application and has no comment.

**SUPPORTING DOCUMENTS**

- A . Exhibit A - Findings
- B . Exhibit B - Conditions of Approval
- C . Department Agency & City Comments
- D . Landmark Preservation Ordinance
- E . Initial Study / Mitigated Negative Declaration / Project Revision Stmt & MMRP
- F . Traffic Study & Project Revision Emails
- G . Biological Resource Studies
- H . Cultural Resource Report & Landmark Ltr
- I . Phase I Water Availability Studies - Pre and Post Lot Line Adjustment
- J . Wastewater Feasibility Study
- K . Application Materials
- L . Wallis Family Estate Winery Neighbor Outreach & Ltrs
- M . Report Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell