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A Commitment to Service

Agenda Date: 5/6/2020

Agenda Placement: 7C

## 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:** Jason Hade, Principal Planner - (707) 259-8757

**SUBJECT:** Chappellet Winery Use Permit Major Modification P18-00307

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### **RECOMMENDATION**

#### **CHAPPELLET WINERY, INC / CHAPPELLET WINERY / USE PERMIT MAJOR MODIFICATION # P18-00307 AND EXCEPTION TO THE NAPA COUNTY ROAD AND STREET STANDARDS**

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following areas: Biological Resources, Geology and Soils, and Transportation. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a Use Permit Major Modification to an existing 150,000 gallon per year winery to allow the following: (1) Increase in maximum annual permitted wine production from 150,000 to 250,000 gallons; (2) Increase daily tours and tastings from 40 persons per day (no appointment required), 280 person per week maximum to 95 persons per day (appointment required for the additional 55 persons per day), 665 visitors maximum per week; (3) Modification of an existing Marketing Program to increase events from 54 events per year (2,470 guests) to 76 events per year (4,230 guests) as follows: (a) Ten (10) annual events for up to 20 guests; (b) Six (6) annual events for up to 80 guests; (c) Three (3) annual events for up to 160 guests; (d) Three (3) annual events for up to 200 guests; and (e) Use of shuttle service from an off-site pick up area for all events of greater than 100 persons; (4) Increase parking spaces from 26 spaces to 38 spaces and provide a minimum of two on-site bicycle parking spaces; (5) Increase the number of employees from 24 to 30; (6) Upgrade the existing water system permit from a Transient Non Community (TNC) water system to a Non-Transient Non-Community (NTNC) water system; and (7) Improvement of the existing access driveway and Pritchard Hill Road to County standards except for the request noted below.

The project also includes a request for an exception to the Napa County Road and Street Standards (RSS). The request proposes an exception to the Napa County RSS to allow for a reduction of driveway width for some portions of the existing driveway, and for a portion of road with slopes exceeding 18 percent but less than 20

percent without transition zones (sections of road not exceeding 10 percent for 100 feet in length immediately preceding and ensuing the section of road with the roadway grade of 18 to 20 percent). An exception was requested by the applicant and tentatively approved by the Public Works Department to allow the Chappellet Winery Use Permit Modification to be approved without the requirement that a left turn lane be installed at the intersection of the property driveway and Sage Canyon Road. The project is located on a 15.01 acre site within the AW (Agricultural Watershed) zoning district and has an AWOS (Agriculture, Watershed, and Open Space) General Plan land use designation at 1579 and 1581 Sage Canyon Road, St. Helena, CA; APN: 032-010-090; and 098, respectively.

**Staff Recommendation:** Adopt the Mitigated Negative Declaration and approve the Exception to the Napa County Roads & Street Standards and Use Permit Major Modification, as conditioned.

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

**Applicant:** Dave Pirio, Director of Vineyard Operations; (707) 286-7137 or [dave@chappellet.com](mailto:dave@chappellet.com)

**Applicant Representative:** Jeffrey Redding, AICP, Land Use Planning Services, 2423 Renfrew Street, Napa, CA 94558, (707) 255-7375 or [jreddingacip@comcast.net](mailto:jreddingacip@comcast.net)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) based on recommended Findings 1-7 in Attachment A;
2. Approve an Exception to the Napa County Road & Street Standards, based on Findings 8-9 in Attachment A and subject to the recommended conditions of approval in Attachment B; and
3. Approve Use Permit Major Modification No. P18-00307-MOD based on recommended Findings 10-14 in Attachment A, and subject to the recommended conditions of approval in Attachment B.

### **Discussion:**

The proposal is to modify an existing winery to permit an increase in annual production capacity from 150,000 gallons up to 250,000 gallons, increase daily visitation allowances, modify an existing marketing program and improve an existing driveway.

Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. The requested annual maximum visitation and number of marketing events is similar to those of similar production capacity pre-WDO wineries located within hillside areas. Sufficient water is available to serve the project and a Transportation Demand Management plan would be implemented as part of the project's mitigation measures (MM TRANS-2). The applicant intends to implement the following GHG reduction methods at the winery: building within previously disturbed areas (parking); installation of water efficient landscaping; and minimizing grading. The winery has already implemented the following GHG reduction methods: LEED certification; supply of approximately 90 percent of its power via photovoltaic panels; staggered employee work shift schedules to reduce peak hour trips; carpool incentives for its employees; and provision of electric vehicle charging stations for employees and visitors. All potential environmental impacts were found to be less than

significant with implementation of mitigation measures in the areas of biological resources, geology and soils, and transportation.

Staff has reviewed the Road and Street Standards Exception request for the existing driveway and determined that the required findings can be met.

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 a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following areas: Biological Resources, Geology and Soils, and Transportation. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

### **BACKGROUND AND DISCUSSION**

**Owner/Applicant:** Dave Pirio, Director of Vineyard Operations, 1581 Sage Canyon Road; St. Helena, CA 94574; (707) 286-7137; dave@chappellet.com

**Representative:** Jeffrey Redding, AICP; 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375; jreddingaicp@comcast.net

**Zoning:** Agricultural Watershed (AW)

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

**Filed:** August 18, 2018

**Resubmittals Received:** November 20, 2018, July 9, 2019; November 27, 2019

**Deemed Complete:** December 23, 2019

**Parcel Size:** 15.01 acres

**Existing Development:** The 15 acre winery parcel is relatively flat, with elevations ranging from 1,100 to 1,200 feet above sea level. It is currently developed with a 19,636 square foot winery building, barrel building, outdoor crush pad and work areas, winery-associated driveway and parking improvements, a large solar array, a residence, and approximately seven acres of producing vineyard. The existing winery was constructed in, or about, 1969 and has undergone little exterior change since that time. The winery's domestic wastewater system is located on the winery parcel. The 289 acre vineyard parcel is currently developed with a process winery waste water treatment and

disposal system, a two acre off-stream irrigation reservoir, three residential structures, residential- and winery-accessory roadway improvements, and approximately 75 acres of producing vineyard. Access to the winery site is provided via the first mile of a more than two mile long private road which was partially reconstructed and improved as a result of the Continuum Winery project. The unnamed private drive begins just to the northeast of the intersection of Sage Canyon Road and Long Ranch Road, across from the Lake Hennessey boat dock.

### **Proposed and Existing Winery Characteristics**

**Winery Development Area - Approved:** 56,887 square foot winery development area with uses identified above.

**Winery Development Area - Proposed:** No change.

**Production Capacity Approved:** 150,000 gallons per year.

**Production Capacity Proposed:** 250,000 gallons per year.

**Winery Coverage Existing:** 126,769 square feet or approximately 19%.

**Winery Coverage Proposed:** No change.

**Accessory/Production Ratio Existing:** 4,431 square feet accessory/41,857 square feet production - approximately 10.6%.

**Accessory/Production Ratio Proposed:** No change.

**Number of Employees Existing:** 24 full-time employees.

**Number of Employees Proposed:** 30 full-time employees.

**Visitation - Approved:** 40 visitors per day (no appointment required) and 280 visitors per week.

**Visitation - Proposed:** Maximum of 95 visitors per day (appointment required for the additional 55 visitors); 665 visitors per week.

**Marketing Program - Approved:** Four events per month with up to 40 guests, four events per year with up to 75 guests; and two events per year with up to 125 guests.

**Marketing Program - Proposed:** A modification to the existing Marketing Program outlined above to increase events from 54 events per year (2,470 guests) to 76 events per year (4,230 guests) as follows: (a) Ten (10) annual events for up to 20 guests; (b) Six (6) annual events for up to 80 guests; (c) Three (3) annual events for up to 160 guests; (d) Three (3) annual events for up to 200 guests; and (e) Use of shuttle service from an off-site pick up area for all events of greater than 100 persons. Food for marketing events and food and wine pairings would continue to be prepared by licensed caterers or in the licensed on-site commercial kitchen.

**Days and Hours of Operation - Approved:** 9:00 AM to 5:00 PM daily (production hours) and 10:00 AM to 5:00 PM daily (visitation hours). All events to conclude by 10 PM.

**Days and Hours of Operation - Proposed:** 9:00 AM to 5:00 PM daily (production hours) and 10:00 AM to 6:00 PM daily (visitation hours). All events to conclude by 10 PM.

**Parking - Approved:** 26 parking spaces.

**Parking - Proposed:** 38 parking spaces (minimum of two on-site bicycle parking spaces to be provided).

### **Setbacks:**

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

Existing Setbacks - The existing barrel building is located approximately 20 feet from the front property line, 183 feet from the eastern property line, 353 feet from the western property line, and 560 feet from the rear property line. The

existing winery building is located approximately 60 feet from the front property line, 277 feet from the eastern property line, 307 feet from the western property line, and 379 feet from the rear property line.

Proposed Setbacks - No change.

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

North: AWOS / AW / Rural Residential

South: AWOS / AW / Rural Residential

East: AWOS / AW / Undeveloped

West: AWOS / AW / Rural Residential/Vineyards

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

Please refer to Attachment M.

**Parcel History:**

The Chappellet Winery was established in the late 1960's in advance of the County's 1977 adoption of regulations requiring conditional use permit approval for new wineries in the AW zoning district. Use Permit No. P11-00138 was approved by the Planning Commission on August 17, 2011 and recognized wine production of 150,000 gallons per year, public tours and tastings of 40 visitors per day, a marketing program, 24 employees, an existing 19,636 square foot winery building, and on-premise consumption of wine in marketing areas within the winery building.

**Code Compliance History:**

None. There are no open or pending code violations for the site. The County is not aware of any compliance issues on the property and no complaints have been filed.

**Discussion Points:**

Setting - The project would affect two contiguous parcels, totaling 304 acres, which are located on Pritchard Hill, upslope from and to the south of Lake Hennessey. The existing Chappellet Winery, which began operations in the late 1960's, is located on Assessor's parcel 032-010-090 ("the winery parcel"). Winery-accessory improvements such as roadways and wastewater treatment and disposal systems spill over onto the larger surrounding APN 032-010-098 parcel ("the vineyard parcel"). The Chappellets' winery and vineyard parcels rise from approximately 850 feet in elevation to more than 1,800 feet along the hillsides that form the southern edge of Sage Canyon and Lake Hennessey. Soil types include Sobrante loam, 5 to 30 percent slopes. The site lies outside the boundaries of the 100 and 500 year flood hazard boundaries. The project site is in an area designated as High Fire Hazard Severity. Land uses in the area are dominated by open space uses, large lot residential properties, wineries and smaller vineyards. As noted above, an unnamed private roadway provides access to both the subject parcel and a number of adjacent properties. The winery site is located about one mile southeast of the private road's intersection with Sage Canyon Road (alternately State Highway 128). Sage Canyon Road is a secondary east-west route connecting the Napa Valley to Lake Berryessa and from thence to the Central Valley; however no improvements in or near the Caltrans right-of-way are proposed as part of this application. The existing winery is located approximately 1,730 feet to the northeast of the nearest neighboring residence which is located at 1539 Sage Canyon Road.

Winery Proposal – The proposal is to modify an existing winery to permit an increase in annual production capacity from 150,000 gallons up to 250,000 gallons, increase daily visitation allowances, modify an existing marketing program and improve an existing driveway.

Visitation/Marketing Program - As shown in Attachment M, the proposed annual maximum visitation is below the average and the median of similar production capacity pre-WDO wineries including two wineries categorized as "hillside" similar to Chappellet. The requested number of marketing events is below both the average, but above the median for similar production capacity pre-WDO wineries while requested maximum annual visitors is below the average, but slightly above the median. The proposed visitation request could result in a maximum of 34,580 tastings per year, but it is very unlikely that the winery would host 95 daily visitors for 365 days per year. Additional marketing events with 20, 80, 160 and 200 guests are planned. Events at the winery with 160 or 200 persons would be scheduled to conclude before 4:30 PM on weekend days to avoid generating outbound trips during the midday peak hour. The tasting room would be closed during marketing events of 100 persons or greater. A Transportation Demand Management (TDM) Plan which requires events at the winery with 160 or 200 persons to be scheduled to conclude before 4:30 PM on weekend days would be required via COA 4.19.c. The use of shuttle service from an off-site pick up area for all events of greater than 100 persons would occur. Staff has also provided a decision making option below which would reduce the number of authorized annual visitors.

Biological Resources - Native vegetation of the general area consists of oak-grass and forbs with some scattered perennial grasses. According to a Biological Resources Report entitled "Chappellet Winery Driveway Improvement Project" prepared by Sol Ecology on November 8, 2018, "No federal or state listed plant species are likely present on the Project Site. One special status species, narrow-anthered brodiaea (*Brodiaea leptandra*), a Rank 1B.2. special status species is documented within the woodland habitat located on the property. However, due to the relatively disturbed nature of the Project Site it is not likely to be directly impacted by the proposed project. It may be present in adjacent habitat." To avoid potential impacts, all areas of woodland habitat to be avoided shall clearly be demarcated in the field prior to ground disturbing activities to ensure these habitats are completely avoided. Although no sensitive animal species were identified during the biological survey, construction during the bird breeding season of February 15 to August 31 has the potential to impact sensitive animal species, including bats. Accordingly, the following mitigation measures BIO-1 (COA 6.12.a), BIO-2 (6.12.b) and BIO-3 (6.12.c) would reduce potentially significant impacts to a level of less than significant. As illustrated on the submitted plans, up to 17 oak trees may be removed as part of the proposed project. Impacts would be less than significant with the implementation of mitigation measures BIO-4 (COA 6.12.d) and BIO-5 (COA 9.8.a) consistent with General Plan Policy CON-24(c) which requires the provision of replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. Retention of these oak trees was determined to be infeasible as it would prevent the use of the existing road alignment resulting in additional environmental impacts. It would also require the disturbance of sloped areas in excess of 30 percent to relocate the existing road alignment. A minimum of seventy percent of the tree canopy cover on the parcel existing on June 16, 1993 along with any vegetation understory would be retained consistent with County Code Section 18.108.027 Sensitive Domestic Water Supply Drainages.

Groundwater Availability - The project is categorized as "all other areas" based upon current County Water Availability Analysis policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. A Tier 2 analysis was completed by O'Connor Environmental, Inc. on July 27, 2018 which included a parcel specific recharge evaluation (Attachment I). The project recharge area also includes portions of six neighboring parcels. According to the recharge evaluation, groundwater recharge within the project recharge area is estimated to be 168.3 AF/YR in an average year and 95.6 AF/YR during drought conditions (O'Connor Environmental, Inc., 2018). According to the water analysis, the existing groundwater use within the project recharge area is 26.4 AF/YR. The anticipated total overall water demand for the project recharge area including the project site would be 29.4 AF/YR representing a 3.00 AF/YR increase of the existing water demand of 26.4 AF/YR. Chappellet winery accounts for 5.01 AF/YR of the existing demand within the project recharge area and would account for 8.01 AF/YR of the expected total water demand in this recharge area if the proposed project were implemented. The average annual recharge of 168.3 AF/YR and 95.6 AF/YR during drought conditions is higher than the average annual groundwater demand estimated to be 29.4 AF/YR. Therefore, the project is considered not to have a potential to significantly impact groundwater resources.

Wastewater - According to the Onsite Wastewater Disposal Feasibility Study prepared by Applied Civil Engineering on July 27, 2018 (Attachment J), the wastewater flows associated with the proposed project can be accommodated within the capacities of the existing sanitary and process wastewater systems provided that daily tours and tastings be suspended on days when events are held with more than 20 guests and with meals prepared onsite prepared and portable toilets must be utilized for all events with more than 40 guests (Applied Civil Engineering, 2018). The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant with the implementation of mitigation measure GEO-2 (COA 4.19.a) which would require that daily tours and tastings be suspended on days when events are held with more than 20 guests and with meals prepared onsite and portable toilets must be utilized for all events with more than 40 guests.

Greenhouse Gas Emissions – The County requires project applicants to consider methods to reduce Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department’s Best Management Practices Checklist for Development Projects, which is attached to this report as Attachment E. The applicant intends to implement the following GHG reduction methods at the winery: building within previously disturbed areas (parking); installation of water efficient landscaping; and minimizing grading. The winery has already implemented the following GHG reduction methods: LEED certification; supply of approximately 90 percent of its power via photovoltaic panels; staggered employee work shift schedules to reduce peak hour trips; carpool incentives for its employees; and provision of electric vehicle charging stations for employees and visitors. Any increase in emissions expected as a result of the project would be relatively modest and would be offset by the BMPs discussed above. For these reasons, project impacts would be considered less than significant.

Transportation – W-Trans prepared a *Traffic Impact Study for the Chappellet Winery Use Permit Modification* on November 27, 2019 (Attachment K). According to the study, the project would be expected to result in an additional 60 daily trips on average during the harvest season, including seven new trips during the weekday P.M. peak hour and six new trips during the weekend midday peak hour; these trips represent the increase in traffic above current levels during the P.M. peak hour and above permitted levels during the weekend midday peak hour. The largest requested marketing event would have up to 200 attendees per event and up to three times a year. These events would be scheduled to conclude after 4:30 P.M. on weekend days. The project includes approximately 925 cubic yards of cut and approximately 400 cubic yards of fill. Excess soil cut would be transported off-site to a County approved location. The applicant anticipates up to an estimated 35 truck trips for spoils off-hauling would be required during project construction. Under existing conditions, the study intersection of Silverado Trail/Sage Canyon Road (SR-128) is operating acceptably overall, but unacceptably at LOS F on the Sage Canyon Road approach during the weekday P.M. peak hour. Upon addition of the project-related traffic, the study intersection would continue operating acceptably overall, but with unacceptable delays on the minor street approach. Impacts would be less than significant in the short-term as the project would be responsible for an increase that represents less than 10 percent of the existing P.M. peak hour traffic volumes on the Sage Canyon Road approach. Under baseline conditions, which includes traffic associated with known winery projects in the study area that are approved or pending, the study intersection would continue to operate at the same levels of service as under existing conditions. The addition of project-related traffic volumes would drop from LOS C to LOS D overall during the P.M. peak hour and Sage Canyon Road approach would continue to operate at LOS F. Impacts would still be less than significant in the short-term as the project would still be responsible for an increase that represents less than 10 percent of the existing P.M. peak hour traffic volumes on the Sage Canyon Road approach. Under the anticipated future volumes, the study intersection would deteriorate to LOS F overall during the weekday P.M. peak hour. The project would add more than five percent of the anticipated growth on the Sage Canyon Road approach. Implementation of mitigation measure MM TRANS-1 (COA 4.19.b) which requires that an operations plan be adopted that does not generate more than 13 outbound trips within any one-hour period between 3:30 P.M. and 6:00 P.M. on weekdays would reduce potential impacts to a less than significant level. Under mitigation measure MM TRANS-1, the project shall also implement the Transportation Demand Management Plan as proposed in the TIS, particularly the *Alternative Shift Schedule* that will require five employees to end their work day at 3:15 p.m. and another five employees to end their work day at 6:00 p.m. Similarly, under Future plus Marketing Event Conditions,

the intersection deteriorates to LOS F with events with 200 people during the peak weekend days. The winery would schedule events with 160 or 200 persons to conclude after 4:30 PM on weekend days to avoid generating outbound trips during the midday peak hour (MM TRANS-2) to reduce potential impacts to a less than significant level. Public Works Department staff reviewed the study and concluded that the study adequately demonstrates that the proposed use in the proposed location would not result in any significant impacts, either project-specific or cumulative, on traffic circulation in the vicinity. Therefore, the project would result in a nominal increase in trips on the study area transportation network. Additionally, a project specific condition would ensure that daily tastings would not occur during events of greater than 100 guests.

After implementation of the proposed project, the site would continue to be accessed via an existing unnamed private roadway and driveway on Sage Canyon Road. Sight distance adequacy at the project driveway was evaluated and found to be acceptable to accommodate all turns into and out of the site (W-Trans, 2019). Proposed site access, including the RSS exception, was reviewed and recommended for approval by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned.

Parking - The proposal includes the construction of 12 additional parking spaces for a total of 38 parking spaces at the subject site. Based upon the County standard of 2.6 persons per vehicle during weekdays and 2.8 persons per vehicle during weekends and 1.05 persons per vehicle for employees the minimum parking required for daily activities would be 66 parking spaces. However, it is unlikely that the winery would host 95 visitors at one time and have 30 employees at the site at one time. Implementation of the TDM plan, as required by mitigation measure TRANS-1, would address parking during the proposed events by requiring the use of a shuttle bus system for events of greater than 100 guests to transport guests from an off-site pick-up area to the winery. Therefore, the proposed parking would be adequate for the expected frequency of visitors and employees.

Grape Sourcing – As a pre-WDO winery, the currently recognized annual production of 150,000 gallons is exempt from the County's 75 percent grape sourcing rule. However, the requested additional 100,000 gallons of annual wine production would be subject to 75 percent grape sourcing rule. Currently, 200 tons of fruit is estate grown. Following completion of the current replanting program, it is estimated that a total of 350 tons or approximately 57,750 gallons of the 100,000 gallons subject to the 75 grape sourcing rule would be derived from fruit grown on parcels owned by Chappellet winery. The remaining grapes would likely be imported from other vineyards throughout Napa County. The recommended conditions of approval include a requirement for compliance with the 75 percent grape sourcing rule (COA 4.6 – Attachment B).

RSS Exception - The project also includes a request for an exception to the Napa County Road and Street Standards (RSS) (Attachment F). To approve a road modification request, the Planning Commission must find that the project satisfies two requirements. The first is that the project meets the required findings under Napa County's Exception to Standards Section 3(D) which shall include any one of the following: 1) to preserve unique features of the environment (exception does not include man made environmental features such as, decorative landscaping, vineyard, or fences); 2) to accommodate physical site limitations such as grade differentials; or 3) to accommodate other limiting factors such as historical or legal constraints. In doing so, the Commission must find that there is either a natural feature or legal/historical constraint that prevents the project from otherwise meeting the standard.

The second requirement is that the proposed alternative design contains mitigating features such that the alternative design achieves the same overall practical effect as that of a project that meets the standards. In practice, 'same practical effect' is typically implemented by: 1) widening the road where it can be widened to the standard (and thus limiting the area(s) of substandard road sections); 2) employing additional design features such as signage, view mirrors (where appropriate), vegetation clearing, pavement grove (for steep slopes), in the vicinity of the reductions; and 3) implementing building and site safety upgrades such as increased fire sprinkler water storage, safe haven driveway expansions, increased access and clear areas around buildings, and additional fire resistant construction.



The request proposes an exception to the Napa County RSS to allow for a reduction of driveway width for some portions of the existing driveway, and for a portion of road with slopes exceeding 18 percent but less than 20 percent without transition zones (sections of road not exceeding 10 percent for 100 feet in length immediately preceding and ensuing the section of road with the roadway grade of 18 to 20 percent). The RSS exception has been requested to preserve mature native trees on steeply sloping hillsides and to minimize the need for grading on steep slopes.

The County Engineering Services Division and Napa County Fire Department reviewed the request and conducted a site visit. Engineering staff, as well as, Fire Department staff recommend approval of the requested road exception, subject to recommended conditions in their memo of September 27, 2019 and October 25, 2019, respectively. Strict application of the requirement to improve the existing driveway to current standards will result in mass grading on steep slopes in excess of 50 percent as well as the removal of mature native trees on steeply sloping hillsides. Granting of the exception will minimize impacts to biological resources. As discussed in the Biological Resources section of the Initial Study/Mitigated Negative Declaration, all potential biological resources related impacts will be less than significant with implementation of mitigation measures and with approval of this exception. In addition, the improvement achieves the same overall practical effect of the NCRSS by providing defensible space and consideration toward life, safety and public welfare by providing the following permanent measures: 1) horizontal and vertical vegetation management as described in the RSS exception request shall be implemented along the entire length of the private lane and driveway connection to Sage Canyon Road; 2) significant improvements are proposed to bring a majority of the road into compliance with the NCRSS as illustrated on the Chappellet Winery Use Permit Modification Conceptual Site Plans prepared by Applied Civil Engineering; 3) substandard width road sections are mitigated with standard turnouts throughout and/or are short in length with standard width sections immediately before and after the substandard section; and 4) all portions of the driveway not discussed in the Engineering Division Road Exception Evaluation are proposed to meet commercial standards as defined in the NCRSS. Chappellet Winery is proposing to widen a significant portion of both Prichard Hill Road and the Chappellet Winery driveway to accommodate two way traffic and support ingress of fire apparatus and egress of evacuating civilians. Furthermore, one section of roadway is being reconstructed to reduce roadway grades to 20 percent maximum.

Left Turn Lane and Road and Street Standards Exception - Based on the existing volumes on Sage Canyon Road and expected daily volumes at the project driveway, a left turn lane is required at the proposed project driveway per the County's standard left turn lane warrant. However, an exception was requested by the applicant and tentatively approved by the Public Works Department to allow the project to be approved without the requirement that a left turn lane be installed at the intersection of the property driveway and Sage Canyon Road. The applicant would be required to contribute an equivalent dollar amount to the County's Traffic Impact Fee program as part of the Public Works Department's recommended conditions of approval. This request was considered by the County's Public Works Director and tentatively approved on March 24, 2020 (Attachment G). This decision is appealable to the Board of Supervisors after the Planning Commission acts on this project request as a whole.

Public Comments – At the time of staff report preparation, 12 public comment letters had been received in support of the project (Attachment N). A letter from the Native American Heritage Commission was also received expressing concerns with potential sacred lands and tribal consultation required under AB 52 and SB 18. There is no indication of sensitive archaeological resources within the project area according to the County's GIS layers and minimal ground disturbance is proposed. A standard condition of approval would be implemented in the event of an archaeological discovery at the subject site. Tribal consultation under AB 52 was conducted pursuant to State law and two tribes, the Middletown Rancheria and Yocha Dehe Wintun Nation, responded back with no concerns or request for further consultation. Tribal consultation under SB 18 is not required as the project does not propose a General Plan Amendment.

#### **Decision Making Options:**

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

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

Disposition - This option would result in approval of the proposed winery modification, exception request to the Roads and Street Standards and left-turn lane exception. Staff recommends this option as the request is consistent with the Zoning Ordinance, applicable General Plan policies, and other County regulations. The requested visitation and marketing program increase is below the average of similar production capacity pre-WDO wineries located within hillside areas. Furthermore, staff has found the grape supply is commensurate with the proposed production increase request, sufficient water is available to implement the project, the applicant proposes to incorporate additional GHG reduction measures as part of the project, and there will be no significant environmental impacts to the site given application of mitigation measures.

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 were found to be less than significant.

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

Disposition – All potential environmental impacts related to traffic and safety have been found to be less than significant through a combination of project design, conditions of approval and mitigation measures. Furthermore, the Department of Public Works, the County Fire Department and the Engineering Division have reviewed the proposal and are in support of the request. However, this option provides the Planning Commission the ability to further reduce potential impacts related traffic and safety by reducing the requested maximum annual visitation and/or marketing program (number of events). This could be accomplished by potentially reducing the maximum number of weekly visitors and/or eliminating one or more of the marketing events. 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 of the visitation and marketing program. If major revisions of the conditions of approval are required, the item will need to be continued to a future date.

#### Option 3 - Deny Proposed Project

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of the Napa County Road & Street Standard Exception request and 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 and exception requests are not being approved.

Action Required - Commission would take tentative motion to deny the project and remand the matter to staff for preparation of required findings to return to the Commission on a specific date.

#### Option 4 - Continuance Option

The Commission may continue an item to a future hearing date at its own discretion.

**SUPPORTING DOCUMENTS**

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Previous Conditions
- D . Initial Study/Mitigated Negative Declaration
- E . Use Permit Major Modification Application Packet
- F . Road and Street Standards Exception Request
- G . Left Turn Lane Exception Request and Public Works Department Determination
- H . Water Availability Analysis
- I . Wastewater Feasibility Study
- J . Biological Resources Survey
- K . Traffic Impact Study
- L . Graphics
- M . Winery Comparison Analysis
- N . Public Comments

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona