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Agenda Date: 4/7/2021

Agenda Placement: 7A

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: Charlene Gallina, SUPERVISING PLANNER - 299-1355

SUBJECT: Madonna Estate Winery - Major Modification P19-00167-MOD

RECOMMENDATION

MONT ST. JOHN CELLARS INC / MADONNA ESTATE WINERY / MAJOR MODIFICATION #P19-00167-MOD

CEQA STATUS: Consideration and possible adoption of Categorical Exemption Class 3. 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 15303 Class 3 New Construction or Conversion of Small Structures, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303] This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

REQUEST: Modification of an existing Use Permit (#U-177778) and subsequent modifications) for an existing 50,000-gallon winery to allow the following changes: **A. COMPONENTS NECESSARY TO REMEDY EXISTING VIOLATIONS:** 1. Recognition of a 180-person increase in by-appointment visitation for a combine total of 280 daily visitors and a weekly maximum of 1,044 visitors. Currently authorized for 100 public visitors a day with a weekly maximum of 500 visitors; 2. Recognition of six (6) full-time employees and seven (7) part-time employees. Currently authorized for five (5) full-time employees and one (1) part-time employee; and 3. Recognition and continued use of picnic tables at the corner of Old Sonoma Road and Highway 12 as employee waiting area. Applicant was required to remove the tables per Use Permit Modification #U-177778-MOD#3 Condition of Approval No. 7. **B. EXPANSION BEYOND EXISTING CONDITIONS:** 1. Addition of an approximately 1,080 sf cover over an existing crush pad; 2. Improve gravel entry walkway to pervious pavers with visitor tables; 3. Use of outdoor areas for tastings; 4. On-premises consumption of wines produced on-site located in the hospitality portion of the winery building and outdoor areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; and 5. Installation of an accessible parking space and walkway to the winery. The project is located on an approximately 4.37 acre site within the AW (Agricultural Watershed) zoning district with a General Plan land use designation of AWOS (Agriculture, Watershed & Open Space) at 5400 Old Sonoma Road, Napa, CA; Assessor Parcel #047-110-016.

Staff Recommendation: Find the project Categorically Exempt from CEQA and approve the Major Modification, as conditioned.

Staff Contact: Charlene Gallina, Planning Supervisor, (707) 299-1355 or charlene.gallina@countyofnapa.org

Applicant Contact: Taylor Bartolucci, Madonna Estate, 5400 Old Sonoma Road, Napa; (707) 255-8864; taylor@madonnaestate.com

Representative Contact: Andrea Matarazzo, Pioneer Law Group, 1122 S Street, Sacramento; (916) 287-9502; andrea@pioneerlawgroup.net

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Find the project to be Categorically Exempt from CEQA, as set forth in Findings 1 - 3 of Attachment A; and
2. Approve Major Modification Application P19-00167 based on Findings 4 through 8 of 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. On March 29, 2019, Madonna Estate Winery submitted a Major Modification application to recognize the current level of visitation and employees. The application also requests additional entitlements beyond those necessary to remedy existing violations. As described in Resolution No. 2018-164, the subject application was submitted prior to the submittal deadline of March 29, 2019 at 2:00 p.m. and was found to be substantially conforming. Accordingly, the County may use the existing operations as the environmental baseline for the CEQA analysis related to this application.

The project proposal is to modify an existing winery Use Permit to recognize existing visitation and employees, both of which exceed the levels approved under Use Permit #U-177778 and subsequent modifications. Additionally, the proposal requests installation of a cover over the existing outdoor crush pad; improvements to the parking, walkway, and entry patio; use of outdoor areas for visitation; and on-premise consumption of wine produced on-site in hospitality areas. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person daily tours and tastings visitation limitation. The addition of on-premises consumption and use of outdoor areas for visitation would not expand the current level of operation. No food service or marketing events are offered or requested for this winery. All wines sales are distributed primarily through direct sales and the winery offers no wine pick up service.

The existing visitation level is higher than the average and median calculations for annual visitation of similar production capacity by wineries. Although the levels exceed that of similar production capacity wineries, staff is supportive of the request based upon the project's location adjacent to Old Sonoma Road and State Highway 12, use of transportation shuttle services, and the ability of the current infrastructure and resources to support the existing visitation and employee levels. The proposed physical improvements would take place on areas of the site that are already developed with winery infrastructure and would not require new earthwork or generate impacts to the undeveloped portions of the property. The application and supporting documentation demonstrates the winery has sufficient capacity to handle the visitation and employment, and that the current levels will not negatively impact

winery infrastructure or water supply.

Staff has reviewed the components necessary to remedy existing violations and the proposed “expansion” items, and found the application request to be consistent with the Zoning Ordinance and applicable General Plan policies. Implementation of the proposed project, would result in no potential environmental impacts. Based on the reasons stated above, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of Categorical Exemption Class 3. 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 15303 Class 3 New Construction or Conversion of Small Structures, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303] This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Mont St. John Cellars Inc., 5400 Old Sonoma Road, Napa

Applicant: Taylor Bartolucci, Madonna Estate Winery, 5400 Old Sonoma Road, Napa; (707) 255-8864;
taylor@madonnaestate.com

Representative: Andrea Matarazzo, Pioneer Law Group, 1122 S Street, Sacramento; (916) 287-9502;
andrea@pioneerlawgroup.net.

Zoning: Agricultural Watershed (AW)

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

Application Filed: March 29, 2019; **Resubmittals Received:** September 13, 2019, July 13, 2020, November 6, 2020, February 5, 2021, March 3, 2021; **Application Complete:** March 5, 2021.

Parcel Size: 4.37 acres. Use Permit # U-177778 was approved in 1978, prior to the adoption of the Winery Definition Ordinance (WDO) and implementation of the minimum 10-acre parcel size for a winery.

Existing Development: Development on the property includes the 15,040 sf winery building, water storage and fire pump building, associated site improvements including parking lot, wastewater system, and approximately 1 acre of vineyards. Carneros Creek is located to the east along the project’s property line. All existing winery development is located 100 feet from the top of bank. There is also a telecom site on the property (approved under separate permit: P12-00073-Telecom and P17-00176-MOD).

Existing and Proposed Winery Characteristics:

Winery Development Area – Approved/Existing: Approximately 16,970 sf; 0.39 acres

Winery Development Area - Proposed: No change.

Winery Coverage - Approved/Existing: Approximately 47,455 sf; 1.11 acres; 25% of the site (maximum 25% allowed)

Winery Coverage - Proposed: No change.

Production Capacity - Approved/Existing: 50,000 gallons of wine per year. Approximately 44,000 gallons were produced in 2018.

Production Capacity - Proposed: No change.

Winery Buildings Size - Approved/Existing: Winery building approximately 14,000 sf; outdoor crush pad 1,080 sf.

Winery Buildings Size - Proposed: No change to winery building. Requesting to add a 1,080 sf cover over crush pad.

Accessory to Production Ratio - Approved/Existing: 23% (approximately 2,800 sf Accessory area and 12,240 sf Production area (Maximum 40% of production area allowed)

Accessory to Production Ratio - Proposed: No change.

Number of Employees - Approved: 5 full-time and 1 part-time.

Number of Employees - Existing: 6 full-time and 7 part-time.

Number of Employees - Proposed: Recognition of existing number of employees - 6 full-time and 7 part-time.

Visitation – Approved Pre-WDO: 100 visitors per day; 500 weekly maximum. Visitation allowed to occur without prior appointment.

Visitation - Existing: 280 visitors per day; weekly maximum of 1,044 visitors.

Visitation - Proposed: Recognition of existing levels of 180 visitors per day "by appointment"; Would result in a daily total of 280 visitors and a weekly maximum of 1,044 visitors. No food service is provided.

Marketing Program - Approved/Existing: No marketing plan has been authorized.

Marketing Program - Proposed: No change.

Days and Hours of Operation Production - Approved: 8:00 AM to 5:00 PM Monday - Friday.

Days and Hours of Operation - Production - Existing: In compliance.

Days and Hours of Operation - Visitation - Approved: 10:00 AM to 5:00 PM. Monday - Sunday.

Days and Hours of Operation - Visitation - Existing: In compliance.

Days and Hours of Operation – Production and Visitation - Proposed: No change.

Parking - Approved: 26 total parking spaces – four (4) employee spaces and 22 customer spaces; subsequent modification authorized 30 parking spaces for customers, four (6) parking spaces for employees and two (2) for buses for an overall total of 38 parking spaces.

Parking - Existing: 25

Parking - Proposed: Reconfiguration of parking area and accessible parking space, but no change to total number of existing spaces or expansion of area of disturbance.

Setbacks Required: Old Sonoma Road – 600 feet; State Highway 12 – 600 feet; Carneros Creek – Plans show

existing winery development outside 100 feet from the top of bank, which complies with required stream setbacks.

Setbacks Existing: The existing development was approved prior to adoption of the Winery Definition Ordinance (WDO). The WDO created larger road setbacks for wineries. Most of the existing development is within the overlapping setback requirements of the two roads. The existing development does meet Zoning Code setback requirements for roads and property lines, and is outside of the stream setback.

Setbacks - Proposed: There are no changes to the existing winery or associated infrastructure. The proposed cover over the existing crush pad is within the Old Sonoma Road setback and not subject to WDO setback provisions as well as newly designated outdoor visitation areas, however it does, not encroach into the setback further than the closest portion of the existing building. Napa County Code Section 18.104.230.C. states that the winery may not encompass or expand beyond the legally established footprint of the structure as it existed upon authorization. Any expansion to fully enclose such structure beyond the footprint that legally existed upon authorization shall comply with the setback provisions of subsection A of this section. In this case, this provision does not apply to this request.

Adjacent General Plan Designations/Zoning Districts/Land Uses:

Surrounding properties have a mixture of General Plan designation of Agricultural Resource (AR) and Agriculture, Watershed, and Open Space (AWOS). Properties to the east and south across State Highway 12 are AWOS and properties to the north across Old Sonoma Road are AWOS. All surrounding properties have a Zoning designation of Agricultural Watershed (AW). Surrounding development is primarily vineyards with what appear to be residences to the north across Old Sonoma Road, and an agricultural management facility and vineyard to the east on the adjacent property.

Nearby Wineries (within one mile of project site):

There are six (6) wineries located within one mile of the project. Please refer to Attachment G.

Project History:

On May 3, 1978, the Planning Commission approved Use Permit U-177778 establishing a 50,000-gallon 5,200 sf winery on the 4.5-acre parcel. The winery was authorized to have the following: 1) Public tours and tastings limited to 50 visitors per day with weekly visitation of 300 persons as noted in the use permit application; 2) three (3) full-time and one (1) part-time employees for a total of four employees; 3) hours of operation 8:00 am to 5:00 pm six (6) days a week; and 4) 26 total parking spaces – four (4) employee spaces and 22 customer spaces. No marketing events authorized with this request.

On August 18, 1982, the Planning Commission approved Use Permit Modification U-18283 for the construction of a 4,680 sf warehouse addition to the facility.

In 1985, the Planning Commission authorized in a modification an approximate 950 sf tank pad for eight (8) additional tanks. At that time because of its visibility from the highway, the applicant proposed three options to accommodate screening of the tanks. Pursuant to one of those options, the Commission required the tanks to be screened with a block wall 12 to 14 feet high and a sloping tile roof to match the existing winery building.

On September 20, 1989, the Planning Commission approved Modification #3 to Use Permit U-177778 authorizing a 3,300 sf enclosure of the existing winery fermentation and processing area as modified by the Commission on September 20, 1989. Furthermore, the Commission required that all picnic tables located at the corner of Old Sonoma Road and State Highway 12 was required to be removed within thirty (30) days of the issuance of a building permit for the 3,330 sf enclosure. Use of the remaining on-site picnic areas was limited to attendees of private events only. Staff review of the modification's application also revealed the following winery operations at the time: 1) 100 visitors per day with an average of 50 visitors per week; 2) hours of operation - seven (7) days per

week, 8:00 am to 5:00 pm; 3) five (5) full time employees and one (1) part-time for a total of six (6) employees; and 4) 24 parking spaces for customers and six (6) parking spaces for employees. With this application, additional parking spaces requested included six (6) customer and two (2) for buses for an overall total of 38 parking spaces. However, staff found that the approval letter was silent on the winery's existing conditions and authorization of these requested changes. Given this, staff is recognizing that visitation and parking space changes had been authorize in conjunction with this modification.

Code Compliance History:

On March 29, 2019, Madonna Estate Winery submitted a Major Modification application under the Code Compliance Program to recognize current level of visitation and employees. The application also requests additional entitlements beyond those necessary to remedy existing violations. A site inspection was conducted by Code Compliance, Planning, Engineering, and Fire staff on April 24, 2019 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 letter regarding identified issues was sent to the property owner by the Code Enforcement Division on June 17, 2019. Apparent code violations include 20 various Fire Code and Building Code violations regarding posting of exiting signage, fire lane painting and landscape clearance, door hardware, electrical outlets and other issues, and fire extinguisher maintenance. (See Attachment E) Code Enforcement Case CE19-00131 was opened for these items. It should be noted that all items were completed and inspected by March 31, 2021.

Discussion Points:

Parcel Size - The winery was approved in 1978, prior to the adoption of the WDO regulations. At 4.37 acres, the property would not be eligible for a new winery today because the WDO implemented a 10-acre minimum size. However, the WDO expressly provided, specifically in section 18.104.240(A) - Wineries—Minimum parcel size, that wineries that were entitled prior to the WDO (known as pre-WDO wineries) were not rendered nonconforming uses and, therefore are allowed to expand despite being on a substandard lot.

Setting – The project is located on a 4.37-acre parcel at the corner of State Highway 12 and Old Sonoma Road; accessed via a driveway on Old Sonoma Road. Development on the property includes the winery building, water storage and fire pump building, associated site improvements including parking lot, wastewater system, and approximately 1 acre of vineyards. Carneros Creek runs east to west across the northern portion of the property. All winery development is further than 100 feet from the top of bank, which complies with required stream setbacks.

Project Proposal - The applicant is requesting is to modify an existing winery Use Permit to recognize existing visitation and employees, both of which exceed the levels approved under Use Permit #U-177778 and subsequent modifications. Additionally, the proposal requests installation of a cover over the existing outdoor crush pad; improvements to the parking, walkway, and entry patio; use of outdoor areas for visitation; and on premise consumption of wine produced on-site in hospitality areas. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person daily tours and tastings visitation limitation. The addition of on premises consumption and use of outdoor areas for visitation would not expand the current level of operation. No food service or marketing events are offered or requested for this winery. All wines sales are distributed primarily through direct sales and the winery offers no wine pick up service. No changes to production are requested.

Noise – The project requests recognition of existing levels of visitation and employee use, and also includes a new request for use of outdoor areas adjacent to the winery building for tastings and on-premises consumption. The proposed use of the outdoor areas for tastings and on-premises consumption does create a new noise source. The winery is not approved for events and is not requesting a marketing plan. The triangular shaped property is bordered on two sides by Old Sonoma Road and State Highway 12. Development located approximately 285 feet to the north of the property, across Old Sonoma Road, appears to be residential. Development located

approximately 275 feet to the northeast, across the creek was authorized as a farm management facility. Due to the property's proximity to the roads and the fact that closest development in either direction is beyond a creek or a road, it is unlikely that the proposed outdoor uses would impact noise.

Visitation – The application requests recognition of existing levels and is not requesting any further increases. The winery offers no food service or marketing events or pick up days for wine as they have not been not authorized by the County for this winery, and the applicant has not proposed any such activities with this request. It should be noted that Madonna Estate Winery is a PreWDO winery and that 100 visitors per day as authorized in 1978 and recognized in 1989 are permitted to remain as "public" tours and tastings. Any increase beyond this amount would be required to operate as "by appointment" visitation. Given this, staff is recommending as a condition of approval that the additional daily 180 visitors requested be restricted to "by appointment". Based upon the total number of daily visitors 280 with a weekly maximum of 1,044 visitors, this winery would have a annual visitation program of 54,288 visitors. As shown in the Winery Comparison Chart prepared for this project, this winery would be above the average and median visitation for wineries with a production of 50,000 gallons. (See Attachment I)

Wastewater – A Water Availability Analysis (WAA) was completed and revised by RSA+ dated January 27, 2021 and a Site Evaluation Report, to address potential concerns of the Environmental Health Division staff given the age of the system and the size of parcel. A combined wastewater system was installed under the permit issued by Environmental Health in April 1979. The wastewater system met code at the time, but since that time sizing of wastewater systems has changed. Even though application materials indicate the wastewater system is sized for 2,651 gallons of waste per day, evapotranspiration is not recognized in sizing of a system with leach line trenches. An inspection of the system by a licensed sewage contractor indicated 1,258 linear feet of leach line was located which is adequate for 1,573 gallons per day of wastewater. The applicant submitted water use records for one year, and several other years were evaluated through the public drinking water system program. The facility's water use records indicate the highest water using month has been September. The water that is utilized from the well serves domestic, process and landscape uses. The average daily flow during the peak month has been 1,167 gallons per day, which is below the wastewater system capacity of 1,573 gallons without considering the landscape irrigation amount. Based upon this information, the Environmental Health Division has determined that it appears, as long as, the business model doesn't change, the wastewater system is adequately sized for the amount of wastewater produced at the facility. A site evaluation was conducted on March 3, 2021 with staff to identify an expansion area for future need. Adequate area was found for an engineered wastewater system. Appropriate conditions of approval are recommended by the Environmental Health Division to ensure that winery operations meet County and state requirements regarding wastewater. (See Attachment B)

Groundwater Use – A Water Availability Analysis (WAA) was completed by RSA+ dated July 10, 2020. As indicated, the project does not propose operational changes that would result in an increase in water use. The estimated groundwater recharge rate for the parcel is 2.84 af/yr. The water source for the property consists of one active groundwater well. Vineyard and landscape irrigation water demand is supplied using this well. The total water demand for the project's existing conditions and proposed project (recognition of existing employees and visitors) is estimated to be 2.11 acre-ft/year (Irrigation – 0.48 af/yr; Landscaping – 0.25 af/yr); Winery – 0.77 af/yr); Employees - 0.12 af/yr; and Visitors/week – 0.50 af/yr). Prepared water use calculations and an estimate of the average annual groundwater recharge for the Madonna Estate Winery parcel demonstrated that the existing water use is not impacting groundwater in the area. Furthermore, the County is not aware of, nor has it received any reports of, groundwater shortages near the project area. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

Traffic, Site Access, and Parking – The Applicant states that bus visitation began in 1978 and has been the primary transportation to the winery since then (e.g. San Francisco Grayline, Super Sightseeing tour buses and Napa Valley Wine Country Tours) and not individual passenger cars. Capacity of tour buses ranges from approximately 20 to 55 passengers, with up to seven buses visiting the winery on a peak day and as few as one bus on an off-

season day. Annual visitation to the winery by bus in 2018 was approximately 33,161 visitors. The application submitted extensive records of bus usage, dating from 2008 to 2018, that demonstrate that the current level of visitation (280 visitors per day) and winery employees can occur while generating less trips than what could have been generated by the permitted visitation and employee levels if all visitation occurred by individual cars (See Attachment F). Since the existing number of vehicles arriving at the winery has been substantially reduced through the winery's visitation program, staff is recommending a condition of approval requiring only the development and submittal of a TDM plan, and submittal of annual reporting documentation. (Refer to Condition of Approval 4.20(a) of Attachment B). This condition will ensure that the existing visitor shuttle program is maintained, and will capture and monitor any other vehicle reduction strategies implemented by the winery in the future.

The site is accessed off an existing driveway located on Old Sonoma Road. The driveway was approved with the original winery design and was installed under an encroachment permit issued by the Public Works Department.

Currently there are 25 parking spaces located at the winery. As proposed, the applicant is requesting minor improvements to the parking area to improve access and accessibility requirements to the winery building.

Greenhouse Gas (GHG) Reduction Strategies – As noted by the applicant, the winery has only one greenhouse gas reduction strategy that has been put in place for sometime. 90% of winery visitors arrive by bus transportation (See Attachment F - the application packet for additional details).

Grape Source – Madonna Estate Winery was established prior to the implementation of the 75% grape sourcing rule and will continue not to be subject to this requirement since it is not requesting any production changes or expanding its winery development area. The applicant has indicated that the winery produces approximately 8,000 to 10,000 cases of wine per year which are distributed through direct sales at the winery. They also produce additional cases for custom crush clients. The subject site has a one (1) acre vineyard that produces a small amount of grapes for the winery. The remaining source of grapes (98%) comes from their estate vineyard located in Carneros. The remaining grapes (2%) are sourced from Placer County for their Barbera wine. Grape sourcing from custom crush clients vary dependent on contracts.

Public Comments – At the time of staff report preparation, no public comment letters had been received.

Decision Making Options Regarding Remediating Existing Violations:

BOS Resolution No. 2018-164, provides for Staff to prepare separate decision-making options for the components of the project necessary to remedy existing violations and the new expansions beyond existing entitlements. This modification only requests recognition of existing operational components to remedy the existing violations.

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

Disposition - This option would result in approval of the existing employees and visitation levels at the winery. Given that the County may use the winery's existing operations as the environmental baseline for the CEQA analysis related to this application, no potential environmental impacts have been identified with this project proposal. Furthermore, County divisions and departments have reviewed the proposal and are in support of the applicant's request. There would be no groundwater or wastewater impacts associated with winery operations and this request to be consistent with the Zoning Ordinance and applicable General Plan policies. Further, staff recommends recognition of the existing visitation levels based upon the project's location given that the winery implements a substantial bus shuttle program (up to 90% of visitors) and has sufficient access and parking to accommodate this bus service and its employees, and availability of adequate infrastructure and water supplies. The employee levels have expanded over the years, and the winery feels they are necessary to operate at the current levels.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at the time the motion is made. This option has been analyzed for its environmental impacts, and the project was found to be categorically exempt from CEQA.

Option 2 - Reduced Visitation and/or Employees Alternative

Disposition - Given that the County may use the winery's existing operations as the environmental baseline for the CEQA analysis related to this application, no potential environmental impacts have been identified with this project proposal. Staff recommends no changes to the existing visitation and employee numbers. However, this option allows the Planning Commission the ability to further reduce impacts by reducing the winery's existing maximum daily visitation numbers and/or the number of employees. As noted above, the existing visitation request for recognition is higher than the average or median calculations of similar production capacity wineries. If the Planning Commission elects to pursue this option, the recommended conditions of approval would need to reflect the revised visitation and employee numbers.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and applicable conditions of approval to reduce the maximum daily visitation and/or employee levels. The item may 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 major 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 major 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 Additional Expansion Beyond Conditions and 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 only result in approval of minor physical improvements and activities to the winery which are requested to include installation of a cover over the existing outdoor crush pad; improvements to the parking, walkway, and entry patio; use of outdoor areas for visitation; and on premise consumption of wine produced on-site in hospitality areas. All visitation associated with on-premises consumption and use of outdoor areas for visitation will be subject to the maximum per person daily tours and tastings visitation limitation and would not expand the current level of operation. As with the proposed project, the CEQA analysis prepared for the project concluded that there would be no significant environmental impacts associated with these minor improvements and activities. Furthermore, it was determined that there would be no groundwater or wastewater impacts associated with overall winery operations. Based on the reasons stated above, staff recommends this option would be consistent with the Zoning Ordinance and applicable General Plan policies and would support these minor improvements and activities to the existing facility.

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, which will result in minimal disturbances of existing improved areas.

Option 2 - Reduced Proposal

Disposition – Staff has determine that all potential minor improvements or activities will have less than significant or no environmental impacts associated with implementation. Furthermore, County divisions and departments have reviewed the proposal and are in support of the applicant's request. However, this option provides the Planning Commission the ability to further reduce potential impacts by reducing the requested improvements or activities. If the Planning Commission elects to pursue this option, the recommended conditions of approval would need to be amended to reflect the revised visitation and marketing program.

Action Required - Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to require the reduction in physical improvements or activities. Depending on the extent of the revisions to the conditions of approval, the item may 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 major 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 major 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.

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval & Agency Memos
- C . CEQA Memorandum
- D . Previous Project Conditions
- E . Life Safety Items & Compliance Documents
- F . Major Modification Application & Project Plans Packet
- G . Water Availability Analysis & Water Feasibility Study
- H . Wastewater Feasibility Study & Site Evaluation
- I . Winery Comparison Analysis & Summary of Changes
- J . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina