



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 8/17/2011

Agenda Placement: 10A

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** Sean Trippi, Principal Planner - 299-1353  
**SUBJECT:** MJA Vineyards

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### **RECOMMENDATION**

#### **MJA VINEYARDS / ONE YEAR STATUS REPORT - USE PERMIT MODIFICATION #P10-00123-MOD**

**CEQA Status:** The proposed action is not a project as defined by 14 California Code of Regulation 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**Request:** Use Permit compliance review for MJA Vineyards. Pursuant to the project's adopted conditions of approval, a compliance audit is required one year after approval of the project by the Planning Commission which occurred August 4, 2010. The project site is located on a ±17.8-acre site on the west side of Greenfield Road, approximately 1,700-feet northwest of the Greenfield Road and Conn Valley Road intersection within the AW (Agricultural Watershed0 zoning district. APN: 025-380-021. 647 Greenfield Road, St. Helena.

**Staff Recommendation:** Continue the audit for one-year (approximately August 4, 2012)

**Staff Contact:** Sean Trippi 299-1353 or [sean.trippi@countyofnapa.org](mailto:sean.trippi@countyofnapa.org)

### **EXECUTIVE SUMMARY**

#### **Proposed Action:**

That the Planning Commission:

1. Drops the compliance review for the MJA Vineyards Winery Use Permit from the Commission's Calendar, and directs Planning Division Staff to schedule this item for a future regular meeting date one-year after reopening of the winery.

#### **Discussion:**

This is a one-year use permit compliance status report regarding MJA Vineyards. MJA Vineyards winery is located on Rossi Road a short distance up the hill from Conn Valley Road. The small winery was significantly expanded several years ago, including construction of a winery cave, without benefit of County approvals. In August of last year, the Planning Commission approved a proposal to recognize and legitimize a large number of the previously constructed improvements as well as establishing commensurate visitation and marketing activities. Given the code issues surrounding the winery, the Commission applied a condition of approval requiring the permittee to return to the Commission one year later for a use permit compliance review.

Since the Planning Commission approved this project, the applicant has entered into a settlement agreement with the County District Attorney regarding correcting building deficiencies and bringing all improvements under building permit. The winery has not been open while the District Attorney case has been proceeding. The purpose of the Commission's one year compliance review was to monitor how well the business was operating subsequent to the Commission's authorization/recognition of the expanded use.

Since the winery has not been open, Staff believe there is no purpose served by conducting the compliance review at this time. Since it is uncertain when all required permits and improvements will be completed allowing the winery to re-open, it is recommended that the Commission postpone their compliance review until one year after reopening. However, before the Commission can consider that recommendation, the Commission is obligated to accept and consider any public comments concerning the winery's compliance over this last year as required by the use permit conditions of approval. Therefore, it is recommended that the Commission ask for public testimony, and then drop the item from the agenda and direct Staff to agendaize and notice the compliance review one year after the facility reopens.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

### **SUPPORTING DOCUMENTS**

None

Napa County Planning Commission: Approve

Reviewed By: John McDowell