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Agenda Date: 5/19/2021  
Agenda Placement: 7B  
Continued From: 9/16/2020

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** Brian Bordona for David Morrison - Director  
Planning, Building and Environmental Services  
**REPORT BY:** Charlene Gallina, SUPERVISING PLANNER - 299-1355  
**SUBJECT:** Benjamin Ranch Winery Use Permit P13-00371-UP

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### RECOMMENDATION

#### **FRANK FAMILY VINEYARDS, LLC / BENJAMIN RANCH WINERY / USE PERMIT APPLICATION NO. P13-00371-UP**

**CEQA Status:** Consideration and possible adoption of a Revised Mitigated Negative Declaration. According to the proposed Revised Mitigated Negative Declaration, revised to reflect the amended use permit project scope, the proposed project would not have any potentially significant environmental impacts with incorporation of mitigation measures pertaining to Biological Resources and Transportation. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a Use Permit to establish a winery with development on 8 acres of an approximately 85.1-acre project site. The winery would produce up to 475,000 gallons of wine per year in approximately 87,292 square feet of building area that would house business/administrative functions, a commercial kitchen **for preparation of meals for winery employees**, and rooms for conducting winery tours and tastings, in addition to barrel storage and wine production functions. The proposed winery would: a) operate daily between the hours of 8:00 a.m. and 6:00 p.m.; b) include a wine marketing program consisting of up to ~~357~~ **9 catered** events per year for up to ~~46~~ **to 150** guests per event, **including participation in the Napa Valley Wine Auction**; c) offer wine tours and tastings by appointment for up to ~~400~~ **150** people per day **on Mondays, Tuesdays and Wednesdays, and up to 300 people per day on Thursdays, Fridays, Saturdays and Sundays, inclusive of guests attending marketing events (the number of daily tours and tastings would be reduced by a number equal to the number of guests planned to attend a marketing event on that same day)**, and with tours and tastings offered daily between the hours of 10:00 a.m. and 6:00 p.m.; d) offer retail sale of wine and wine-related items, along with allowance for consumption on-site of wine purchased on the premises pursuant to Business and Professions Code Sections 23358, 23390 and 23396.5; and e) employ up to 61 full-time and part-time staff members. The proposed project would require demolition of an existing shed currently used for vineyard management, **on-site relocation of an existing storage barn**, and redevelopment of a portion of the site with new winery and hospitality buildings, ~~75~~ **94** parking stalls, and a new access driveway from Conn Creek Road/State Route 128, ~~and installation of a left-turn lane on Conn Creek~~

~~Road/State Route 128 at the new access driveway near the southeastern corner of the site.~~ The property at 8895 Conn Creek Road, St. Helena, is located in the AP (Agricultural Preserve) Zoning District and has a General Plan land use designation of AR (Agricultural Resource). The property is assigned with Assessor's Parcel Numbers (APNs) 030-120-016 and 030-120-017.

The public hearing on this application was opened on September 16, 2020. On September 15, 2020, the applicant submitted a revised use permit project scope that included changes to proposed visitation, marketing and off-site improvements, as noted by the ~~striketrough~~ and **boldface** types in the paragraph above. After accepting written and oral testimony on the matter at the September 16, 2020, the Planning Commission continued the public hearing on this application to a date uncertain to allow the applicant time to update and submit for staff review the various project technical reports to reflect the revised project scope.

**Staff Recommendation:** Adopt the Revised Initial Study/Mitigated Negative Declaration prepared for the project and approve Use Permit Application No. P13-00371-UP, as conditioned.

**Staff Contact:** Dana Ayers, Consultant Planner, phone number (925) 688-2490 or email address [dayers@trccompanies.com](mailto:dayers@trccompanies.com); or Charlene Gallina, Supervising Planner, phone (707) 299-1355 or email address [Charlene.gallina@countyofnapa.org](mailto:Charlene.gallina@countyofnapa.org)

**Applicant:** Frank Family Vineyards, LLC; phone number (707) 942-0859; email address [rfrank@frankfamilyvineyards.com](mailto:rfrank@frankfamilyvineyards.com)

**Applicant Representative:** Scott Greenwood-Meinert, Coblentz Patch Duffy Bass, LLP; phone number (707) 603-2722; email address [sgreenwood-meinert@coblentzlaw.com](mailto:sgreenwood-meinert@coblentzlaw.com)

## **CONTINUED FROM THE SEPTEMBER 16, 2020, PLANNING COMMISSION MEETING**

### **EXECUTIVE SUMMARY**

#### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Revised Initial Study/Revised Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) based on recommended Findings 1-7 in Attachment A;
2. Approve Use Permit Application No. P13-00371-UP, based on recommended Findings 8-12 in Attachment A, and subject to the recommended Conditions of Approval and Mitigation Measures in Attachment B.

#### **Discussion:**

On September 16, 2020, the Planning Commission held a public hearing to consider the request by Frank Family Vineyards, LLC, to construct and operate a new winery with winery accessory uses on a portion of an approximately 85.1-acre vineyard property located at 8895 Conn Creek Road, St. Helena. Existing development on the property is limited, with just over 1 acre of the site built with a single-family residence, and a vineyard management company operating on fewer than 3 acres of the total property area. Annual production at the winery was proposed at 475,000 gallons of wine per year, with tours and tastings for up to 400 guests per day, and a marketing program that included up to 357 lunchtime, dinnertime and large marketing events for 16 to 150 guests per event. Environmental analysis of the project identified potentially significant impacts to biological resources as a result of

demolition of buildings and removal of trees to accommodate the project, as well as, transportation impacts related to multi-modal facilities and the increase in vehicle miles that would be generated by the project. These potentially significant environmental impacts of the project were determined to be less than significant with imposition of standard County conditions of development and project-specific mitigation measures.

In the weeks prior to the public hearing, the applicant met with several neighbors and interested parties regarding the proposed project. As a result of those discussions and review of their business plan, the applicant decided to modify their request to reduce daily visitation from 400 visitors per day to 150 visitors per day (Monday through Wednesday) and 300 visitors per day (Thursday through Sunday), and to eliminate proposed lunchtime and dinnertime marketing events, leaving eight large marketing events, plus participation in Auction Napa Valley, with attendance limited to 150 persons per event. The applicant submitted a letter to staff on September 15, 2020, that listed these revisions to their use permit application for the Commission to consider at the September 16 public hearing.

At and prior to the September 16 public hearing, the Commission received 28 comment letters, inclusive of the letter from the applicant modifying the project and another letter from the applicant's representative in response to some of the public comments of opposition. There were also seven speakers who participated in and spoke at the hearing; six of those speakers, or the organizations they represented, had also provided written comments on the item and reiterated their written comments verbally during the hearing. Eight written comments and two speakers at the hearing (both of whom had also submitted written comments) expressed support for the project. Two letters were received from public agencies with comments on the draft IS/MND (August 2020). Authors of the remaining comment letters expressed opposition to the project or concerns about the intensity of the project, adequacy of the environmental analysis of the project, traffic generation and potential visual impacts of the winery building and guest parking, relationship of the proposed winery to other wineries owned by the applicant, and the desire for more time to review the changes to the project as submitted by the applicant on September 15. After accepting written and oral testimony from the public, the Commission continued the public hearing on the matter to a date uncertain to allow the applicant time to update and submit for staff review the various project technical reports to reflect the then-revised project scope.

A copy of the September 16, 2020 staff report is provided as Attachment K of this report. The full staff report, including correspondence and the applicant's and public's presentations is available at: <http://services.countyofnapa.org/AgendaNet/GranicusMeetingDocuments.aspx?id=6000> All correspondence received to date on this item has been reattached to this report (Attachment J).

Staff has reviewed the project revisions and revised technical reports submitted by the applicant in relation to the revised proposal. Updated water, wastewater, stormwater and transportation analyses were prepared by the applicant's consultants and reviewed by staff, and the modified analysis in those technical reports has been incorporated into a Revised IS/MND (Attachment C to this agenda letter). In general, because the applicant reduced the intensity of the proposed project's visitation and marketing event program, as compared to the project that was evaluated in the August 2020 IS/MND, minor revisions to the IS/MND were only necessary to reflect the modified project scope, and no new environmental impacts were identified for the revised project. The transportation impact analysis of the project was revised more notably to change the approach to the analysis with respect to calculation of project vehicle trips; however, the change in approach to the analysis did not change the conclusions from the prior study with respect to congestion at studied intersections and recommended mitigation to reduce the increase in vehicle delays projected to result from the project. The revised transportation study also concluded that the warrant for a left-turn lane on Conn Creek Road at the proposed winery access driveway, initially proposed as a component of the project, was not met under the standards of the California Department of Transportation (Caltrans). Consequently, the applicant again modified the project request to remove the left-turn lane on Conn Creek Road from the project scope. Unrelated to transportation, the applicant also revised the project after September 15 to propose retention and on-site relocation of an existing, recently-renovated barn on the property.

Staff continues to believe that the project is consistent with the Zoning Ordinance and policies of the General Plan, as detailed further in the draft findings attached to this and the September 16, 2020, agenda letters (Attachment A). Additionally, as outlined in the Revised IS/MND, no new or worsened environmental impacts would result from the project as modified and with imposition of standard conditions of development and project-specific mitigation measures. For these reasons, staff recommends that the Commission approve the proposed revised use permit application, subject to conditions as listed in Attachment B to this agenda letter.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

### **ENVIRONMENTAL IMPACT**

Consideration and possible adoption of a Revised Mitigated Negative Declaration. According to the proposed Revised Mitigated Negative Declaration, as revised to reflect the revised use permit project scope, the proposed project would not have any potentially significant environmental impacts with incorporation of mitigation measures pertaining to Biological Resources and Transportation. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

### **BACKGROUND AND DISCUSSION**

As stated in the Executive Summary above, the Commission received 28 written comments at and prior to the September 16, 2020, public hearing on the proposed project. Two letters were from the applicant or the applicant's representative describing changes to the project or offering responses to public concerns raised; two written comments were from public agencies (Caltrans and California Department of Toxic Substances Control) with comments on the August draft IS/MND; and eight letters and emails were from interested parties expressing support for the project. Authors of the remaining comment letters expressed opposition to the project or concerns about the intensity of the project, adequacy of the environmental analysis of the project, traffic generation and potential visual impacts of the winery building and guest parking, relationship of the proposed winery to other wineries owned by the applicant, and the desire for more time to review the changes to the project as submitted by the applicant on September 15. Of the seven interested parties who participated in the public hearing to express or reiterate their written comments, two speakers expressed support for the project and five expressed opposition or concern. Concerns that were raised at the public hearing are summarized below with staff responses to each.

Public Review of Revised Project: Several speakers at the public hearing expressed a desire for additional time to review the project, the September 15 project revisions, and the project technical reports, which was accommodated by the Commission's decision to continue the item at the September 16 public hearing. The applicant's letter of project revision was added to the Planning Commission agenda website in the days immediately following the public hearing. Between December 2020 and April 2021, the applicant's consultants updated technical reports to reflect the revised reduced project. After the technical reports had been reviewed by staff and found to be complete, staff uploaded the revised water availability analysis, wastewater feasibility analysis, and transportation study, along with the revised application form and plans, to the County's current projects website, with all updated reports posted to the website more than two weeks ahead of today's hearing. In addition to 10-day public hearing noticing required by state and county codes, a courtesy notice of the availability of

revised project application materials and plans on the county website was mailed and emailed on April 30 to interested parties who had submitted written comments on the project. The revised application materials, plans and technical reports are also attached to this agenda letter.

Intensity of Proposed Use: Among speakers and writers who expressed opposition to the project, some expressed concerns that the project was too intense and would be more representative of a commercial use rather than an agricultural use on the property. Staff understands these comments to primarily have been related to the frequency of lunchtime and dinnertime marketing events and the number of daily tours and tastings visitors, which one speaker suggested gave the appearance of “running a restaurant.” As has been previously noted, the applicant has proposed to revise the use permit application to reduce daily visitation to between 150 and 300 visitors per day, and to eliminate a lunchtime and dinnertime events, retaining only the nine, 150-person events per year (inclusive of Auction Napa Valley). Water demand, wastewater and noise generation, and other resources impacts that are affected by the number of visitors and guests were also correspondingly reduced, as reflected in the Revised IS/MND attached to this agenda letter.

Winery Comparison Data: Written comments received at the September 16, 2020, public hearing expressed concern that the winery comparison analysis in the charts attached to that agenda letter were skewed and did not compare the winery against all wineries in Napa County. As reflected in the attachment to the September 16 agenda letter, the previous iteration of the project placed the then-proposed project above median and average calculations from a visitation and marketing perspective for wineries entitled to produce 400,000 to 500,000 gallons of wine per year. To produce a larger sample set, the winery comparison analysis attached to this staff report expands the range of production levels to include other large wineries with approved production up to 800,000 gallons of wine per year. With the currently-proposed project scope, the winery’s proposed visitation (as revised) is well above average and median for wineries entitled to produce 400,000 to 800,000 gallons of wine per year, and it is well below average and median for marketing events and number of event guests among the same set of wineries. It is noted that the winery comparison charts are provided solely for informational purposes, and as the County has adopted no policies with respect to consistency among operations of similarly-sized wineries, the information provided in the spreadsheets is not necessary to justify the findings necessary to approve any winery use permit or use permit modification request.

Adequacy of Environmental Analysis: Several comments were raised regarding the adequacy of the environmental analysis, particularly with respect to transportation, greenhouse gases, water, hazardous materials, noise and aesthetics. Some commentors suggested reducing the scope of the project, which the applicant has since proposed to do with the revisions to the proposed winery’s program of tours and tastings and marketing, as previously described. The resource areas for which comments were raised are discussed in the following paragraphs.

Groundwater: The August draft IS/MND concluded that the proposed winery would not have a significant impact to groundwater resources. Comments expressed concern that the analysis in the August draft IS/MND improperly used a higher, hypothetical baseline to describe existing conditions that was derived from standard usage factors from the County’s Water Availability Analysis (WAA) Guidelines (2015). The August draft IS/MND and the Revised IS/MND attached to this staff report include tables that summarize existing use (utilizing standard usage factors) and projected water use (also using standard usage factors to estimate future water needs). The analysis in both drafts of the IS/MND conclude that the project would not have a significant groundwater impact; however, this conclusion is not drawn based upon the net increase above the baseline, as may be the means for projecting impacts in other resource areas such as noise or traffic. Rather, consistent with the County’s significance threshold in its WAA Guidelines (page 8), the project was found not to have a significant groundwater impact because of the relationship of projected water demand to the parcel size (i.e., no more than 1 acre-foot of water demand per parcel acre per year). At an estimated 40 acre-feet of water demand per year on the approximately 64-acre parcel, the project was not anticipated to have a significant groundwater impact. The project site is not in a

known groundwater-deficient area of the County, and at the time of preparation of the August and Revised IS/MNDs, there was no other substantial evidence to suggest that the County's threshold of 1 acre-foot per parcel acre per year would be unacceptable for the project site. It is noted, further, that: 1) the actual, lower groundwater usage reported by the property owner was disclosed in both drafts of the IS/MND; and 2) because actual groundwater use has been lower than groundwater use calculated using the WAA Guidelines' standard usage factors, projected groundwater use for the proposed project is likely an over-estimate.

Prior Use of Agricultural Chemicals: Submitted comments from interested parties and staff of the Department of Toxic Substances Control (DTSC) suggested that evaluation of the proposed project should include consideration of possible soil contamination from application of agricultural chemicals from mid-twentieth century vineyard maintenance operations. The project site is not on any list of hazardous sites available for review by County staff, and although the DTSC comment suggested that further assessment be done, the comment did not include any records documenting the substance of concern, the extent of its application on the property, or the approximate year of application and from that, the residual chemical amounts remaining on-site after a period of degradation. In the applicant's search of records of the property from their 2012 purchase, they did not find an initial site assessment nor any disclosure from the previous buyer of contamination issues.

Greenhouse Gases and Air Quality: Concerns were also expressed about the analysis of greenhouse gas (GHG) emissions from the project, the lack of detailed emissions calculations in the August draft IS/MND, and the lack of quantification of effectiveness of and commitment to the GHG reduction measures proposed by the applicant. As noted in the August and revised drafts of the IS/MND, Napa County relies on the CEQA Guidelines provided by the Bay Area Air Quality Management District (BAAQMD, 2017). Chapter 3 of the BAAQMD CEQA Guidelines establishes screening criteria, and as stated in the Guidelines, "[i]f all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project's air pollutant emissions" (page 3-1). The BAAQMD screening criteria do not account for particular project features (e.g., solar panels, cool roofs) that could result in lowered emissions and GHG. Both the August and revised drafts of the IS/MND explain that the proposed project falls below the screening criteria for projects with potentially significant air quality or GHG effects, and thus, the project was found to have a less than significant impact to air resources. Additional measures proposed by the applicant, while valuable to reducing the winery's emissions, do not need to be quantified because they would reduce further an impact that was already identified as less than significant because the project fell below screening criteria. Emissions from construction were calculated for the both the August and revised drafts of the IS/MND according to the guidance in the BAAQMD's 2017 CEQA Guidelines and the formulas in its earlier 1999 CEQA Guidelines.

Noise: Commentors at the public hearing expressed concern that the then-proposed number of winery guests per day (400) would have noise impacts, that trucks transporting grapes or product along the proposed new access driveway would generate bothersome noise, and that the potential noise impacts of the project were not adequately addressed in the August draft IS/MND. The August and revised drafts of the IS/MND estimate noise impacts from winery accessory uses by applying the observations from a live event at another winery at which noise measurements had been taken, and then adjusted those noise measurements to reflect the scope of the proposed project. Noise impacts of the project were anticipated to be less than significant, primarily due to the large size of the project site and surrounding parcels and the fact that noise intensity decreases with distance. With respect to the concern about noise from winery truck traffic, Napa County General Plan Community Character Element policy CC-35 declares "noises associated with agriculture, including agricultural processing, [to be] an acceptable and necessary part of the community character of Napa County, and are not considered to be undesirable provided that normal and reasonable measures are taken to avoid significantly impacting adjacent areas."

Aesthetics: Comments raised regarding the evaluation of aesthetics impacts of the project suggested that the analysis misrepresented the height of the building by not accounting for 2 to 4 feet of fill that would be imported to

the site to elevate the tank and barrel room above the Napa Valley floodplain. The commentor also suggested that the analysis was incomplete because it did not address the visual impacts of the proposed winery buildings on State Route 128, an eligible scenic highway. Comments about frequent nighttime lighting were also made, with concerns that the lighting would occur “every weekend.” In response to these comments, staff notes that Napa County Code section 18.104.120 provides a description of how building height is determined, stating that “[e]xcept as otherwise provided elsewhere in this chapter, Section 18.104.020 or subsections of this section, no structure other than a telecommunication tower shall exceed 35 feet in height when measured from the mid-point of the cord of the roof to existing grade or to finished grade.” Applying this section of County Code, which defines building height as being measured between the building roof down to either “existing grade **or to finished grade**,” (emphasis added), it is therefore acceptable to measure the height of a building from grade that has been elevated, as for floodplain management purposes. As shown on the project plans, the height of the building as measured from finished grade would be just over 34.5 feet and would not exceed 35 feet with exception of decorative cupolas (which may be built to a height of 50 feet above grade but are proposed with the project to have a height of not more than 42 feet above finished grade). While the commentor is correct that Conn Creek Road, which is also State Route 128, has been designated as *eligible* for listing on the state’s scenic highways list, the local agency (in this case, Napa County), must prepare and obtain Caltrans approval of a corridor protection program before the highway can be classified as a scenic highway. As Napa County has not commenced that process of creating a corridor protection program, Conn Creek Road is not a state-designated scenic highway, and the absence of analysis of the project’s visual impacts from a state-designated scenic highway does not represent a deficiency in the analysis of the August or revised drafts of the IS/MND. Lastly, the frequency of nighttime lighting is reduced with the elimination of dinnertime events under the revised project scope, and if the use permit is approved, the winery operators would be subject to standard conditions of development no. 6.3 and 4.16 (see Attachment B) requiring regulation of outdoor lighting outside of the harvest season.

Transportation: Reviewers of the August draft IS/MND made comments suggesting that the traffic analysis prepared for the project was incomplete, did not account for truck trips to and from the winery, deferred mitigation and did not address the potential for emergency access to be obstructed due to traffic congestion. Following the September 16 public hearing and submittal of project revisions, the applicant re-engaged their traffic consultant to prepare a revised traffic study that evaluated the potential traffic and transportation impacts of the proposed project. The scope of the revised study was defined in consultation with County staff. The revised traffic study, completed and submitted to the County on March 30, 2021, evaluated vehicle trips from the revised project using the Napa County winery trip generation factors, which includes trip generation factors for employee vehicle trips, winery visitor and guest trips, and truck trips for transportation of winemaking supplies. As a result of the revised analysis, no new impacts were identified that had not previously been disclosed in the August draft IS/MND. Recommended, standard-based mitigation measures had minor revisions to align with the revised traffic study, and these are reflected in the revised IS/MND; however, no mitigation proposed in either draft of the IS/MND deferred determination of the severity of transportation impacts to a future study. Comments suggesting that the applicant should consider reducing the scope of the project to reduce proposed project traffic are addressed with the applicant’s September 15 project revision, which eliminated the majority of winery events and reduced daily visitation numbers by 25 to 50 percent compared to the previous iteration of the project. The project as revised would continue to meet the Napa County Road and Street Standards to ensure that emergency access onto, off of, and within the site would be adequate.

Public Comments – All comments that have been received on this proposal, including comments that were provided at and prior to the September 16, 2020, public hearing, are attached to this agenda letter as Attachment J. Furthermore, a request for continuance of this item was submitted on May 11, 2021 by Mr. Michael Honig and has been included in this attachment. Staff recommends that this item be presented to the Commission and discussed, as well as solicit any public comments before action is taken on requests for continuance.

#### **Decision-making Options:**

As noted in the Executive Summary, staff recommends approval of the project subject to conditions. Decision-making options also include a no project alternative (denial of the requested Use Permit) and a reduced-intensity project alternative.

Option 1: Approve Applicant's Proposal with Conditions (Staff recommended option).

Disposition - This action would approve the revised project as proposed, allowing construction and operation of a 475,000-gallon per year winery with related tours and tastings and marketing program that would allow up to 150 guests Mondays through Wednesdays and up to 300 guests Thursdays through Sundays each week. The requested Use Permit would increase water demands, vehicle trips and miles, and wastewater generation at the property, in addition to adding just over 87,000 square feet of winery buildings to the property. However, truck trips to export grapes from the property to off-site facilities for processing would be reduced, as grapes grown on-site or other proximate properties owned by the applicant would be processed at the proposed winery, generating approximately one-third of the winery's requested production capacity. New construction would be compliant with Napa County zoning code regulations for winery developments, including minimum setbacks from property lines and state highways, maximum lot coverage and maximum building height. With implementation of mitigation measures pertaining to biological resources, transportation and trip reduction, potential environmental impacts of the project would be less than significant, and additional conditions of approval would be enforced with the intention of preserving public health, safety, welfare and convenience.

Action Required - Follow proposed actions listed in the Executive Summary section of this staff report.

Option 2: Reduced Visitation and Production Alternative.

Disposition - All potential environmental impacts have been found to be less than significant through a combination of project design, mitigation measures and conditions of approval. Additionally, the applicant voluntarily reduced visitation levels by 25 to 50 percent compared to the initial project scope that was analyzed in the August draft IS/MND. However, this option provides the Planning Commission, at their discretion, the ability to further reduce potential impacts. As with option 1, this option would allow establishment of a winery on the premises, but with a maximum of 150 daily visitors or marketing event guests everyday rather than three days a week, to further reduce project-generated vehicle trips and miles. This option also includes a reduction in the winery's permitted production capacity to 250,000 gallons of wine per year, just over half of the current request, allowing all of the grapes from the applicant's vineyards to be processed at the winery, along with some import of grapes for another roughly 50,000 to 100,000 gallons of wine per year. Groundwater demands would be proportionately less than the proposed revised project, and as with option 1, vehicle trips associated with employees and visitors to the winery would increase compared to existing conditions at the property but would be less than that anticipated with the project. Fewer parking stalls would be necessary under this alternative. Truck trips to export grapes would be reduced; new truck trips would still be generated to import grapes or juice from off-site, though to a lesser degree than the proposed project. Physical elements of the proposed winery (excluding parking) would be anticipated to be generally consistent with the proposed revised project.

Action Required - Follow proposed actions listed in the Executive Summary and amend scope and project-specific conditions of approval to reduce daily visitation from 150 and 300 guests per day to 150 guests everyday, and to reduce production limits from 475,000 to 250,000 gallons of wine per year. The item may need to be continued to a future date if other significant revisions to the recommended conditions of approval are desired.

Option 3: Deny the Requested Use Permit.



Disposition - As a result of this action, no winery would be established on the property. Existing vineyard management operations and the existing single-family home would remain, and there would be no reduction in acreage of existing vineyard. No on-site or off-site installations would occur, except for those that may be necessary to support the existing uses.

Action Required - In the event that the Commission determines that it cannot meet the required findings for grant of the requested Use Permit, Commissioners must articulate the basis of the conflict with the findings. The Commission would then make a tentative motion to deny the proposal and remand the matter to staff to draft the required findings of denial, based on Commissioner's statements. Staff would return to the Commission with the findings of denial of the project on a specified date. Under this alternative, the Revised IS/MND would not be adopted.

Option 4: Continuance Option.

The Commission may continue an item to a future hearing date without action at this meeting, at the Commission's discretion.

**SUPPORTING DOCUMENTS**

- A . Recommended Findings
- B . Recommended Conditions of Approval & Agency Memos
- C . Revised Initial Study/Revised Mitigated Negative Declaration
- D . Revised Use Permit Application
- E . Revised Water Availability Analysis
- F . Revised Wastewater Feasibility Analysis
- G . Revised Traffic Study
- H . Graphics
- I . Winery Comparison Analysis & Project Summary
- J . Public Comments
- K . September 16, 2020 Planning Commission Staff Report

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona