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Agenda Date: 9/15/2021

Agenda Placement: 7B

Napa County Planning Commission Board Agenda Letter

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: Ehlers Estate Winery Use Permit Major Modification P19-00146

RECOMMENDATION

NEW VAVIN, INC / EHLERS ESTATE WINERY/ USE PERMIT MAJOR MODIFICATION # P19-00146

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 area: 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 25,000 gallon per year winery to allow the following: **A. Components Necessary to Remedy Existing Violations:** (1) Recognition of an existing annual production capacity of 29,000 gallons. Currently authorized for an annual production capacity of 25,000 gallons; (2) Recognition of daily tastings of 90 persons per day, 630 visitors maximum per week by appointment. Currently authorized for 11 visitors maximum per week; (3) Recognition of an existing marketing program of: a) one event per year with up to 300 guests; b) two events per year with up to 100 guests; c) one event per year with up to 70 guests; and d) 10 events per year with up to 20 guests. (770 total guests for existing marketing program). Currently authorized for three events per year with up to 75 guests and eight events per year with up to 35 guests (505 total guests for approved marketing program); and (4) Recognition of 12 full-time employees and two part-time employees. Currently authorized for eight full-time employees. **B. Expansion Beyond Existing Entitlements:** (1) Increase in maximum annual permitted wine production from 29,000 to 35,000 gallons (existing conditions to be recognized via the County's Code Compliance program); (2) Increase existing daily tastings from 90 persons per day, 630 visitors maximum per week (existing conditions to be recognized via the County's Code Compliance program) to 100 persons per day, 700 visitors maximum per week. All visitation would be by appointment only; (3) Modification of an existing Marketing Program to increase events from 14 events per year (770 guests) (existing conditions to be recognized via the County's Code Compliance program) to 14 events per year (800 guests) as follows: (a) One annual event for up to 300 guests; (b) Three annual events for up to 100 guests; and (c) 10 annual events for up to 20 guests. (4) On-premises consumption of wines produced on site in the olive grove adjacent to

the winery building in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; (5) Change the winery's tasting room hours of operation from 9:30 AM to 3:30 PM to 9:30 AM to 5:00 PM (Seven days a week); (6) Relocate the existing parking area and construct a new parking area with 22 parking spaces which would require the removal of approximately 0.3 acres of existing vineyards; (7) Increase the number of employees from 12 full-time employees and two part-time employees (existing conditions to be recognized via the County's Code Compliance program) to 14 full-time employees, four part-time employees and two harvest season employees; (8) Re-configure the existing on-site circulation pattern; (9) Installation of a 100,000 gallon water irrigation storage tank; (10) Upgrade the existing wastewater system consistent with County and Regional Water Quality Control Board standards; and (11) Creation of a right-turn pocket via striping on the Ehlers Lane approach to State Highway 29. The project is located on an approximately 13.83 acre site within the AP (Agricultural Preserve) zoning district with a General Plan land use designation of AR (Agricultural Resources) at 3200 Ehlers Lane, Saint Helena, CA; APN: 022-100-029.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the Use Permit Major Modification, as conditioned.

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

Applicant Contact: Scott Greenwood-Meinert, 700 Main Street, Suite 301, Napa, CA 94559; (707) 603-2722 or sgreenwood-meinert@coblentzlaw.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration based on recommended Findings 1-7 in Attachment A; and
2. Approve Use Permit Major Modification No. P19-00146-MOD, including those modifications to remedy existing violations, based on recommended Findings 8-12 in 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. The proposal is to modify an existing winery Use Permit to recognize an existing production capacity of 29,000 gallons per year, weekly visitation of 630 visitors, an existing marketing program, and 12 existing full-time employees which were not permitted in the previously approved Use Permit and modifications. In addition, the application also seeks to expand its entitlements to, among other improvements, increase wine production, visitation, marketing events, employees, and parking spaces, and to authorize on-premise consumption of wines produced on site in the olive grove adjacent to the winery building.

Staff has reviewed both the components necessary to remedy existing violations, as well as, the requested expansions beyond the existing conditions and found them to be consistent with the Zoning Ordinance and applicable General Plan policies. As noted above, the Use Permit Major Modification Application requests recognition of existing marketing program events, production, visitation and employees. Although not initially permitted at the existing levels under the previously approved Use Permit and modifications, these activities are

already occurring at the subject site.

As described in Resolution No. 2018-164, the subject application was found to be substantially conforming prior to the submittal deadline of March 29, 2019 at 2:00 PM. Accordingly, the County may use the existing operations as the environmental baseline for the CEQA analysis related to this application. The requested changes to the winery's visitation program and marketing program exceed that of similar production capacity by appointment and pre-WDO wineries. However, staff is supportive of the request based upon the project's location on the valley floor near a State Highway and the determination that all potentially significant environmental impacts are less than significant. Minimal intensifying operational changes are proposed in excess of the existing site conditions as shown in the "summary of changes" in Attachment J.

The winery intends to implement the following GHG reduction methods at the winery: installation of energy efficient lighting fixtures; utilization of low-impact development for treatment of storm water runoff; installation of electric vehicle charging stations; minimal grading for project implementation and no tree removal; and education to staff and visitors on sustainable practices. The winery has already implemented the following GHG reduction methods: certification as Napa Green Land; use of 70 to 80 percent cover crop; retaining biomass removed via pruning and thinning by chipping the material and using it rather than burning on-site; and the winery has been certified as organic by the CCOF since 2008.

Based on the reasons stated above, staff recommends approval of the project (the components necessary to remedy existing violations and the requested expansions beyond the existing entitlements), 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 area: Transportation. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5..

BACKGROUND AND DISCUSSION

Owner: New Vavin, Inc, 3200 Ehlers Lane, St. Helena, CA 94574; (707) 694-9611

Representative: Scott Greenwood-Meinert, 700 Main Street, Suite 301, Napa, CA 94559; (707) 603-2722 or sgreenwood-meinert@coblenzlaw.com

Zoning: Agricultural Preserve (AP) - District

GP Designation: Agricultural Resource (AR) designation

Filed: March 28, 2019; **Resubmittal Received:** September 19, 2019; December 3, 2019; **Deemed Complete:** April 20, 2021

Parcel Size: 13.83 acres

Existing Development: The site is currently developed with a hospitality building, wine production building, barrel storage building, outdoor work area, garden, single-family residence, well, 51,300 gallon domestic and fire protection water storage tank, wastewater treatment system, and approximately nine acres of planted vineyard.

Proposed and Existing Winery Characteristics

Winery Development Area - Approved: 12,171 square foot winery development area with uses identified above.

Winery Development Area - Proposed: No change.

Production Capacity Approved: 25,000 gallons per year. Actual maximum annual production was 29,000 gallons in 2014.

Production Capacity Existing : 29,000 gallons per year.

Production Capacity Proposed : 35,000 gallons per year.

Winery Coverage Existing: 51,864 square feet or approximately 8.6%.

Winery Coverage Proposed: 60, 265 square feet or approximately 10.0%. (Maximum 25% or approximately 15 acres permitted, whichever is less).

Accessory/Production Ratio Approved: 3,980 square feet accessory/10,886 square feet production - approximately 36.6%.

Accessory/Production Ratio Proposed: No change.

Number of Employees Approved: Eight full-time employees.

Number of Employees Existing: 12 full-time and two part-time employees.

Number of Employees Proposed: 14 full-time, four part-time employees, and harvest season employees.

Visitation - Approved: 11 visitors maximum per week.

Visitation - Existing: 90 visitors per day by appointment and 630 visitors maximum per week.

Visitation - Proposed: 100 visitors per day by appointment and 700 visitors maximum per week.

Marketing Program - Approved: Three events per year (75 guests per event) and eight events per year (35 guests per event).

Marketing Program - Existing: One event per year (300 guests), two events per year (100 guests), one event per year (70 guests) and 10 events per year (20 guests).

Marketing Program - Proposed: One event per year (300 guests), three events per year (100 guests), and 10 events per year (20 guests).

Days and Hours of Operation - Approved: 7:00 AM to 3:30PM daily (production hours) and 9:30 AM to 3:30PM daily (visitation hours).

Days and Hours of Operation - Proposed: No change to production hours. 9:30 AM to 5:00 PM daily (visitation hours)

Parking - Approved: 14 parking spaces.

Parking - Proposed: 22 parking spaces

Setbacks:

Required Road setbacks – 300 feet from the centerline of Ehlers Lane.

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

Existing Setbacks - The existing winery building was constructed prior to the adoption of the WDO and is located approximately 60 feet from the centerline of Ehlers Lane, 710 feet from the rear property line, 515 feet from the northern side property line and 200 feet from the southern side property line.

Proposed Setbacks - No change.

Adjacent General Plan Designation/ Zoning / Land Use:

North: Agricultural Resource (AR) General Plan land use designation/Agricultural Preserve (AP) zoning district/agricultural use (vineyards) and rural residential

South: AR/AP/vineyards and rural residential

East: AR/AP/rural residential

West: AR/AP/rural residential

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

Please refer to Attachment J.

Parcel History:

Ehlers Estate Winery was approved by the Planning Commission on November 19, 1975 (U-297576) to operate a winery within an existing stone structure on a 14-acre parcel. On November 20, 1991 the Planning Commission approved Use Permit U-91-15 to permit the addition of a 1,925 square foot structure to be utilized for the storage of barrels and casegoods as well as a marketing program. The use of temporary fermentation tanks for the 2002 and 2003 fall crush seasons was authorized by staff via a modification of Use Permit #U-91-15 on August 23, 2002. The Planning Commission approved Use Permit Modification #03217-MOD on September 17, 2003 which permitted the removal of an existing 1,925 square foot winery building, construction of a new 14,614 square foot winery production building and a 900 square foot walkway leading to the main cave portal, 11,220 square feet of caves, addition of a restroom within the historic winery building, parking space reconfiguration, fermentation tank relocation and a lot line adjustment to locate all winery uses on one parcel. Use Permit Modification #04022-MOD was approved by staff on March 2, 2004 and authorized relocation and reduction in size of the previously permitted 14,614 square foot winery production building to 8,395 square feet, relocation of the cave portals and extension of the cave access covered walkway by 260 square feet, relocation of the mechanical equipment pad, and an entry structure and sign. Use Permit Modification #P05-0231-MOD was approved by staff on June 28, 2005 and included the deletion of the construction of a previously approved 8,395 square foot building, the construction of a new 3,600 square foot building attached to the rear of the existing stone winery building, and the construction of a 3,000 square foot barrel building with 750 square feet of covered barrel washing area in the location of the previously approved building. The most recent Use Permit modification, P06-0016-MODVMIN, was approved by staff on January 30, 2006 and permitted a 400 square foot production building addition and a 96 square foot covered fire equipment addition to the northeast corner of the barrel storage building.

Code Compliance History:

This application was submitted to participate in the County's Code Compliance Program as described in Resolution No. 2018-164. Pursuant to that Resolution, a site inspection was conducted by Code Compliance, Planning, Engineering and Fire staff on April 18, 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 notice regarding apparent

code violations was issued to the property owner by the Code Enforcement Division on June 27, 2019. Apparent code violations included various Fire Code violations regarding the blockage of exit doors and electrical issues, as well as the need to obtain a building permit to secure the fermenting tanks. Code Enforcement Case CE20-00069 was opened for the alleged violations outside the scope of the Use Permit, but would be resolved by approval of this Use Permit Major Modification request. All items noted in the apparent code violation notice of June 27, 2019, have been addressed as confirmed via a follow-up email received from Code Compliance staff on April 20, 2021.

Discussion Points:

Setting - The 13.83-acre parcel is relatively flat. Access to the site is via two driveways connecting to Ehlers Lane. Soil types include Bale clay loam, 2 to 5 percent slopes and Aiken loam, 2 to 15 percent slopes. The majority of the site lies outside of the 100 and 500-year flood hazard boundaries. The project site is outside of a designated Fire Hazard Severity area. Land uses in the area are dominated by large lot residential properties, wineries, including Trinchero winery, and vineyards. The existing winery is located approximately 265 feet to the north of the nearest neighboring residence which is located at 1105 Ehlers Lane.

Winery Proposal - The request is to modify an existing winery Use Permit to recognize unpermitted production, visitation, marketing events and employees. In addition to the changes requested to remedy existing violations, the applicant requests several expansions beyond the existing entitlements and conditions, including increased production, visitation, marketing events and physical improvements.

Visitation/Marketing Program - Components Necessary to Remedy Existing Violations: As shown in Attachment J, the existing visitation and marketing program requested for recognition exceeds the annual visitation average and median calculations of similar production capacity by appointment and pre-WDO wineries. As part of the recommended conditions of approval from the Public Works Department, a Transportation Demand Management (TDM) program would be required to be implemented. Additionally, a project specific condition would ensure that daily tastings would not occur during events of greater than 100 guests. Although the requested recognition of the visitation and marketing program exceeds that of similar production capacity by appointment and pre-WDO wineries, staff is supportive of the request based upon the project's location on the valley floor near a State Highway and because all potentially significant environmental impacts were found to be less than significant.

Expansion Beyond Existing Entitlements and Conditions: Minimal intensifying operational changes are proposed in excess of the existing site conditions as shown in the "summary of changes" in Attachment J. The proposed visitation increase would result in a net increase of 3,640 visitors per year versus the existing condition while the marketing program change would result in a net increase of 30 guests per year.

Traffic and Parking - W-Trans prepared a *Traffic Impact Study for the Ehlers Estate Winery* on May 18, 2021. According to the study, the proposed modifications to the Use Permit would be expected to result in a net increase of 18 daily trips on a Friday during harvest season, including six new trips during the p.m. peak hour, and a net increase of 17 new trips on a Saturday during harvest season, with seven new trips during the p.m. peak hour compared to existing conditions (existing operations were utilized as the environmental baseline for the CEQA analysis as outlined in the voluntary code compliance program). The largest requested marketing event would have up to 300 attendees per event and be held once a year. The study roadway segments of SR-29 are projected to operate acceptably at LOS D or better under existing, near-term, and cumulative conditions, and would continue to do so with the addition of project traffic. The study intersection of SR-29/Ehlers Lane is operating acceptably at LOS A overall under existing conditions and would be expected to continue doing so under near-term and cumulative conditions and with project-related traffic added. According to the study, the stop-controlled approach at the SR-29/Ehlers Lane intersection is operating acceptably at LOS D under existing conditions and would continue to do so under near-term conditions. Upon the addition of project trips, the stop-controlled approach is expected to operate unacceptably at LOS E during the Friday p.m. peak. Under cumulative conditions, the stop-controlled approach is expected to operate unacceptably at LOS F during both peak hours. With the addition of project-related traffic to cumulative volumes, the approach is expected to continue to operate at LOS F; however, the increase in

delay is expected to be more than five seconds during the Friday p.m. peak period, resulting in an adverse effect. Implementation of a mitigation measure requiring the westbound approach of Ehlers lane to SR-29 to be restriped to accommodate a dedicated right turn lane would 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 based upon the implementation of the mitigation measure. Therefore, the project would result in a nominal increase in trips on the study area transportation network.

The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). The proposed Ehlers Estate Winery Use Permit modification project is estimated to generate 18 net new daily trips, which is well below the 110 trip threshold in the Office of Planning and Research guidelines. The traffic study provided strategies such as carpool incentives, active transportation incentives, on-site lunches, and a guaranteed ride home to be considered for implementation via a Transportation Demand Management (TDM) Plan. A condition of approval would require implementation of a TDM with strategies such as these for the life of the project.

The project was analyzed to determine whether the proposed parking supply would be sufficient for the anticipated daily demand during harvest conditions. The project site, as proposed, would have a total of 22 parking spaces. Napa County does not currently have parking requirements for winery projects. Applying guidelines employed in other Napa County winery traffic studies, daily parking demand for the winery and tasting room could be accommodated by providing at least one space for every employee, as well as parking stalls for about 25 percent of the expected daily tasting room visitors. During typical operation, there could be a maximum of 13 employees (nine full-time and four part-time) on site at any one time, which would be monitored through the scheduling of shifts. The Use Permit would allow for a maximum of 100 daily visitors to the tasting room. Assuming the County's standard occupancy rate of 2.8 guests per vehicle, a total of 36 guest vehicles could visit the site over the course of the day; to accommodate 25 percent of the visitors at one time, nine parking spaces would be required. Therefore, 13 spaces would be required to accommodate employee parking needs and nine spaces would be needed for guest parking; the proposed on-site parking supply of 22 spaces would be sufficient for the estimated number of employees and guests. Therefore, the proposed parking supply is expected to be adequate to accommodate the anticipated peak demand during typical operations.

Groundwater Availability - The project is categorized as being located within the Valley Floor in an area that has an established acceptable water use criteria of 1.0 acre foot per acre per year based upon current County Water Availability Analysis policies. Based upon those criteria, the Allowable Water Allotment for the project site is 13.83 acre-feet per year (af/yr), determined by multiplying the 13.83 acre Valley floor site by a one AF/YR/acre fair share water use factor. The subject parcel contains two groundwater wells. The existing domestic (winery) well is located near the wine production building and provides domestic, landscape, fire, and process water uses. The existing irrigation (vineyard) well is located near Ehlers Lane on the northwesterly side of the subject parcel within the vineyard and is currently used for vineyard irrigation water uses only. No changes to the existing water sources are proposed as part of this project. According to the Well Drillers Report, filed by McLean & Williams, Inc. Well, Drilling & Pump Service, the winery well was drilled in April 2006 to a total depth of 350 feet with a completed well depth of 350 feet. The well casing is 8 inch internal diameter F480, 200 gauge polyvinyl chloride (PVC) with factory screen/slots between depth of 110 feet to 190 feet and 250 feet to 350 feet. The well was constructed with a 59 foot deep concrete annular seal. When the domestic (winery) well was drilled, the estimated safe yield was determined to be approximately 75 gallons per minute (gpm) although this may not be representative of the well's long term yield. According to the Water Availability Analysis for Ehlers Estate Winery, 3200 Ehlers Lane, Napa County, California, APN 022-100-029 prepared by Bartelt Engineering in November 2019, the anticipated total overall water demand for the project site would be 5.21 AF/YR representing a 0.07 AF/YR increase of the existing water demand of 5.14 AF/YR. In summary, the existing yield would be sufficient to serve all uses on the property. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels.

Wastewater - According to the Onsite Wastewater Dispersal Feasibility Study for Ehlers Estate Winery, 3200 Ehlers Lane, Napa County, California, APN 022-100-029 prepared by Bartelt Engineering in November 2019, the project site and proposed wastewater system improvement options would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings.

Greenhouse Gas Emissions - The County requires project applicants to consider methods to reduce Greenhouse 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. As discussed above, the applicant intends to implement the following GHG reduction methods at the winery: installation of energy efficient lighting fixtures; utilization of low-impact development for treatment of storm water runoff; installation of electric vehicle charging stations; minimal grading for project implementation and no tree removal; and education to staff and visitors on sustainable practices. The winery has already implemented the following GHG reduction methods: certification as Napa Green Land; use of 70 to 80 percent cover crop; retaining biomass removed via pruning and thinning by chipping the material and using it rather than burning on-site; and the winery has been certified as organic by the CCOF since 2008.

Grape Sourcing - The Winery Definition Ordinance (WDO) 75 percent grape source policy does not apply to the subject site because the previously approved winery development area in 1975 is not proposed to be expanded as part of this proposal. Any future capacity increase requests which include expansion of the winery development area would be subject to the WDO 75 percent grape source policy. The applicant anticipates the majority of the increase in production to be from estate owned grapes with approximately 28 percent of the increase in production to be supplied by off-site grapes.

Public Comments - At the time of staff report preparation, no public comments had been received.

Pursuant to BOS Resolution No. 2018-164, (Staff has provided separate decision-making options for the components of the project necessary to remedy existing violations and the new expansions beyond existing entitlements.

Decision Making Options Regarding Remediating Existing Violations:

As noted in the Executive Summary Section above, staff is recommending approval of the components of the project necessary to remedy existing violations 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 - Approve Applicant's Proposal

Disposition - This option would result in approval of the existing employees, production and visitation and marketing program levels at the winery. Staff recommends this option as the request is consistent with the Zoning Ordinance and applicable General Plan policies. Further, staff recommends recognition of the existing operational conditions based upon the site's non-remote location, sufficient access, proximity to State Highway 29 and, availability of adequate water supplies.

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 Alternative

Disposition - This option would require that the applicant reduce their number of visitors and/or existing maximum

marketing event numbers and/or the number of marketing events. As noted above, the existing visitation and marketing program requested for recognition is above the average and median calculations of similar production capacity by appointment and pre-WDO wineries. Staff recommends no changes to the existing visitation and marketing program. All potential environmental impacts were found to be less than significant.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to reduce the number of existing visitors and/or marketing program events and required conditions of approval. 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 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 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 Expansions Beyond Existing 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 result in approval of the expansions beyond the existing entitlements which are requested including additional employees, a modest production capacity increase, additional visitors, a minor increase in the number of annual marketing event guests, relocated parking area, and installation of a dedicated right-turn lane at the intersection of Ehlers Lane and Highway 29.

Staff recommends this option as many of the changes requested such as the additional employees, visitors, modified marketing program and increased production capacity are operational modifications to support the future growth of the winery and would not result in significant physical changes at the subject site. The additional visitation and marketing program changes do not represent a significant change beyond the existing conditions.

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 Alternative

Disposition - This option would require that the applicant reduce their proposed number of visitors and/or proposed maximum marketing event numbers and/or the number of marketing events. As noted above, the proposed visitation and marketing program requested is above the average and median calculations of similar

production capacity by appointment and pre-WDO wineries. However, the requested modifications represent a minor change to the existing visitation and marketing program. All potential environmental impacts were found to be less than significant.

Action Required – Follow proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to reduce the number of proposed visitors and/or marketing program events and required conditions of approval. 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 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 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 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 and Final Agency Approval Memos
- C . Previous Project Conditions
- D . Initial Study/Mitigated Negative Declaration
- E . Use Permit Major Modification Application Packet
- F . Water Availability Analysis
- G . Wastewater Feasibility Study
- H . Traffic Impact Study
- I . Graphics
- J . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona