



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 9/7/2016

Agenda Placement: 9B

## Napa County Planning Commission Board Agenda Letter

---

**TO:** Napa County Planning Commission

**FROM:** John McDowell for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Wyntress Balcher, Planner II - 707 299-1351

**SUBJECT:** Beau Vigne Winery Use Permit #P15-00200

---

### **RECOMMENDATION**

#### **BEAU VIGNE WINERY - ED SNIDER DBA BEAU VIGNE - USE PERMIT MAJOR MODIFICATION NO. P15-00200-MOD**

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would have a potentially significant environmental impacts in the following area: Noise. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of modification of Use Permit # U-708384 to allow the following: 1) Increase annual production capacity from 8,000 to 14,000 gallons; 2) Demolition of the existing winery building, crush pad, residence, and outbuildings; 3) Construction of a new 5,807 sf. winery production building to include: a) Construction of a 2,673 sf. covered crush pad and a 1,133 sf. receiving area; b) Construction of a 4,473 sf. outdoor pallet storage area (also temporary location of mobile bottling truck); 4) Construction of a new 1,773 sf. office/hospitality building to include a 1916 sf. covered porch, breezeway, and terrace; 5) Construction of 11 visitor and three (3) employee parking spaces, total 14 parking spaces; 6) Increase employment to three (3) full time employees and one (1) part-time employee; 7) Add daily visitation of 10 visitors per weekday; 15 on weekends, maximum 80/week; 8) Change days of operation to 7 days; no change in the hours of operation which are: 8:00 am to 8:00 pm; 9) Add a Marketing Program for one (1) event/month for 25 guests, and two (2) per year for 30 guests, where all food will be catered, all event activities will occur within the office/hospitality building, and will be scheduled between 11:00 AM-4:00 PM or 2:00 PM-10:00 PM; 10) On-premise consumption of wines produced on-site within the proposed hospitality building and outdoor courtyard area, consistent with the Business and Professions Code §23356, §23390, and §23396.5; 11) Installation of one 61,000 water storage tank (27' diameter and 17' high) for fire protection; 12) Construction of a new driveway to County winery standards to improve the internal circulation on the property; 13) Construction of a left turn lane on Silverado Trail; 14) Removal of approximately 0.6 acres of vineyard; 15) Construction of a new well, installation of new water, wastewater, and fire suppression systems; and, 16) Installation of site landscaping. The project is located on a ±7.96-acre parcel and on the west side of Silverado Trail approximately 190 feet north of its intersection with Petra Lane and approximately 625 feet north of its

intersection with Soda Canyon Road, within the Agricultural Preserve (AP) zoning district; 4057 Silverado Trail, Napa; APN: 039-390-016.

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

**Staff Contact:** Wyntress Balcher, Planner II, (707) 299-1351 or [wyntress.balcher@countyofnapa.org](mailto:wyntress.balcher@countyofnapa.org)

**Applicant Contact:** Jeff Redding, Land Use Planning Services, (707) 255-7375, [jreddingaicp@comcast.net](mailto:jreddingaicp@comcast.net)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and MMRP, based on Findings #1- #7 (Attachment A); and,
2. Approve Use Permit (P15-00200), based on Findings #8 - #12 (Attachment A), and subject to the recommended Conditions of Approval (Attachment B).

### **Discussion:**

The original winery was established by approval of Use Permit #U-708384 on September 19, 1984 by the Planning Commission. The 8,000 gallon/year winery was a family operation, utilizing an existing converted barn; an outdoor paved crush pad and tank farm; one employee; two parking spaces; and retail sales. Public tours and tastings were specifically not approved. The applicant proposes demolition of all structures existing on the site (winery building, storage building, residence, and outbuildings), to be replaced by a new 3,404 sq.ft. production building, 2,195 sq.ft. office/hospitality building and covered tank/work areas, primarily on the same footprint of the original development area. In addition, the applicant proposes to increase production from 8,000 gallons to 14,000 gallons; to add tours and tastings, (10 visitors per weekday/15 on weekends, maximum 80/week); and add 14 marketing events consisting of maximums of 25 and 30 guests.

This proposal has been analyzed for its environmental impacts, which were found to be less than significant with mitigation for noise. Staff believes there is adequate rationale to support approving the winery's production and facility renovations for the following reasons: 1) the proposed project is consistent with the Napa County Zoning Ordinance and applicable General Plan Policies; 2) the project facilities will be constructed on the existing winery development area; 3) there is existing direct access from Silverado Trail and a left turn lane will be constructed; 4) there is no viewshed issues; 5) the placement of the winery building on previously disturbed land with a very minimal amount of vineyard removal for primarily access/circulation improvements; and, 6) the proposed visitation and marketing levels are consistent with the levels granted to similar sized wineries.

## **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

## **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 area of Noise. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

## **BACKGROUND AND DISCUSSION**

**Owner/Applicant:** Ed Snider dba Beau Vigne/ Edward L. Snider

**Representative:** Jeff Redding, Land Use Planning Services, (707) 255-7375, jreddingaicp@comcast.net

**Zoning District:** Agricultural Preserve (AP)

**General Plan Designation:** Agricultural Resource (AR)

**Filed:** June 10, 2015; **Incomplete:** July 10, 2015; **Resubmission:** September 18, 2015;  
**Complete:** October 18, 2015; **Resubmission:** March 17, 2016; **Complete:** April 17, 2016.

**Parcel Size:** ±7.96 acres

**Existing Development:** Converted winery building; winery storage building; a single family residence, agricultural outbuildings, and ±5.93 acres of vineyards. All structures are proposed for demolition.

**Vineyard Acreage (Existing):** ±5.93 acres

**Vineyard Acreage (Proposed):** ±5.33 acres

### **Winery Characteristics:**

**Winery Size (Existing):** Total ±7050 sq. ft.: 995 sq.ft. winery building, 821 sq.ft. storage building; 2,715 sq.ft. outdoor production area, and a 2,519 sq.ft outdoor crush pad.

**Winery Size (Proposed):** Two new winery structures: a new 5,807 sq.ft. winery production building and a new 1,773 sq.ft. office/hospitality building (to include a ±577 sq.ft. breezeway, covered porch 1,204 sq.ft. covered porch, and a 135 sq. ft. private terrace); and, a 2,673 sq.ft. covered crush pad, a 1,133 sq.ft. covered receiving area and a covered 4,473 sq.ft. outdoor pallet storage area (also the location of temporary mobile bottling truck).

**Production Capacity (Existing):** 8,000 gallons

**Production Capacity (Proposed):** 14,000 gallons

**Development Area (Existing):** ±7,050 sq.ft

**Development Area (Proposed):** ±20,982 sq.ft.

**Winery Coverage (Existing):** ±22,710 sq.ft, .52 acres or 7% (Maximum 25% or 15 acres).

**Winery Coverage (Proposed):** ± 51,511 sq.ft., 1.18 acres or 14.9% (Maximum 25% or 15 acres).

**Accessory/Production Ratio (Proposed):** Not applicable, no accessory uses.

**Accessory/Production Ratio (Proposed):** ± 1,773 sq.ft. accessory/±14,625 sq.ft. production: 12% (Maximum 40% allowed); the outdoor 135 sq.ft. private terrace is not included in coverage calculation; 13% coverage, if included.

**Number of Employees (Existing):** One (1) employee

**Number of Employees (Proposed):** Four (4) employees: 3 full time-1 part time

**Visitation (Existing):** Retail Sales only

**Visitation (Proposed):** 10/weekdays; 15/weekends, maximum 80/week

**Marketing Program (Existing):** None

**Marketing Program (Proposed):** A total of 14 marketing events/year: One (1)/month for a maximum 25 persons; Two (2) per year for maximum 30 persons. All food will be catered, all event activities will occur within the office/hospitality building, and all will be scheduled between 11:00AM -4:00 PM or 2:00PM -10:00 PM.

**Days and Hours of Operation (Existing):** 8:00 am – 8:00 pm

**Days and Hours of Operation (Proposed):** 7 days per week; 6:00 am to 6:00 pm (production); 10:00 am to 6:00 pm (hospitality)

**Parking (Existing):** Two (2) off-street parking spaces

**Parking (Proposed):** Total 14: eleven (11) visitor and three (3) employee spaces

**Setbacks (Required):** 600' front; 20' side; 20' rear

**Setbacks (Proposed):** ±630' front, ± 170 side, ±250', 20' rear

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

North: Agricultural Resource (AR) General Plan Designation, Agricultural Preserve (AP) Zoning – agriculture (vineyards), residential, Black Stallion Winery

South: Agricultural Resource (AR) General Plan Designation, Agricultural Preserve (AP) Zoning – vineyards and residential

East: Agricultural Resource (AR) General Plan Designation, Agricultural Preserve (AP) Zoning- agriculture (vineyards) and residential

West: Agricultural Resource (AR) General Plan Designation, Agricultural Preserve (AP) Zoning- agriculture (vineyards) and residential

**Wineries in the Vicinity (located within 1 mile of the project):**

Refer to Attachment L.

**Property History:**

Improvements on the ±7.96 acre parcel consists of a winery building, outdoor crush pad and tank farm pad, storage building, a single family residence, agricultural outbuilding, vineyards, and a paved driveway from Silverado Trail. The 8,000 gallon per year winery was established by Use Permit #U-708384, approved by the Planning Commission on September 19, 1984, to allow the conversion of the barn into the winery, no public tours and tasting, one (1) employee, and two (2) parking spaces. Wine production operations commenced prior to the approval of the use permit when the Board of Supervisors approved an Indemnification Agreement (Contract #2159) on July 24, 1984. The use permit conditions included three mitigation measures: 1) noisy equipment was to be placed away from neighbors and included a requirement for acoustical shielding around noisy equipment; 2) shields on outdoor lighting directing light downward; and 3) installation of plantings, preferably Napa Valley natives, around the parking areas and all storage areas of sufficient height and density to screen these areas from view of the adjoining residences. The project was not considered under the Small Winery Use Permit Exemption because the winery would be located less than 2,000 feet from another approved winery (Altamura, Use Permit #U-707879). Although the parcel is less than 10 acres in area, the current minimum lot size for a winery had not been adopted.

Minor Modification Use Permit #P07-00823 was approved on January 16, 2008, for the demolition of an existing 2,750 sq.ft. uncovered crush pad between the winery and the tasting room and the construction of a new 2,440 sq.ft. uncovered crush pad three (3) feet north of the winery building. The original crush pad area was replaced with a pervious surface. The existing six (6) 1,620 gallon and the six (6) 3,000 gallon wine storage tanks were relocated from the original crush pad to the new crush pad with native vegetation planted to provide adequate screening for the new crush pad as required by a previous Use Permit mitigation measures.

On November 20, 2014, the original owners of the property requested a determination (Permit determination Request #P14-00373), whether the wine tastings occurring at the winery were permitted. Based on research of all County records, it was determined that the conditions of the prior use permits did not authorize public tours and tasting.

### **Code Compliance History:**

There are no open or pending code violations for the subject site. The prior property owner had several building and operational code violations when that original winery development was in business. Those violations were ceased with the sale of the property to the new owner and building code violations were either removed or reconciled.

### **Discussion Points:**

Setting –The ±7.96 acre parcel is located on the Napa, California USGS Quad. Development on the property includes a single family residence, a winery building, a wine storage building, an outbuilding, a 5.93 acre vineyard, and is served by an existing paved ±725 foot driveway. A second residence (modular) located on the property was removed in 2015. The relatively flat (1-2% slopes) parcel is located at the ±76 ft. MSL elevation (±66' feet MSL at road), on the west side of Silverado Trail, ±190 feet north of its intersection with Petra Drive. The distance from the winery production building and closest residence is 200 feet to the southwest; the distance between the closest residence to the office/hospitality building is ±195 feet to the southeast.

Winery Proposal – Beau Vigne is an existing boutique winery founded in 2002, currently producing 4,000 cases. Their signature vineyard, Stag's Ride Vineyard and Ranch, is comprised of nine (9) acres of vines located in the Atlas Peak appellation at the top of Soda Canyon Road. Beau Vigne is presently making wines at a custom crush facility, but purchased the project property to provide a location where its wines could be produced under strict quality control and be proximate to its signature vineyard. All existing structures, winery building, storage building, residence and outbuilding are to be demolished and two new winery structures will be constructed: a 5,807 sq.ft. winery production building and a 1,773 sq.ft. administration office/hospitality building. The design of the proposed structures is similar in the style of other wineries in the area with a "Napa Field Stone" veneer façade to minimize the industrial form. The winery production building is ±30 feet in height with two 6.5 feet tall ventilation cupolas on the roof line; wooden braces; awnings over entrance bays; and window treatments. The design of the office/hospitality building (±22 feet in height) will utilize many wood materials: on the doorway lintels, fascia, roof brackets features and patio trellis. The structures are to be constructed primarily upon the original winery and residence foot print, but .6 acres of vineyard will be removed to construct the required improvements to the access driveway. The production level will increase from the existing 8,000 gal/yr. to 14 gal/yr. There are existing waste treatment facilities in place which will be upgraded. Water will be provided by a new well and an expansion to the existing septic system will be necessary. All improvements will occur within the existing winery development area; the expanded leachfield will be located within the existing vineyards.

Tours & Tasting/Marketing Events – The original winery was approved for only retail sales visitation. The project proposes a change in days of operating from six (6) days/week daily to seven (7) days, and is requesting tours and tasting visitation (a maximum 10 visitors/day on weekdays; 15 visitors/day on weekends). On-premise consumption of wines produced on-site will occur within the proposed hospitality building and the outdoor

courtyard area. A Marketing Program is proposed for one (1) event/month for 25 guests, and two (2) per year for 30 guests, where all food will be catered, all marketing event activities will occur within the office/hospitality building, and are to be scheduled between 11:00 AM -4:00 PM or 2:00 PM -10:00 PM. Please note that staff has attached a winery comparison chart to this report for informational purposes (Attachment L). Based upon the charts, the proposed project ranks at the average and near the median of "By Appointment Only" wineries of the same production for the daily visitation (10 weekdays/15 on weekends verses 10 average and 8 median), with the proposed total of 80 visitors per week well above average (2 at 30 guests/year and 1/month at 25 guests) and well above median (30 visitors). However, with 14 marketing events per year (14 guests), the proposed marketing program is above average on the total events per year (10 guests) and ranks above the median (7 guests), staff finds the size of the groups are small for most events. Based on the locational and operational criteria, this leads staff towards recommending approval of the proposed visitation due to its direct access to Silverado Trail and the proposal to hold all of the large marketing events with 25 -30 people indoors within the hospitality center. No variances are requested; there are no viewshed impacts; and an availability of estate grapes and close proximity grapes. Considering all of the enumerated reasons, staff finds the level of visitation acceptable.

Traffic & Parking – A "Focused Traffic Impact Study for the Beau Vigne Winery" was prepared by Sam Lam and Dalene Whitlock (W-Trans), dated September 28, 2015. The project was reviewed by the Department of Public Works. The property has frontage on Silverado Trail and access to the winery is from an existing driveway, which will require improvements at the intersection with the road. The traffic engineer has analyzed the details of the project and concludes that the proposed winery modification's increase in employees, addition of tours and tasting, and the addition of marketing events will increase the daily traffic trip: weekdays, an additional 13 trips for a total of 19 daily trips; weekends, an additional 10 daily trips for a total of 16 daily trips. The PM peak hour (4:00 pm – 6:00 pm) trips will be increased by the project from 2 to a total of 7 daily weekday PM peak trips and weekend PM daily peak hour trips will increase from 3 weekend to a total of 9 trips. The traffic study indicated and the project has been conditioned such that the proposed marketing events would be scheduled to begin and end outside of normal traffic peak periods on weekdays and weekends (11:00AM - 4:00 PM or 2:00PM -1 0:00 PM), and as a result, no significant event-related traffic impacts would be expected during the weekday PM peak period or Saturday midday peak period. The driveway is designed as a loop to provide vehicular circulation around to the receiving area in front of the production building.

Fourteen parking spaces have been requested to be constructed adjacent to the administration office/hospitality building. However, staff is concerned that the number of requested parking spaces is excessive and is not consistent with the proposed visitation level for the winery which is 10 visitors during the week and 15 visitors on the weekend. Therefore, staff is recommending a condition of approval to reduce the number of parking spaces to eight (8) spaces.

Noise - Although substantial amounts of noise may be generated during project construction after completion of the project, the ambient noise level at the replacement winery would not be significantly increased with the 6,000 gallons per year production increase, the additional visitors, and the 14 events per year. The subject property is located northwest of a small-lot (less than 1½ acres) subdivision of approximately 30 lots. The original use permit identified the winery as having potentially significant noise impact from stationary equipment, and a mitigation measure was incorporated into the project that any noisy stationary equipment such as refrigeration, and air conditioning pumps and compressors be located away from residentially developed areas offsite and/or provide acoustical shielding around such equipment. Since the proposed project does not reduce or eliminate that potential impact, the mitigation measure is still valid and remains in effect. The standard noise use permit condition also requires that any exterior winery equipment be enclosed or muffled and maintained so as not to create a noise disturbance. According to the preliminary building floor plans, there is no proposed placement of noisy equipment outside the westerly wall of the wine production building. The original winery utilized a mobile bottling truck, located in the driveway area between the winery building, tasting room and residences. The proposed project will relocate the bottling activities to the north side of the winery building in the covered "Pallet/Bin Storage" area. The bottling activities are proposed to occur 6 days per year, in spring and in June/July, during the

hours of 9:00 am–4:00 pm, Monday-Friday. This will result in a temporary increase in the ambient noise levels during the short term bottling activities. With the changes in the winery development area layout and removal of the second residence, there will be a change in the ambient noise levels. This layout change will place the temporary bottling activities further away from the residences to the south. Although the operations would only occur during the daylight hours, it may be possible for noise levels to exceed the 30 minute 50 dBA exterior daytime rural noise limit. With the location of the closest receptor residence  $\pm 240$  feet away from the covered area where the temporary bottling area will occur, potential noise impacts from the periodic bottling activities (mobile bottling line) may have a temporary significant impact on the ambient noise level at the closest receptor. Recent noise studies of mobile bottling activities identified noise measured 50 feet from the bottling activity itself to be 65 dBA. (“Environmental Noise Impact Report For: Bell Wine Cellars Use Permit Modification, RGD Acoustics, November 16, 2015). The noise study further states that such point source sound levels are reduced with distance in accordance with the “inverse square law”, which yields a six (6) dB sound reduction for each doubling of the distance from the source. The measurement of 65 dBA at 50 feet would measure approximately 12 decibels lower at a distance 240 feet away ( $\pm 51$  dba). Should the bottling activities exceed 30 minutes at the 65 dBA, then the daytime noise limit at an exterior residential use outlined in the County Code (50 dBA) would be exceeded. The orientation of the bottling truck bottling activity areas to the northern side of the work area will create an extra 35 feet between the work area and the sensitive receptor. This increase in distance would reduce the sound measurement to the maximum 50 dba, thereby reducing the potential noise impact to an insignificant level. A typical bottling truck is about 40-48 feet in length and the temporary bottling area has a depth of 60 feet. Therefore, there is adequate space to attain the 35’ distance. Other sound attenuation measures, such as requiring planting of tall shrubs or trees along the southwesterly side of the work area and limiting bottling hours to daytime hours (9:00 am – 4:00 pm), would further reduce the potential noise impact.

Cultural Resources - According to the Napa County Environmental Resource the project is located adjacent to an area delineated as sensitive for archaeological or paleontological resources. A Tribal representative requested to conduct a field survey of the property (conducted April 22, 2016) and requested a record search with Sonoma State Northwest Information Center (NWIC) affiliated with the California Historical Resources Information System (CHRIS) be performed to notify our agency of any known archaeological sites within the project site or near it. Pursuant to the request, a CHRIS records search was conducted and a review was made of the pertinent NWIC base maps that reference cultural resources records and reports, historic-period maps, and literature for Napa County. The report, dated May 5, 2016 by Mark Castro, stated that there are no recorded archeological resources on the project site. Further, the report indicates that there are no Native American resources in or immediately adjacent to the proposed project area referenced in the ethnographic literature. The report indicated that there is a moderate potential for unrecorded historic-period archaeological resources. As requested, the report was forwarded to the Tribal representatives on June 2, 2016, advising that the standard cultural resources condition of approval will be applied to this project. The Tribal representative subsequently recommended that a Tribal monitor be present during land disturbance and excavation, and their recommendation has been included in the proposed conditions of approval.

Groundwater Availability – The project is not expected to violate any water quality standards or waste discharge requirement nor substantially deplete local groundwater supplies. The subject project is located in the Napa Valley Floor-Napa Subarea. A Water Availability Analysis-Phase One Study was prepared for the subject  $\pm 7.96$  acre parcel (APN: 039-390-016) by EBA Engineering (dated March 15, 2016), which states that the Allowable Water Allotment for the property is 7.96 acre-feet per year (af/yr). This allotment was determined by multiplying the acreage of the parcel by the one af/yr/acre fair share water use factor. The report indicates that the existing total water demand on the property is 2.87 af/yr, however, the calculations failed to include the one employee allowed by the original use permit. Therefore the total existing demand would be 2.88 af/yr, or specifically: winery processing=.17 af/yr; one employee=.17 af/yr; residence=.62 af/yr; and  $\pm 5.93$  acres vineyard= 2.08 af/yr. The report states that the proposed total groundwater demand by the project on the property will be 2.34 af/yr, specifically: winery processing=.30af/yr; employees=.06 af/yr; tasting visitors=.04 af/yr; event visitors=.01 af/yr; domestic landscaping irrigation=.07af/yr;  $\pm 5.3$  acres vineyard=1.86af/yr. Therefore, a .53 af/yr water demand reduction will result. The project proposes a 6,000

gallon per year production increase, new visitation, and marketing activities which will result in an increase in water demand, but, the project also proposes the removal of ±.06 acres of vineyard with the construction of the new access driveway, and the removal of the residence, with no replacement proposed, thereby reducing the water demand. Although a residence is a permitted use, the construction of a new residence on the property would be speculative and is not considered as a part of this project. Typically, a residence would utilize .75 af/yr which would still be below the Allowable Water Allotment.

Grape Sourcing – The property has ±5.93 acres. Beau Vigne is an existing boutique winery founded in 2002, currently producing 4,000 cases. Their signature vineyards, Stag's Ride Vineyard and Ranch is comprised of nine (9) acres of vines located in the Atlas Peak appellation at the top of Soda Canyon Road. The application indicates that Beau Vigne is principally a Cabernet Sauvignon producer and sources fruits from notable Napa County vineyards (Bacigalupi, Dutton Ranch, and Lewelling).

Greenhouse Gases/Climate Action Plan - 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 part of the application materials. The applicant proposes to: install photovoltaic/solar system; exceed Title 24 energy efficiency standards; build to CALGREEN TIER 2 standards; energy conserving lighting; energy star cool roof; bicycle racks; immediate access to existing class II bike trail; use water efficient fixtures; low impact development; storm water discharge controlled and routed to the existing vineyards; water efficient landscaping; recycling and use of composting; shade trees southerly building site; an electrical charging station; employ roof overhangs and tree plantings for passive heating and cooling; minimal grading; remove only ornamental, non-native trees; one prominent old cedar tree will be retained; use recycled materials; education regarding sustainable practices; using 70% to 80% cover crop; retain biomass removed via pruning and thinning by chipping and reuse rather than burning; and are currently practicing the BMP's at their vineyards on Soda Canyon.

Public Comments – Five letters were received (Attachment E) were submitted in response to the courtesy contact letters sent during preliminary review of the project in October, 2015. In addition, one telephone call was received. One property owner was in support of the proposed improvements to the property. Other comments were made regarding water impacts. There has been some concern regarding groundwater in this area, and, as discussed in the Hydrology Section of the Initial Study and in the Groundwater section above. On July 19, 2016, the Board approved and authorized an amendment to the LSCE scope of work to include a special study of groundwater conditions in the northeast Napa Groundwater Subarea, where the project and the neighboring properties lie, to better understand groundwater conditions and to determine if this area is in fact an extension of the MST and whether controls similar to those implemented in the MST are warranted. Based upon the Water Availability Analysis for this project, the project would result in a net reduction of groundwater use. Other comments were made regarding the number of wineries in the County, traffic congestion and noise, which have been discussed above. No other comments have been received.

### **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 reduced visitation/marketing alternative and no project alternative.

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

Disposition - This option would result in approval of the proposed 14,000 gallon per year winery and associated visitation and marketing program.



Action Required - Follow 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 with the implementation of the mitigation measures. Sufficient grapes and water supplies are available to serve the proposed project and there is no history of code compliance issues at the project site. The requested number of guests per year for the visitation are well above the median and average amount compared to wineries of similar production levels. The requested number of marketing events per year are slightly higher than the median and average amount compared to wineries of similar production, but the proposed events have small numbers of guests, 12 events for 25 people and 2 events for 30 people per year, and the events will occur solely within the hospitality center. Staff is recommending in favor of approval for the following reasons: 1) the proposal includes substantial greenhouse gas offset features; 2) potential traffic impacts have been fully addressed; 3) the project is located in relatively close proximity to their main grape source; 4) there are no viewshed issues; 5) the project will be subject to the County's expanded housing impact fees; 6) there is direct access from Silverado Trail; 7) the proposal to hold all of the large marketing events indoors; and, 8) the project requires no variances. Considering all of the enumerated reasons, staff finds that the project meets all County Code requirements and complies with General Plan Policies. Staff supports this option based on the reasons discussed above.

#### Option 2 - Reduced Visitation/Marketing Alternative

Disposition - This option could result in a potential decrease in the proposed 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 reduce the permitted visitation and marketing events. If major revisions to 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 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. Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence supporting denial of the project.

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 . Mitigated Negative Declaration
- E . Public Comments

- F . Use Permit Application Packet
- G . Water Availability Analysis
- H . Wastewater Feasibility Study
- I . Traffic Study
- J . Historic Study
- K . Graphics
- L . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: John McDowell