



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 11/4/2020

Agenda Placement: 7B

## Napa County Planning Commission Board Agenda Letter

---

**TO:** Napa County Planning Commission

**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Sean Trippi, Principal Planner - 299-1353

**SUBJECT:** Cakebread Cellars, Use Permit Major Modification (P19-00074)

---

### **RECOMMENDATION**

#### **CAKEBREAD HOME RANCH LLP (BRUCE & DENNIS CAKEBREAD) / CAKEBREAD CELLARS / USE PERMT MAJOR MODIFICATION NO. P19-00074-MOD**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the Negative Declaration, the proposed project would not have any potentially significant impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of A Major Modification to an existing 500,000 gallon per year winery to modify previous project approvals to allow the following: a) increase production to 800,000 gallons per year; b) rename the existing marketing events and modify the frequency, no new events, additional days or additional guests are proposed; c) two water storage tanks with a storage capacity of approximately 1,006,200 gallons each for fire suppression. The tanks would be located adjacent to the north side of the fire protection and irrigation pond or adjacent to the west side of the Oakville winery building; d) four water storage tanks with a storage capacity of approximately 10,000 gallons each for domestic use. The tanks would be located next to the existing tanks west of the Oakville winery building and next to the east side of the Rutherford winery building for future installation as needed; e) increase employees from 77 full and part time employees to 120 full and part time employees; f) wastewater pretreatment system; and, g) minor driveway improvements. The request includes an exception to the Napa County Road & Street Standards from the commercial driveway width standard (20.0 foot wide driveway) in four separate locations throughout the existing driveway network, at an existing bridge, an existing gate, and two other portions of the existing access roads. The project is located on a 36.76 acre property on the east side of State Route 29, approximately 900 feet south of Bella Oaks Lane within the Agricultural Preserve (AP) zoning district and general plan designated Agricultural Resource (AR). 8300 St. Helena Highway, Rutherford. APN: 031-010-014.

**Staff Recommendation:** Adopt the negative declaration and approve the use permit modification with the proposed conditions of approval.

**Staff Contact:** Sean Trippi, (707) 299-1353 or [sean.trippi@countyofnapa.org](mailto:sean.trippi@countyofnapa.org)

**Applicant Contact:** Joshua Devore, DP&F (707) 252-7122 or [jdevore@dpf-law.com](mailto:jdevore@dpf-law.com)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Negative Declaration based on recommended Findings 1-7 in Attachment A;
2. Approve the requested Exception to the Road and Street Standards based on Findings 8-9 of Attachment A and subject to the conditions of approval Attachment B; and,
3. Approve Use Permit Major Modification No. P19-00074-MOD based on recommended Findings 10-14 in Attachment A, and subject to the recommended conditions of approval in Attachment B.

### **Discussion:**

A Use Permit for the winery was first approved in the mid 1970's with an annual production capacity of 25,000 gallons. Subsequent use permits and use permit modifications resulted in a current production capacity of 500,000 gallons per year, increased floor area, visitation and employees.

The proposal is to modify the winery to permit an increase in annual production capacity from 500,000 gallons up to 800,000 gallons, modify an existing marketing program, but not increasing the number of events or guests, increase the number of employees, increase water storage capacity, add a wastewater pretreatment system, and minor driveway improvements. Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. The request for an exception to the Road and Street Standards has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. All potential environmental impacts were found to be less than significant. Staff believes the required findings can be made in support of the requested use permit modification, and recommends approval subject to the 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 Negative Declaration. According to the Negative Declaration, the proposed project would not have any potentially significant impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

## **BACKGROUND AND DISCUSSION**

---

**Owner/Applicant:** Bruce & Dennis Cakebread, Cakebread Home Ranch LLP, PO Box 216, Rutherford, CA 94573

**Representative:** Joshua Devore, DP&F Attorneys at Law, 1455 First Street, Napa, CA 94559 (707) 252-7122

**Zoning:** Agricultural Preserve (AP)

**GP Designation:** Agricultural Resource (AR)

**Filed:** March 25, 2019; **Resubmittals/Additional Information Received:** September 19, 2019, April 16, 2020, and June 19, 2020; **Deemed Complete:** July 1, 2020

**Parcel Size:** 36.76 acres

**Existing Development:** The project site is located on the east side of State Route 29, approximately 900 feet south of Bella Oaks Lane, at 8300 St. Helena Highway, Access to the site is provided by a driveway connection from State Route 29, near the northwest corner of the site. The site is currently developed with approximately 20 acres of vines, winery buildings, parking areas and associated infrastructure.

**Winery Development Area - Approved:** 219,354 sq. ft. (5.04 acres)

**Winery Development Area - Proposed:** 227,497 sq. ft. (5.22 acres)

**Production Capacity Approved:** 500,000 gallons per year.

**Production Capacity Proposed:** 800,000 gallons per year.

**Winery Coverage Existing:** 349,904 sq. ft. or approximately 22.0%.

**Winery Coverage Proposed:** 358,047 sq. ft. or approximately 22.5% (Maximum 25% or approximately 15 acres permitted, whichever is less).

**Accessory/Production Ratio Existing:** 25,296 sq. ft. accessory/103,370 sq. ft. production - approximately 24.5.5%. (Maximum 40%)

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

**Number of Employees Existing:** 77 full-time and part-time employees.

**Number of Employees Proposed:** 121 full-time and part-time employees.

**Visitation - Approved:** 64,800 visitor carrying vehicles per year.

**Visitation - Proposed:** No change.

**Marketing Program - Approved:** Three (3) events per year with up to 832 guests at each event (320 vehicles), two (2) events per year with up to 520 guests at each event (200 vehicles), one (1) event year with up to 30 guests, and 14 events per month with up to 50 guests per event.

**Marketing Program - Proposed:** No change to number of events or guests.

**Days and Hours of Operation - Approved:** 6:00 AM to 6:00 PM Monday - Friday (production hours) and 10:00 AM to 4:00 PM (visitation hours) seven days a week.

**Days and Hours of Operation - Proposed:** No change.

**Parking - Approved:** 131 parking spaces.

**Parking - Proposed:** No change.

**Existing Setbacks:**

Road setbacks – Two of the existing buildings are within the 600-foot setback measured from the centerline of State Highway 29, and either predate the establishment of the 600-foot setback or were approved by variance. The other buildings on the site are outside the 600-foot setback.

Property line setbacks - All existing buildings meet the required 20-foot setback.

**Proposed Setbacks:** No new structures are proposed.

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

Surrounding land uses are primarily vineyards, wineries, and residences. Properties in the vicinity of the project site range in size between 0.50 to 147 acres. The nearest winery, Sequoia Grove Vineyards, is located on the adjoining property to the north. Adjoining a portion of the property to the south is Turnbull Wine Cellars.

**North:**

AR General Plan designation, AP zoning -

Adjoining the project site to the north is the Sequoia Grove winery and vineyards on a 24.26 acre property. Beyond that is a 39.78 acre site with the Foley Johnson winery, vines and a residence.

**South:**

AR General Plan designation, AP zoning -

South of the main winery building imbedded within the boundaries of the project site is a 1.77 acre property planted in vines owned by Cakebread. Adjoining the project site to the south are two properties, a 4.56 acre property under ownership by Cakebread (although in a separate LLC) with a home and vineyards, the other is Turnbull Wine Cellars and vineyard on a 26.14 acre property.

**East:**

AR General Plan designation, AP zoning -

East of the project site are two proprietries with a little over half an acre each, both with homes, a 7.50 acre property with vines and a home, and two properties owned by Cakebread with 9.72 acres and 15.38 acres. Both properties are planted in vines, the larger property also has a home.

**West:**

AR General Plan designation, AP zoning -

West of the project site, across the highway are two properties. One with a home, vineyards and the One Hope Winery on a 10.21 acre property, the other is a 147.1 acre property with vines and a home.

**Nearby Wineries: (located within one mile of the project)**

Please refer to Attachment J.

**Background/Project History:**

On August 4, 2010, the Planning Commission approved a use permit (file #P09-00025-UP) and adopted a negative declaration to establish a 30,000 gallon per year winery in a 9,947 sq. ft. winery building with a 2,413 sq. ft. covered outdoor crush pad. The approval included two full-time and two part-time employees, 13 parking spaces, tours and tastings by appointment with a maximum of 20 visitors per day and 120 visitors per week, and a marketing plan with 10 annual events with 30 guests and one annual event and for 100 guests.

On November 19, 1975, the Planning Commission approved use permit #U-337576 to establish a wine storage and aging facility within a 576 sq. ft. portion of an existing building with two parking spaces. The building (now the "pond building") was adjacent to an existing irrigation pond and was to be used primarily for case wine storage

and barrel storage of bulk wine having a total capacity not to exceed 3,000 gallons. No wine production was proposed or approved. No public tasting or tours were allowed.

On April 20, 1977, the Planning Commission approved a modification to use permit #U-337576 to add two 1,500 gallon fermentation tanks to the wine storage and aging facility.

On May 3, 1978, the Planning Commission approved use permit #U-477778 to utilize an existing structure (now the "Rutherford" winery building) for the production of wine in conjunction with the existing storage/aging facility with a total of three parking spaces. No public tasting or tours were allowed. The application submittal materials indicated an annual production capacity of 25,000 gallons, 3-5 existing employees (family) plus two proposed additional employees, eight existing parking spaces, and 1-2 visitors a day.

On June 4, 1980, the Planning Commission approved use permit #U-507980 to construct a 6,250 sq. ft. addition to the Rutherford winery building. No increase of wine production was requested. No public tasting or tours were allowed.

On November 7, 1990, the Planning Commission approved use permit #U-90-5 to increase production to 250,000 gallons per year, allow construction of a 14,500 sq. ft. addition to the Rutherford winery building, a wastewater pond, and to provide no more than 37 parking spaces. Wine production was to be averaged over any consecutive three year period, not to exceed 300,000 gallons in any given year. Any production over 25,000 gallons was subject to the requirement that 75% of the grapes being used were to be from Napa County. The approval also recognized existing marketing events including one event per year with 120 vehicles, one event per year with 15 guests, and four events per week with between four to 40 guests, and an average of 10 guests per event. The approval also included a condition of approval limiting the maximum number of visitor carrying vehicles entering the winery to 64,800 per year.

On December 5, 1990, the Planning Commission approved use permit #U-90-2 and variance #V-90-15 to allow use of 1,244 sq. ft. of an existing residence (now the "Winery House") for winery offices and marketing events located within the required 600-foot setback from State Route 29. The existing residence is located approximately 78-feet from State Route 29.

On December 17, 1993, the Zoning Administrator approved a modification (#93218) to use permit #90-5 to allow a 73 sq. ft. addition to the pond building, a 595 sq. ft. addition to the Rutherford building and a 400 sq. ft. recycling building (totaling approximately 1,069 sq. ft. of additional floor area), 10 parking spaces for seasonal employees, and expansion of an existing deck at the pond building. The approval also included interior remodeling of the two buildings.

On September 24, 1994, the Planning Commission approved use permit #93014 to expand the unbuilt phases of the Rutherford winery building from 14,500 sq. ft. to 31,350 sq. ft. There were no changes to production, the number of employees, visitors or marketing events.

On June 3, 1997, the Zoning Administrator approved use permit #96591 to convert approximately 600 sq. ft. of barrel aging area to tasting area within the Rutherford winery building. There were no changes to production, the number of employees, visitors or marketing events.

On August 20, 1998, the Planning Commission approved use permit #97439 to increase production from 250,000 to 500,000 gallons per year (75% of 475 gallons sourced from Napa County grapes), construct a 30,750 sq. ft. fermentation and aging building (now the "Oakville" winery building), renovate an existing 1,500 sq. ft. production building for additional wine storage, add 17 new employees, and add 29 new parking spaces (19 employee and 10 visitor) for a total of 22 visitor and 44 employee parking spaces. The approval also included an exception to the Conservation Regulations to allow the new winery building to encroach into the stream setback.

On June 9, 1999, the Zoning Administrator approved use permit #98437-MOD to construct a 2,331 sq. ft. addition to the Oakville winery building. There were no changes to production, the number of employees, visitors or marketing events.

On May 5, 2004, the Planning Commission approved use permit #03511-UP to expand and remodel the Rutherford winery building, add employees, expand the parking lot, and modify the marketing plan. The winery expansion and remodel was approved over four phases. The approval included building additions of 9,924 sq. ft. and 7,056 sq. ft. on the north and east sides of the winery, respectively, adding 25 employees, constructing a new parking area with 57 parking spaces for a total of 117 parking spaces on the north and west side of the building, and other site and infrastructure improvements. The marketing plan was modified to allow two events per year on consecutive days in February for 832 guests (320 vehicles) per day, one event per year for 520 guests (200 vehicles), one event per year for 30 guests, and 14 events per week for 50 guests per event.

On April 17, 2005, use permit modification #P05-0155-MOD was administratively approved to modify the phasing, add an additional 2,124 sq. ft. to the addition to the east side of the Rutherford winery building for a total building addition of 9,180 sq. ft., and delete a previous condition related to a Housing Element injunction that had been settled.

On June 27, 2013, the Director approved use permit very minor modification #P12-00421-VMM to redesign and increase the floor area of the previously approved 9,924 sq. ft. addition on the north side of the Rutherford winery building to approximately 17,000 sq. ft., redesign the new parking area, provide an area for limousine and larger vehicles to park, and allow on-premise consumption of wines produced on site in the tasting room and the existing and proposed outdoor patios in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5. There were no changes to production, the number of employees, visitors or marketing events.

On September 20, 2016, the Director approved use permit very minor modification #P16-00331-VMM to increase the floor area of the Rutherford winery building by 4,776 sq. ft., including reducing the area of an approved tasting room addition from 302 sq. ft. to 236 sq. ft.; expanding the first floor production area by 779 sq. ft.; converting an approved visitor center room to office space and increasing the size from 609 sq. ft. to 717 sq. ft.; an addition of 746 sq. ft. of second floor office space on the west side of the building; and, increasing the size of the approved second floor office space from 1,068 sq. ft. to 2,600 sq. ft. on the east side of the building. There were no changes to production, the number of employees, visitors or marketing events.

On March 8, 2017, the Director approved use permit very minor modification #P17-00029 to temporarily house office employees in two pre-manufactured trailers during construction of the winery improvements.

On September 23, 2019, Lot Line Adjustment #1951 was recorded incorporating the parking area north of the Rutherford winery building into the project site.

#### **Code Compliance History:**

There are no active code violations at the project site.

#### **Discussion Points:**

Setting - The 36.76 acre project site is located on the east side of State Route (SR) 29, approximately 900 feet south of Bella Oaks Lane. The project site is currently developed with four winery buildings, a storage building, two wastewater treatment ponds, a fire protection and irrigation pond, water storage tanks, parking areas/access ways, and approximately 20 acres of vines. The water source for the existing winery and vineyards are from two existing onsite and two existing off-site wells. Domestic and process wastewater are treated and dispersed on-site. Primary access to the site is provided by a driveway connection from State Route 29, near the northwest corner of

the site. Glos Lane, a private drive near the southwest corner of the site, provides access from SR 29 through the winery to residences and vineyard properties east of the site. The property is relatively flat ( $\pm 0-5\%$  slope) with elevations on the property ranging from approximately 140 feet above mean sea level (msl) to approximately 145 feet above msl. Bella Oaks creek runs east from the western hills, flows in a culvert beneath SR 29, and through the southern portion of the site separating the Oakville winery building from the majority of the property and then to the Napa River. The Napa River is approximately 750-feet to a  $\frac{1}{4}$  mile from east of the project site.

Marketing Program - The winery's current marketing plan, approved in 2004 (file #03511-UP), consists of 6 events per year ranging in size from 30 to 832 guests and an additional 14 events per week with up to 50 guests at each event. The current request would not increase the number of events or the number of guests. Rather the request would replace specific event names with "Large," "Medium," and "Small" and would slightly modify the frequency of the events. Following is the existing marketing plan with deletions struck through and new wording underlined:

• ~~Annual Open House~~ Two Large Events

Frequency: ~~Two consecutive days in February~~ per year

Number of persons: 832 (320 vehicles) per event

Time of day: 10:00 a.m. to 3:00 p.m.

The winery will close for retail sales and tours and tastings (other than for event attendees) during this event

• ~~Cabernet Release day, Grilling day and Rubaiyat Day~~ Three Medium Events

Frequency: ~~one day/year each event~~ Three per year

Number of persons: 520 (200 vehicles) per event

Time of day: 10:00 a.m. to 3:00 p.m.

If the number of persons attending the event exceeds 195, the winery will close for retail sales, tours and tastings (other than for event attendees) during this event

• ~~Annual American Harvest Workshops~~ One Small Event

Frequency: One per year

Number of persons: 30 persons

Time of day: 7:00 a.m. to 11:00 p.m.

• Private promotional events with or without food service

Frequency: 14 events per week

Number of persons: 50 persons

Time of day: 7:00 a.m. to 11:00 p.m.

The conditions that all activity, including cleanup, shall cease by 11:00 p.m. and the start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 p.m. and 5:30 p.m. will continue to be applied.

Road Exception Request – The existing internal access roads and on-site circulation configuration generally meets Napa County Road and Street Standards (NCRSS) except for four locations. The applicant has submitted a request prepared by Bartelt Engineering, dated September 11, 2019, seeking an exception to the NCRSS from the commercial driveway width standard (20.0 foot wide driveway) in four separate locations throughout the existing driveway network, at an existing bridge, an existing gate, and two other portions of the existing access roads.

The subject parcel falls entirely within the Local Fire Protection Responsibility Area (LRA) and is not designated as being in a Very High Fire Hazard Severity Zone (VHFHSZ). Unlike exceptions within the State Fire Protection Responsibility Area (SRA) or for property located within the VHFHSZ, exceptions for property located completely within the LRA may be permitted when they do not provide the same overall practical effect as the SRA Fire Safe Regulations. However the exception request must provide measures which provide safe access for emergency

apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property.

The Road Exception Request letter prepared by Bartelt Engineering, referenced above, and associated exhibits attached demonstrate how the exception request provides measures which provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property. Alternative ingress and egress routes are provided in areas where exceptions are being requested as well as clear line of sites and commercial roadway widths before and after each section an exception is being requested. It should be noted the Exception No.5 of the exception request letter discusses two special purpose roads ("Rutherford" and "Oakville") that will be signed and stripped as fire lanes and not accessible by the general public; these specific roads are considered Special Purpose Ways and will be stripped and/or signed as a fire lane and therefore do not require an exception to the RSS. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned.

Traffic - Napa County is currently in the process of establishing a threshold for minimum vehicle miles traveled (VMT) for various land uses. The "winery" project category does not fall neatly into traditional land use categories and is a hybrid land use combining VMT characteristics of agriculture and office uses. Until minimum VMT thresholds are established by the County for winery projects, a qualitative review of proposed project trips has been conducted by the project traffic consultant with guidance from the California Governor's Office of Planning and Research, Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018. The Advisory indicates that the VMT metric supports three statutory goals: "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and diversity of land uses." The Advisory goes on to state that "achieving 15 percent lower per employee (office) VMT than existing development is both generally achievable and is supported by evidence that connects this level of reduction to the State's emissions goals." With regard to the proposed Cakebread Cellars Winery Use Modification project, the Technical Advisory provides "screening thresholds" for small projects as follows:

*"Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact."*

Since the proposed project's primary trip generator is employment it would tend to mimic an office development; with employees arriving in the morning and leaving during the PM peak commute period. However, it is noted that new project trips associated with expanded wine production activities would typically occur during off-peak or non-peak hours. It is not unreasonable to suggest that specific proposed project TDM measures (discussed below) would help to reduce overall employee VMT towards the 15% threshold. However, it is also likely the proposed project would be exempt from VMT threshold reductions since it is only generating 96 net new daily trips as a result of increased employment and production uses.

Over the last five years, the winery has implemented a number of TDM measures to reduce overall employee trips to/from the Winery and to encourage commuter traffic goals, reduce the Winery's overall carbon footprint, and to bring awareness and behavioral changes to both employees and the surrounding community. Some of these measures include: an employee carpool incentive program; an employee pre-tax benefit program; an emergency ride home program; and participation in Solano-Napa commuter programs and Napa Forward program. Additional measures/activities are included in Section 7 of the traffic study. The applicant's implementation of a TDM program demonstrates the winery's efforts to reduce vehicle miles traveled. The Public Works Department has included a project condition of approval that memorializes winery's TDM program and requires submittal of the TDM program to the County for review. The Public Works conditions of approval also include a requirement to provide an annual report to the County regarding the effectiveness of the TDM measures.

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 36.76 acre-feet per year (af/yr), determined by multiplying the 36.76 acre Valley Floor site by a one AF/YR/acre fair share water use factor. (Note: the WAA was prepared prior to the recordation of the lot line adjustment when the site area was 36.49 acres. The lot line adjustment and slight increase in site area do not affect or change the conclusions of the WAA.) A Tier I Water Availability Analysis (WAA), dated September 2019 (revised), was prepared by Bartelt Engineering, Inc., to determine the estimated water use of the existing development, the proposed project and water availability. The WAA indicated that the projected overall water demand for the project site will be 22.3 AF/YR representing a 1.85 AF/YR decrease of the existing water demand of 24.15 AF/YR due to the use of recycled or treated process wastewater for vineyard irrigation.

Wastewater - According to the Wastewater Feasibility Report prepared by Bartelt Engineering, dated September 2019, the project site and existing systems have adequate disposal capacity to serve the proposed production increase and the increased number of employees. No expansion or upgrades to the system would be required. 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 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. Furthermore, the applicant proposes to incorporate the following additional GHG reduction methods: generation of on-site renewable energy, and VMT reduction plan. The winery has already implemented the following GHG reduction practices: habitat restoration/tree plantings, alternative fuel and electrical vehicles in fleet, energy conserving lighting, bicycle incentives, use of recycled water, use of water efficient fixtures, low-impact development, water efficient landscaping, waste recycling, composting, sustainable purchasing and shipping, and electrical vehicle charging stations. In addition, the winery has been Napa Green Certified since 2008.

Grape Sourcing - Initial wine production on the site was 25,000 gallons per year, approved prior to adoption of the WDO and is not subject to the 75% grape source requirement. All subsequent approved production increases, including the current request, are subject to and is not subject to the grape source requirement. The last production increase to its current level of 500,000 gallons per year was approved in 1998 (use permit application #97439. The 36.76 acre project site currently has approximately 20 acres of vineyards. The applicant also owns four additional properties adjoining the project site totaling approximately 31.4 acres predominantly planted in vines. According to the application submittal materials, the applicant has purchased 300 acres of vineyard in Napa Valley over the last 15 years. The applicant also expects in additional yields from replanting vineyards that are 25 to 30 years old.

Public Comments - At the time of staff report preparation, no public comments had 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 no project alternative and a reduced project alternative.

#### Option 1 - Applicant's Proposal

Disposition - This option would result in approval of the proposed modifications to the 500,000 gallon per year winery. Staff recommends this option as the request is consistent with the Zoning Ordinance and applicable General Plan policies. Potential environmental impacts were found to be less significant. Adequate water is

available to implement the project and the applicant proposes to incorporate additional GHG reduction methods beyond those reduction measures which have already been adopted at the site.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at the time motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant.

#### Option 2 - Reduced Project Alternative

Disposition - All potential environmental impacts have been found to be less than significant through a combination of project design and conditions of approval. However, this option provides the Planning Commission at their discretion, the ability to further reduce potential impacts by modifying the proposed scope of the project via a reduced production and employees.

Action Required - Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to require a reduction in the requested production and number of employees. 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 a Use Permit modification and Conservation Regulations Exception, 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 Conditions of Approval
- D . Initial Study/Negative Declaration
- E . Use Permit Major Modification Application Packet
- F . Water Availability Analysis & Financial Capacity Analysis
- G . Wastewater Feasibility Study
- H . Traffic Study
- I . Graphics
- J . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona