

Napa County



Agenda

Wednesday, September 7, 2022

9:00 AM

**Board of Supervisors Chambers
1195 Third Street, Third Floor**

Planning Commission

*Chair Megan Dameron, District 5
Commissioner Joelle Gallagher, District 1
Commissioner Dave Whitmer, District 2
Commissioner Anne Cottrell, District 3
Commissioner Andrew Mazotti, District 4*

*Director David Morrison
Commission Counsel Laura Anderson
Commission Secretary:
Alexandria Quackenbush*

HOW TO WATCH OR LISTEN TO THE NAPA COUNTY PLANNING COMMISSION MEETING:

The Napa County Planning Commission will continue to meet pursuant to the adopted calendar located at the following link:

<https://www.countyofnapa.org/DocumentCenter/View/23929/View-the-meeting-schedule-for-2022-Planning-Commission?bidId=>

PLEASE SEE INSTRUCTIONS BELOW FOR VIRTUAL/TELEPHONIC ATTENDANCE.

1. Watch on your TV - Napa Valley TV Channel 28.
2. Listen on your cell phone - via Zoom at 1-669-900-6833 Enter Meeting ID 991-4190-6645 once you have joined the meeting.
3. Watch via the Internet - view the Live Stream via Zoom by <https://www.zoom.us/join>, then enter Meeting ID 991-4190-6645.
4. Via Granicus by http://napa.granicus.com/ViewPublisher.php?view_id=21

You may submit public comment on any item that appears on the agenda, or general public comment for any item or issue that does not appear on the agenda, as follows:

Via Email

Send your comment to the following email address: Planningcommissionclerk@countyofnapa.org. Please provide your name and indicate the agenda item upon which you are commenting. Emails received will not be read aloud but will still become part of the public record.

Online

1. Use the Zoom attendee link: <https://countyofnapa.zoom.us/j/99141906645>. Make sure the browser is up-to-date.
2. Enter an email address and following naming convention:
Item #, First Name Last Name
3. When the Chair calls for the item on which you wish to speak, click “raise hand.” Mute all other audio before speaking to avoid feedback.
4. When called, please limit your remarks to three minutes. After the comment, your microphone will be muted.

By Phone

1. Call the Zoom phone number and enter the webinar ID: 1-669-900-6833 Enter Meeting ID 991 4190 6645
2. When the Chair calls for the item on which you wish to speak, press *9 to raise a hand. **Please note that phone numbers in their entirety will be visible online while speakers are speaking.**
3. Please provide your name and the agenda item on which you are commenting. Calls will be heard in the order received.
4. Please limit your remarks to three minutes. After the comment has been given, your phone will be muted.

The above-identified measures exceed all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and Executive Order AB361. If you have any questions, contact us via telephone at (707) 253-4417 or email - Planningcommissionclerk@countyofnapa.org.

APPEALS PROCEDURE

If you do not agree with the Commission's decision or the conditions that may have been imposed by the Commission in approving an agenda item, you may appeal the Commission's action to the Napa County Board of Supervisors. Appeals may be limited to those issues raised at the public hearing relating to the agenda item or to written correspondence delivered to the Planning Commission at or prior to the public hearing. For additional information concerning the County's Ordinance requirements for filing an appeal or to obtain the required forms to file an appeal, please stop at the front counter in the County Executive Office/Clerk of the Board, 1195 Third Street, Suite 310 in Napa. If you have any questions concerning the appeals procedure, please call (707) 253-4580 and request assistance.

All materials relating to an agenda item for an open session of a regular meeting of the Planning Commission which are provided to a majority or all of the members of the Commission by Commissioners, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Planning Commission, 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Commission at the meeting will be available for public inspection at the public meeting if prepared by the members of the Commission or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

- 1. CALL TO ORDER; ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CITIZEN COMMENTS AND RECOMMENDATIONS**
- 4. APPROVAL OF MINUTES**

**The Clerk of the Commission request approval of Minutes for the meeting held on:
August 17, 2022 (All Commissioners present)**

- 5. AGENDA REVIEW**
- 6. DISCLOSURES**
- 7. PUBLIC HEARING ITEMS**

A. LEE HUDSON / HUDSON VINEYARD WINERY / USE PERMIT MAJOR MODIFICATION NO. P21-00281-MOD [22-1626](#)

CEQA Status: Consideration and possible adoption of a Categorical Exemption Class 1. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA). See Section 15301 [Class 1 Minor Alterations to Existing Facilities] which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15301. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit Major Modification to an existing 80,000 gallon per year winery to allow the following:

Changes to the marketing plan with no physical or additional operational changes proposed. The proposed changes to the approved marketing plan consists of a reorganization of the size and number of permitted marketing events while decreasing the overall number of permitted tours and tastings visitors; the proposed changes will result in six (6) fewer visitors per year, as compared to existing conditions. For both normal operations and marketing events, parking for all visitors will continue to be accommodated on-site through the use of paved parking lots and the unpaved vineyard avenues and farm access roads surrounding the winery facility.

The proposed project is located on 166.8 acres at 5398 Carneros/Sonoma Highway (Highway 12/121). Assessor's Parcel Number 047-070-023-000. Napa.

Staff Recommendation: Adopt the Categorical Exemption and approve the Use Permit Major Modification as conditioned.

Staff Contact: Dana Morrison, Planner III; phone number (707) 253-4437; email address: Dana.Morrison@countyofnapa.org

Applicant: Lee Hudson, phone number (707) 255-1455, email address Lee@HudsonRanch.com

Representative: George H. Monteverdi, Monteverdi Consulting; phone number (707) 761-2516, email address George@MonteverdiConsulting.com

ITEM CONTINUED FROM THE REGULAR PLANNING COMMISSION MEETING OF AUGUST 3, 2022.

Attachments: [Attachment A - Findings](#)
[Attachment B - Recommended COAs](#)
[Attachment C - Previous COAs](#)
[Attachment D - CEQA Cat. Ex. Memo](#)
[Attachment E - Application Submittal Materials](#)
[Attachment F - Water Use Table and Water Availability Analysis \(2015\)](#)
[Attachment G - Graphics](#)
[Attachment H - Winery Comparison Tables](#)
[Item 7A - Public Comment.pdf](#)
[Item 7A - Hudson Winery MOD - Voluntary Water Reduction.pdf](#)
[Item 7A - Hudson Supplemental Memo.pdf](#)

8. ADMINISTRATIVE ITEMS

- A. Director of Planning, Building, and Environmental Services will provide an update and presentation on the process for a comprehensive update to the Napa County General Plan.

22-1676

9. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE SEPTEMBER 21, 2022 REGULAR MEETING
- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

10. COMMISSIONER COMMENTS/COMMITTEE REPORTS

11. PROJECTS REQUIRING COMMISSION FOLLOW-UP REVIEW

Refer to "PBES Current Projects" Web Page <https://www.countyofnapa.org/591/Current-Projects>

12. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 8/30/2022 BY 11:30 A.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

ALEXANDRIA QUACKENBUSH (By e-signature)

Alexandria Quackenbush, Clerk of the Commission



Napa County

Board Agenda Letter

Planning Commission

Agenda Date: 9/7/2022

File ID #: 22-1626

TO: Napa County Planning Commission

FROM: Brian Bordona for David Morrison - Director Planning, Building and Environmental Services

REPORT BY: Dana Morrison, Planner III (707) 253-4437

SUBJECT: Hudson Vineyard Winery Use Permit Major Modification P21-00281 - Item Continued from 8.3.2022 Planning Commission Hearing

RECOMMENDATION

LEE HUDSON / HUDSON VINEYARD WINERY / USE PERMIT MAJOR MODIFICATION NO. P21-00281-MOD

CEQA Status: Consideration and possible adoption of a Categorical Exemption Class 1. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA). See Section 15301 [Class 1 Minor Alterations to Existing Facilities] which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15301. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit Major Modification to an existing 80,000 gallon per year winery to allow the following:

Changes to the marketing plan with no physical or additional operational changes proposed. The proposed changes to the approved marketing plan consists of a reorganization of the size and number of permitted marketing events while decreasing the overall number of permitted tours and tastings visitors; the proposed changes will result in six (6) fewer visitors per year, as compared to existing conditions. For both normal operations and marketing events, parking for all visitors will continue to be accommodated on-site through the use of paved parking lots and the unpaved vineyard avenues and farm access roads surrounding the winery facility.

The proposed project is located on 166.8 acres at 5398 Carneros/Sonoma Highway (Highway 12/121). Assessor's Parcel Number 047-070-023-000. Napa.

Staff Recommendation: Adopt the Categorical Exemption and approve the Use Permit Major Modification as

conditioned.

Staff Contact: Dana Morrison, Planner III; phone number (707) 253-4437; email address: Dana.Morrison@countyofnapa.org

Applicant: Lee Hudson, phone number (707) 255-1455, email address Lee@HudsonRanch.com

Representative: George H. Monteverdi, Monteverdi Consulting; phone number (707) 761-2516, email address George@MonteverdiConsulting.com

ITEM CONTINUED FROM THE REGULAR PLANNING COMMISSION MEETING OF AUGUST 3, 2022.

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

- Adopt the Categorical Exemption for the project based on Findings 1-3 of Attachment A; and,
- Approve a Major Modification to the Use Permit (#P21-00281), based on Findings 4-8 of Attachment A, and subject to the Conditions of Approval listed in Attachment B.

The winery operator is requesting modifications to the existing entitlements to allow changes to the marketing plan and daily visitation. There are no physical site changes requested or required with this Use Permit Major Modification. Existing sanitary wastewater treatment infrastructure is adequate for treatment of sanitary flows. Staff prepared a Categorical Exemption that evaluated the environmental impacts of the project and did not identify any potentially significant effects. Proposed changes are to the marketing plan, balanced by a reduction to the number of daily tour and tastings visitors. The proposed changes result in an overall decrease of six (6) visitors to the site annually. With no significant environmental effects anticipated, and with the project's consistency with adopted County policy and regulations, staff believes that the necessary findings for the project can be made and recommends approval of the Use Permit Major Modification request as proposed and subject to the recommended conditions of approval.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Categorical Exemption Class 1. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA). See Section 15301 [Class 1 Minor Alterations to Existing Facilities] which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15301. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Pursuant to Public Resources Code § 15125 the "baseline conditions" (or the environmental setting) that a

project's potential effects are compared against are the physical environmental conditions present when an application is submitted and the environmental analysis is commenced.

According to the Categorical Exemption (Attachment D), the proposed project would have no potentially significant environmental impacts and is Categorically Exempt per CEQA Guideline Section 15301 (Class 1, Existing Facilities). This project site is not on any of the lists of hazardous waste enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Lee Hudson, phone number (707) 255-1455, email address Lee@HudsonRanch.com

Applicant/Representative: George Monteverdi, Monteverdi Consulting; phone number (707) 761-2516, email address George@MonteverdiConsulting.com

Parcel Size: 166.8 acres

Zoning: Agriculture Watershed (AW)

General Plan Designation: Agricultural Resource (AR) and Agriculture Watershed and Open Space (AWOS)

Application Filed: October 18, 2021; Resubmittal (1): April 8, 2022; Resubmittal (2): July 5, 2022

Application Complete: July 18, 2022

Existing Development: To date, only Phase I of the winery development has been implemented. This consists of 5,050 sf hospitality/administration building; 7,064 sf fermentation and crush pad area; 10,130 sf cave (Type III); 480 sf of mechanical sheds; all paths and covered porches' wastewater treatment facilities; and, driveway improvements. Phase II (not yet implemented) would finalize the full build out of the originally approved 10,124 sf hospitality/administration building; 20,434 sf fermentation and crush pad area; 38,240 sf cave; and, 4,733 sf mechanical sheds. The parcel also contains approximately 100 acres of vineyards and an existing residence, which are outside the scope of this request.

Winery Characteristics:

Winery Size (Approved): 42,283 sf (0.98 acres).

Winery Size (Existing): 22,724 sf (0.52 acres).

Winery Size (Proposed): no change, same as approved and/or existing.

Accessory to Production Ratio (approved): 9,238 sf (14%).

Accessory to Production Ratio (proposed): no change, same as approved and/or existing.

Production Capacity (approved): 80,000 gpy.

Production capacity (existing): 35,000 gpy.

Production capacity (proposed): no change, same as approved and/or existing.

Winery Coverage (approved): 102,838 square feet (2.36 acres) = 1.42% (Maximum 25% allowed).

Winery coverage (proposed): no change, same as approved and/or existing.

Number of winery employees (approved): 16.

Number of winery employees (proposed): no change, same as approved.

Tours and Tastings Visitors (approved): 120 visitor per day (480 per week); 24,960 visitors annually.

Tour and Tastings Visitors (proposed): No change to daily and weekly visitor allowance, except that applicant proposes to reduce Tour and Tastings visitor numbers on days which have events, as follows:

- 108 tour and tastings visitors on days with small events
- 84 tour and tastings visitors on days with medium events
- Zero (0) tour and tastings visitors on days with large events
- 21,840 tour and tastings visitors annually
- o Total reduction of 3,120 tour and tasting visitors annually

Marketing Program (approved):

- Six (6) events per month with a maximum of 24 guests (1,728 small event guests annually)
- Seven (7) events per year with a maximum of 50 guests (350 medium event guests annually)
- Three (3) events per year with a maximum of 150 guests (450 large event guests annually)
- 2,528 event guests annually; 82 events total

Marketing Program (proposed):

- Six (6) events per month with a maximum of 36 guests (2,592 small event guests annually)

- 30 events per year with a maximum of 60 guests (1,800 medium event guests annually)
- Two (2) events per year with a maximum of 250 guests and five (5) events per year with a maximum of 150 guests (1,250 large event guests annually)
- 5,642 event guests annually; 109 events total
- o Total increase of 3,114 event guest annually

Overall Winery Guests (Tours and Tastings, and, Events): Project will result in total increase of 3,114 event guests annually and a reduction of 3,120 tour and tastings guests, resulting in an overall decrease of six (6) visitors to the winery per year.

Wine Production Day and Hours of Operation (approved, excluding harvest): Monday-Sunday 7 am - 4 pm.

Wine Production Day and Hours of Operation (proposed, excluding harvest): No change, same as approved.

Hospitality Days and Hours of Operation (approved): Monday-Sunday 10 am - 6:30 pm.

Hospitality Days and Hours of Operation (proposed): No change, same as approved.

Parking (approved): 29

Parking (proposed): No change, same as approved.

Setbacks:

Required Road setbacks: 600 feet from the centerline of State Highway 12/121

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

Setbacks (existing): 3,665 feet from State Highway 12/121; 460 feet and 1,080 feet from the side property lines, and 680 feet from the rear property line.

Setbacks (proposed): no change, same as approved.

Adjacent General Plan Designations, Zoning Districts and Land Uses:

The 166.8-acre property is currently developed with Phase I of the wine production facility, approximately 100 acres of vineyards and an existing residence. Like the subject site, surrounding properties are zoned Agricultural Watershed (AW) and have a General Plan land use designation of Agricultural Resource and Agriculture Watershed and Open Space. Land uses on surrounding properties are also primarily agricultural or open space and include some single-family residential and winery developments, as described below:

- North: the lands to the north of the subject parcel are open space, with no existing development.
- South: the land south of the parcel consists of additional winery and vineyard developments. State Highway 12 parallels the southern property line, with the Domaine Carneros Winery and vineyard development located across said Highway.
- East: a 163.5 acre parcel is located to the east of the subject property, this parcel contains a single family residence and one accessory structure while the remainder of the parcel is open space. Beyond that parcel are additional properties developed with vineyard.
- West: Mumm Winery borders the site to the west. This consists of multiple parcels developed with a winery and vineyards. Lands further west consist of open space.

Wineries within 1 Mile of Project Site:

For a listing of all wineries located within 1 mile of the project site, refer to Attachment H (Winery Comparison Analysis and Project Summary).

Property History:

On October 7, 2015, the Planning Commission adopted a Mitigated Negative Declaration (MND) and approved a use permit request (P14-00202 - UP) for Hudson Vineyards Winery to operate a wine production facility with visitation, marketing events, and Type III cave on a 166.8-acre property located at 5398 State Highway 12. That approval allowed construction of a new winery hospitality building totaling 6,913 sf, with a commercial kitchen, 3,215 sf winery office building with storage and laboratory space, 20,545 sf of fermentation space in two (2) structures, and 4,550 sf of covered crush pad, 32,240 of caves (Type III). Winery operations were limited to production of up to 80,000 gallons of wine per year, 16 employees, up to 120 tours and tastings visitors per day by appointment (weekly maximum of 480), and a wine marketing program consisting of up to 16 events per year with a range of 24-150 guests.

A very minor modification (P16-00068), approved March 24, 2016, permitted the winery to be constructed in a two phase development. Phase I consisted of the development of a 5,050 sf of hospitality/administration building, a 7,064 sf fermentation and crush pad area, a 10,130 sf cave, a 480 sf of mechanical sheds, along with all paths and covered porches, wastewater and driveway improvements. Phase II, not yet implemented, would consist of a full build out of the originally approved 10,125 sf hospitality/administration building, 20,545 sf fermentation and crush pad area, 38,240 sf cave, and 4,733 sf of mechanical sheds. The very minor modification did not result in changes to the production, hospitality, marketing, or number of employees.

Compliance History: There are no active code violations at this project site.

Discussion Points:

Setting - The 166.8-acre parcel is located the north side of Sonoma Highway (Highway 12/121), approximately 0.8 miles west of its intersection with Duhig Road. The property has a steep northern slope with slopes ranging from zero (0) to 30%. The parcel is developed with a residence, 100 acres of vineyard, farm operations center, irrigation reservoir, two wells, greenhouse, and several agricultural workshops, storage, and maintenance buildings. The property also currently includes livestock and orchard operations. The property produces both olive oil and products prepared from fruit trees on site. The winery includes olive oil tastings and sales. The surrounding land uses include vineyards, wineries (Artesa Winery, Domaine Carneros, Cuvaision Carneros, Michael Mondavi Family Winery), and residential development on large parcels, the nearest of which is approximately 2,700 feet southwest of the proposed winery. An unnamed blue line stream which flows into Huichica Creek runs along the western property line. The project does not involve any site development, as such, no construction activities are proposed near the creek.

Winery Proposal - The proposed project site is developed with Phase I of the approved Hudson Vineyards Winery, the proposed project is seeking to change the existing approved Marketing Plan and visitation for the winery. The proposed changes result in a reduction of six (6) visitors to the site per year. No construction activities are proposed as part of this project.

Visiting/Marketing Program - To balance the proposed increase in Marketing visitors the applicant proposes to decrease the number of tours and tastings visitors on days when marketing events occur. As such, the site would reduce the number of tour and tastings visitors to 108 on day with small marketing events, to 84 on days with medium marketing events, and to zero (0) on days with large events. This results in an overall reduction of 3,120 tour and tastings guests, for a total of 21,840 annual tour and tastings guests. As proposed, the marketing program would add to the existing marketing events and amend the maximum allowance for event guests. The current approved Marketing Plan permits six (6) events per month with a maximum of 24 guests (1,728 small event guests annually), seven (7) events per year with a maximum of 50 guests (230 medium event guests annually), three (3) events per year with a maximum of 150 guests (450 large event guest annually), total of 2,528 event guests annually. Proposed changes involve increasing the number of guests permitted at small event guests to 36 (resulting in 2,592 small event guests annually), increasing medium event frequency to 30 events per year and increase maximum guests to 60 guests (resulting in 1,800 medium event guests annually), and increasing large events to two (2) events per year with a maximum of 250 guests, and five (5) events per year with maximum 150 guests (resulting in 1,250 large event guest annually), for a total of 5,642 marketing event guests annually. An increase of 3,114 event guests annually. With the reduction of 3,120 tour and tasting visitors, the proposed project will result in an overall decrease of six (6) visitors to the site annually (3,120-3,114).

As shown in Attachment H, the proposed daily, weekly and annual visitation to the winery is higher than the average and median for by appointment listed wineries and lower for Pre-WDO listed wineries of comparable production of 225,000 gallons of wine per year. The number of annual winery events and marketing event guests is also above for all similarly sized wineries with entitled production in this range. However, as noted earlier, with the reduced tours and tastings visitors the winery is decreasing the overall annual visitor total by six (6).

Winery Building Addition - none proposed.

Groundwater Availability - Due to the project's location on a hillside, a Tier 1 and Tier 2 Water Analysis Study

was prepared by Ludhorff & Scalmanini Consulting Engineers as part of the original winery approval dated March 19, 2015. The applicant has also provided Water Use Estimate Calculations for existing and proposed permit conditions. The project is not expected to violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. The project site contains a Transient Non-Community Water System, which will continue to serve the existing winery, vineyard and on-site residence. The wells are 117 feet and 170 feet deep, and produce at 25 and 60 gpm. The projected water use for the project is 11.09 AF/YR; which is a very minor increase as compared to existing conditions (11.00 AF/YR). The slight increase is due the revised marketing plan which increases the number of medium and large events. However, the proposed water use is well under the permitted water use for the site, which approved under P14-00202 as 39.6 AF/YR for normal years and 27.72 AF/YR for dry years. The existing vineyards are currently watered from the existing freshwater pond on site (State of California Water Resources Board Permit # 18829) and will continue to be watered from that source; as such, the vineyards are not included in either the existing or proposed water use.

The 2015 WAA concluded that based on an average rainfall on the parcel was 29.54 inches or 410.5 AF/YR. This average rainfall was measured using precipitation data from 1998-2011, encompassing dry, normal, and wet years. Based on the soils on site the groundwater recharge was estimated to be 39.6 AF/YR in normal years and 27.72 AF/YR in dry years; this is also less than and consistent with new Countywide water use criteria of 0.3 AF/ac/YR which would limit water use for the site to 50.04 AF/YR (166.8 acres X 0.3 AF/ac/YR). The proposed water use of 11.09 AF/YR is well below the available groundwater of 39.6 AF/YR (and 27.72 AF/YR in dry years) available to the site, as such, no further analysis is needed. Additionally, there are no non-project wells within 500 feet. Based on these calculations, the project would remain below the established availability of groundwater use on the parcel, and the water system engineer's report indicated there is adequate water available to serve the project. Furthermore, the project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. The project is only proposing a very minor increase in water use on the site (+0.09 AF/YR) and, as such, no further review in regards to water is required.

Wastewater - The proposed project was reviewed by the Environmental Health Division, who did not raise concerns regarding the projects ability to accommodate wastewater from the altered marketing plan, provided the project implements the existing Conditions of Approval. According to the Wastewater Feasibility Study prepared by Applied Civil Engineering, Inc., dated May 30, 2014, the winery facility is serviced by one combined domestic and process waste septic system. The existing system is anticipated to have adequate capacity for disposal of the domestic wastewater, with an existing capacity of 1,425 gallons per day (gpd).

Transportation and parking - The applicant submitted a Trip Generation form that was reviewed by the Public Works Department. The form concluded, and Public Works concurred, that no Traffic Study was required for the project as proposed. The proposed project results in an additional 28 trips per day on weekdays (25 on weekends) which is below the 110 daily trip threshold; projects with under 110 daily trips are considered to have less-than-significant transportation impact.

There are 29 parking spaces for the winery. The parcel has room for additional parking spaces available in the vineyards along the side of the access road, for the overflow parking during the larger events. In addition, the crush area is used for parking. Visitation is by appointment only and the parking demand can be controlled by

the winery. Due to the large size of the property and existing paved areas near the winery, there is sufficient space for parking of vehicles even for the proposed larger marketing events.

Greenhouse Gas (GHG) 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 part of the application materials. The existing winery already incorporates the following GHG reductions methods: generation of on-site renewable energy, habitat restoration or new vegetation, local food production, and use of 70-80% cover crop. In addition the following GHG reduction methods are already being done and plan to be continued: solar hot water heating, energy conserving lighting, energy star roof/cool roof, water efficient fixtures, water efficient landscape, recycle 75% of all waste, connection to recycled water, compost 75% of food and garden material, planting of shade trees, and implement site design to optimize natural heating/cooling. Additionally, the project is under the 110 daily trip threshold, after which projects are considered to have significant impact to GHG emissions and require at 15% VMT reduction. However, the proposed project results in an additional 25-28 daily trips and is considered less-than-significant.

Grape Sourcing - The applicant has 100 acres of existing vineyards on site which yield approximately 35,000 gallons. Additionally, the owner operates other vineyards in the Valley and has access to all the necessary grapes required to fulfill the 75% requirement.

Noise - There are no off-site residences located within 500' of the existing winery, as such no noise study was required as part of this Modification.

Consistency with Standards

Zoning - The project is consistent with the AW (Agricultural Watershed) zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.20.030) are permitted in the AW District with an approved use permit. The project, as conditioned, complies with the Napa County Winery Definition Ordinance and all other requirements of the Zoning Code as applicable.

Public Comments - As of the writing of this staff report, no public 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 no project alternative and a continuance project alternative. A reduced visitation alternative is not included as the proposed request would result in an overall reduction of visitors to the winery.

Upon consideration of additional public comment and close of the public hearing, the Commission may take

one of the following actions:

Option 1: Approve Applicant's Proposal

Disposition - This option would result in approval of the proposed modifications to the 80,000 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 existing wastewater treatment system has adequate capacity.

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

Option 2: Deny the Requested Use Permit

Discussion - As a result of this action, the winery would continue to operate under its currently permitted allowances for wine production, tours and tastings, employment and winery size. No changes to existing conditions on or off of the property would occur with this option; however, as described in further detail above, significant impacts are not anticipated to occur from the Use Permit Major Modification as requested.

In the event the Commission determines that the project with conditions does not or cannot meet the required findings for granting of a Use Permit Major Modification, the Commissioners should clearly articulate 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 exception is not being approved.

Action Required - Commission would adopt a tentative motion to deny the project and remand the matter to staff for preparation of required findings to return to the Commission at a future hearing date.

Option 3: Continuance Option

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

Supporting Documents:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Previous COAs
- D. CEQA Memo of Categorical Exemption
- E. Application Submittal Materials
- F. Water Use Table and Water Availability Analysis (2015)

- G. Graphics
- H. Winery Comparison Analysis and Project Summary

“A”

Recommended Findings

P21-00281

**PLANNING COMMISSION HEARING – SEPTEMBER 7, 2022
RECOMMENDED FINDINGS**

**Hudson Vineyard Winery Major Modification
Major Modification of Existing Winery Use Permit
Application Number P21-00281-UP
5398 Carneros/Sonoma Highway, NAPA, California
APN: 047-070-023-000**

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Categorical Exemption pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The project is Categorically Exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301, Class 1, which exempts alterations to existing facilities.
2. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 and is not within the boundaries of any airport land use plan.
3. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Second Floor, Napa, California

USE PERMIT:

The Commission has reviewed the use permit request in accordance with the requirements of the Napa County Code §18.124.070 and makes the following findings:

4. The Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to property.

Analysis: The project is consistent with the AW (Agricultural Watershed) zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.16.030) are permitted in the AW District with an approved use permit. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (WDO) and all other requirements of the Zoning Code as applicable.

5. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the NCC (zoning regulations) have been met.

Analysis: The Use Permit Major Modification application has been appropriately filed and notice and public hearing requirements have been met. The hearing notice and intent to adopt a Categorical Exemption were posted and published in the Napa Valley Register

on July 22, 2022. Copies were forwarded to property owners within 1,000 feet of the subject parcel, as well as, other interested parties.

6. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Granting the Use Permit Major Modification for the project, as proposed and conditioned will not adversely affect the health, safety or welfare of the County. Various County divisions and departments have reviewed the project and commented regarding wastewater disposal, water demands, traffic impacts, site access, internal circulation and parking. Conditions are recommended, which will incorporate these comments into the project to ensure the protection of the public health, safety, and welfare. As conditioned, the divisions and the departments recommend approval.

7. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan and any applicable specific plan.

Analysis:

Compliance with the Zoning Ordinance

The project is consistent with the AW zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.16.030) are permitted in the AW District with an approved use permit. The proposed project includes a request for a change in the existing marketing plan, with no physical on-site or production related changes proposed, which will meet County standards and will comply with the development standards of the AW District. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (WDO) and all other requirements of the Zoning Code as applicable.

Consistency with the General Plan

As proposed and as conditioned, the requested Use Permit is consistent with the overall goals and objectives of the General Plan (2008). The General Plan land use designation for the subject winery parcel and a portion of the vineyard, winery process wastewater & irrigation pond, solar PV system and access parcel is Agricultural Resource. The remaining portion of the vineyard parcel is Agricultural, Watershed and Open Space.

General Plan Agricultural Preservation and Land Use Goal AG/LU-1 guides the County to “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” General Plan Goal AG/LU-3 states that the County should “support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.” Goal AG/LU-3 and Policy AG/LU-2 recognize wineries as agricultural uses.

The continued use of the property for fermenting and processing of grape juice into wine supports the economic viability of agriculture within the County, consistent with Goal AG/LU-3 and Policy AG/LU-4 (“The County will reserve agricultural lands for agricultural use including land used for grazing and watershed/open space...”). By allowing the

continued agricultural use, the requested Use Permit Major Modification supports the economic viability of both the vineyard use on the property, consistent with Economic Development Goal E-1 and Policy E-1.

The “Right to Farm” is recognized throughout the General Plan and is specifically called out in Policy AG/LU-15 and in the County Code. “Right to Farm” provisions ensure that agriculture remains the primary land use in Napa County and is not threatened by potentially competing uses or neighbor complaints. Napa County’s adopted General Plan reinforces the County’s long-standing commitment to agricultural preservation, urban centered growth, and resource conservation.

Applicable Napa County General Plan Goals and Policies:

Goal AG/LU-1: Preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.

Goal AG/LU-3: Support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.

Policy AG/LU-2: “Agriculture” is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses. Agriculture also includes farm management businesses and farm worker housing.

Policy AG/LU-4: The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.

Policy AG/LU-8: The County’s minimum agricultural parcel sizes shall ensure that agricultural areas can be maintained as economic units.

Policy AG/LU-15: The County affirms and shall protect the right of agricultural operators in designated agricultural areas to commence and continue their agricultural practices (a “right to farm”), even though established urban uses in the general area may foster complaints against those agricultural practices. The “right to farm” shall encompass the processing of agricultural products and other activities inherent in the definition of agriculture provided in Policy AG/LU-2.

Goal CON-10: Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations.

Goal CON-11: Prioritize the use of available groundwater for agricultural and rural residential uses rather than for urbanized areas and ensure that land use decisions recognize the long-term availability and value of water resources in Napa County.

Policy CON-53: The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances, adequate demonstration of availability

may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County Code “fair-share” provisions or applicable State law. In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.

Policy CON-55: The County shall consider existing water uses during the review of new water uses associated with discretionary projects, and where hydrogeologic studies have shown that the new water uses will cause significant adverse well interference or substantial reductions in groundwater discharge to surface waters that would alter critical flows to sustain riparian habitat and fisheries or exacerbate conditions of overdraft, the County shall curtail those new or expanded water uses.

Policy CON-77: All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with BAAQMD’s air quality improvement programs to reduce emissions. In addition to these policies, the County’s land use policies discourage scattered development which contributes to continued dependence on the private automobile as the only means of convenient transportation. The County’s land use policies also contribute to efforts to reduce air pollution.

Goal E-1: Maintain and enhance the economic viability of agriculture.

Policy E-1: The County’s economic development will focus on ensuring the continued viability of agriculture in Napa County.

8. The proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on an affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Sections 13.15.070 or 13.15.080 of the NCC.

Analysis: The project is consistent with General Plan Conservation Policies CON-53 and CON-55, which require that applicants, who are seeking discretionary land use approvals, prove that adequate water supplies are available to serve the proposed use without causing significant negative impacts to shared groundwater resources. The project is categorized as being located within the Napa Hills, the findings of the WAA completed as part of the original use permit approval demonstrates that the project would not substantially deplete local groundwater supplies and would not have a significant impact on groundwater resources; proposed water use is 11.09 AF/YR which is a minor increase from the existing 11.00 AF/YR. Calculated water recharge for the site was 39.6 AF/YR during normal rainfall year and 27.72 for drought years. The proposed changes to the Marketing Plan do not result in an increase in annual overall visitors to the site; changes result in an overall reduction of six (6) visitors to the site per year. Furthermore, as shown by the Water Use Estimate Calculations the change in water use

between the proposed and existing conditions is very minor and well under the 39.6 AF/YR normal conditions water recharge, as well as the water recharge of 27.72 AF/YR for drought years.

The proposed project would result in a very minor increase demand of ground water supplies but based on the Allowable Water Allotment and drought years water recharge the project is not anticipated to interfere with groundwater recharge or lower the local groundwater level. Because the projected water demand for the project is below the estimated groundwater availability acre-feet per year for the parcel, the requested Use Permit is consistent with General Plan Goals CON-10 and CON-11, as well as, the policies mentioned above that support reservation and sustainable use of groundwater for agricultural and related purposes. The project will not require a new water system or other improvements and will not have a negative impact on local groundwater

“B”

**Recommended Conditions of
Approval
and Exhibit A
P21-00281**

**PLANNING COMMISSION HEARING – SEPTEMBER 7, 2022
CONDITIONS OF APPROVAL**

**Hudson Winery
Use Permit Major Modification
Application Number P21-00281-MOD
5398 Carneros/Sonoma Highway, Napa, California
APN 047-070-023**

This Permit encompasses and shall be limited to the project commonly known as **Hudson Winery Use Permit Major Modification No P21-00281** located at **5398 Carneros/Sonoma Highway, Napa**. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and, therefore, have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

This Permit encompasses and shall be limited to:

1.1 Approval to modify an existing 80,000 gal/yr winery to allow the following:

- a. Revised visitation, tours and tastings, and marketing as set forth in Conditions of Approval (COAs) Nos. 4.2 and 4.3, below.
- b. No changes are proposed to the approved production, employees, hours of operation, infrastructure and parking.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 MONITORING COSTS

All Staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions of approval and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the permittee's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings shall be by appointment only and shall be limited to the following:

- a. Frequency: Daily
- b. Maximum number of persons per day: 120 per day
- c. Maximum number of persons per week: 480 per week
- d. Hours of visitation: 10:00 a.m. to 6:30 p.m.

- e. Reduced Tour and Tastings visitors on days which have marketing events, as follows:
- 108 tour and tastings visitors on days with small events
 - 84 tour and tastings visitors on days with medium events
 - 0 tour and tastings visitors on days with large events

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times identified as between 7:00 a.m. and 8:00 a.m.; 4:15 p.m. and 5:15 p.m. weekdays, and 3:15 p.m. and 4:15 p.m. on Saturdays.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

4.3 MARKETING

Marketing events are limited to the following:

- a. Type of Event: Small Marketing
 1. Frequency: 72 times per year
 2. Number of persons: 36 maximum
 3. Time of Day: 11:00 AM to 10:00 PM
- b. Type of Event: Medium Marketing
 1. Frequency: 30 times per year
 2. Number of persons: 60 maximum
 3. Time of Day: 11:00 AM to 10:00 PM
- c. Type of Event: Large Marketing A
 1. Frequency: Two (2) times per year
 2. Number of persons: 250 maximum
 3. Time of Day: 11:00 AM to 10:00 PM
- d. Type of Event: Large Marketing B
 1. Frequency: Five (5) times per year
 2. Number of persons: 150 maximum
 3. Time of Day: 11:00 AM to 10:00 PM
- e. Participation in Auction Napa Valley

“Marketing of wine” means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code Chapters 18.16 and 18.20. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings,

where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event’s non-wine-related content, and the intensity of the overall marketing plan (County Code).

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 pm. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery’s marketing plan because they are covered by ANV’s Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.4 ON-PREMISES CONSUMPTION **[RESERVED]**

4.5 RESIDENCE OR NON-WINERY STRUCTURES

Unless specifically authorized by this permit or a previously approved permit, the existing single-family residence or other non-winery structures shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

4.6 GRAPE SOURCE **[RESERVED]**

4.7 COMPLIANCE REVIEW **[RESERVED]**

4.8 RENTAL/LEASING **[RESERVED]**

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

4.11 TRAFFIC **[RESERVED]**

4.12 PARKING **[RESERVED]**

- 4.13 GATES/ENTRY STRUCTURES **[RESERVED]**
- 4.14 BUILDING DIVISION – USE OR OCCUPANCY CHANGES **[RESERVED]**
- 4.15 FIRE DEPARTMENT – TEMPORARY STRUCTURES
Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized marketing events allowed per COA No. 4.3 above.
- 4.16 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**
- 4.17 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS **[RESERVED]**
- 4.18 NO TEMPORARY SIGNS
Temporary off-site signage, such as “A-Frame” signs, is prohibited.
- 4.19 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - OPERATIONAL CONDITIONS **[RESERVED]**
- 4.20 OPERATIONAL MITIGATION MEASURES **[RESERVED]**
- 4.21 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT **[RESERVED]**
- 4.22 PREVIOUS CONDITIONS
The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

- 5.1 PAYMENT OF FEES
No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition environmental, building and/or other applicable permit applications:

- 6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS **[RESERVED]**
- 6.2 BUILDING DIVISION – GENERAL CONDITIONS **[RESERVED]**
- 6.3 LIGHTING – PLAN SUBMITTAL **[RESERVED]**
- 6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**
- 6.5 COLORS **[RESERVED]**
- 6.6 OUTDOOR STORAGE/SCREENING/UTILITIES **[RESERVED]**
- 6.7 MECHANICAL EQUIPMENT **[RESERVED]**
- 6.8 TRASH ENCLOSURES **[RESERVED]**
- 6.9 ADDRESSING **[RESERVED]**
- 6.10 HISTORIC RESOURCES **[RESERVED]**
- 6.11 DEMOLITION ACTIVITIES **[RESERVED]**
- 6.12 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**
- 6.13 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**
- 6.14 PARCEL CHANGE REQUIREMENTS **[RESERVED]**
- 6.15 FINAL MAPS **[RESERVED]**
- 6.16 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

- 7.1 SITE IMPROVEMENT **[RESERVED]**
- 7.2 ARCHEOLOGICAL FINDING **[RESERVED]**
- 7.3 CONSTRUCTION NOISE **[RESERVED]**
- 7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**
- 7.5 **(INSERT IF APPLICABLE)** OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

8.1 TEMPORARY OCCUPANCY [RESERVED]

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

9.1 FINAL OCCUPANCY [RESERVED]

9.2 SIGNS [RESERVED]

9.3 GATE/ENTRY STRUCTURES [RESERVED]

9.4 LANDSCAPING [RESERVED]

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS [RESERVED]

9.6 DEMOLITION ACTIVITIES [RESERVED]

9.7 GRADING SPOILS [RESERVED]

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY [RESERVED]

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY [RESERVED]

Exhibit A

HUDSON VINEYARDS WINERY USE PERMIT MODIFICATION APPLICATION NUMBER P21-00281-MOD 5398 CARNEROS/SONOMA HIGHWAY APN: 047-070-016

PREVIOUS CONDITIONS

- 4.21** The permittee shall comply with the following previous conditions of approval for the facility as consolidated in this document. To the extent there is a conflict between a previous condition of approval identified in this document and the Recommended Conditions of Approval, the more stringent shall control. (*Text shown in italics have been added by staff*).

A. USE PERMIT NO. P14-00202

COA No 1.0 SCOPE

This permit shall be limited to:

- 1.1 Production up to 80,000 gallons per year;
- 1.2 Construction of approximately 38,240 square feet Type III cave;
- 1.3 Tours and tastings by appointment only on a daily basis up to a maximum of 120 visitors per day and a weekly maximum of 480 visitors;
- ~~1.4 Marketing events up to six per month with a maximum of 24 guests;~~
- ~~1.5 Marketing events up to seven per year with a maximum of 50 guests;~~
- ~~1.6 Marketing events up to three per year with a maximum of 150 guests;~~
- 1.7 A maximum of 16 employees;
- 1.8 Construction of a new winery hospitality building totaling 6,913 square feet, with a commercial kitchen, 3,215 square foot winery office building with storage and laboratory space, 20,545 square feet of fermentation space in two structures, and 4,550 square feet of covered crush pad;
- 1.9 Request for on premise consumption of wines produced on site within the hospitality building and outdoor areas as shown on the submitted plans consistent with Business and Professions Code §§23356, 23390, and 23396.5;
- 1.10 Construction of a Transient Non-Community Water System (a water system to serve the winery, visitors, and employees);
- 1.11 Construction of a wastewater treatment system;
- 1.12 Construction of 29 parking spaces;

- 1.13 Construction of a twenty foot wide access driveway to the proposed winery buildings; and
- 1.14 Landscaping improvements including a picnic area near the hospitality building.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

****Alternative locations for cave spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services (the PBES Director), when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.**

Replaced by P21-00281-MOD Condition of Approval 1.0

- COA No. 2.1 On-Premises Consumption
In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the hospitality building and outdoor patio as specified in the application. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in Section 4.0 ***of the P21-000281-MOD Conditions of Approval. below.***
- COA No. 2.2 The installation, operation and maintenance of freshwater pond shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.
- COA No. 2.3 Mitigation Measures:
The permittee shall comply with all mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project, inclusive of the following:

- a. Prior to the issuance of a Certificate of Final Occupancy for any Winery component, the applicant/permittee shall submit a transportation demand program for review and approval by the Director of Planning, Building and Environmental Services. Upon approval of the transportation demand program, the applicant shall implement the following mitigation measures:
 1. Scheduling of employee work shifts to commence and conclude outside of peak periods between 7:00 a.m. and 8:00 a.m.; 4:15 p.m. and 5:15 p.m. weekdays, and 3:15 p.m. and 4:15 p.m. on Saturdays.
 2. Schedule marketing event set up, arrival and departure to occur outside of weekday and weekend peak traffic periods. Peak periods are between 7:00 a.m. and 8:00 a.m.; 4:15 p.m. and 5:15 p.m. weekdays, and 3:15 p.m. and 4:15 p.m. on Saturdays.

COA No. 3.0 **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- 3.1 Engineering Services Division as stated in their Memorandum dated August 30, 2015.
- 3.2 Environmental Health Division as stated in their Memorandum dated December 29, 2014.
- 3.3 Building Division as stated in their Memorandum dated June 20, 2014.
- 3.4 Fire Department as stated in their Inter-Office Memo dated June 26, 2014.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

COA No. 4.0 **VISITATION**

~~Consistent with County Code Sections 18.16.030 and 18.20.030, marketing and tours and tastings may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."~~

~~A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the date of the visits. This record of visitors shall be made~~

~~available to the Department of Planning, Building and Environmental Services (PBES Department) upon request.~~

~~TOURS AND TASTING~~

~~Tours and tastings shall be limited to the following:~~

- ~~a. Frequency: 7 days per week, Monday through Sunday (or otherwise specified)~~
- ~~b. Maximum number of persons per day: 120~~
- ~~c. Maximum number of persons per week: 480~~
- ~~d. Hours of operation: 10:00 AM to 6:30 PM~~

~~“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.~~

~~Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant (County Code Section 18.08.620 – Tours and Tastings).~~

~~Tours and Tastings shall be limited to those wines set forth in the County Code Section 18.20.030(I)(5)(c) – AW Zoning and 18.16.030(G)(5)(c) – AP Zoning.~~

~~MARKETING~~

~~Marketing events are limited to the following:~~

- ~~f. Type of Event: Marketing~~
 - ~~1. Frequency: 48 times per year~~
 - ~~2. Number of persons: 24 maximum~~
 - ~~3. Time of Day: 11:00 AM to 10:00 PM~~
- ~~g. Type of Event: Marketing~~
 - ~~1. Frequency: Seven times per year~~
 - ~~2. Number of persons: 50 maximum~~
 - ~~3. Time of Day: 11:00 AM to 10:00 PM~~
- ~~h. Type of Event: Marketing~~
 - ~~1. Frequency: Three times per year~~
 - ~~2. Number of persons: 150 maximum~~
 - ~~3. Time of Day: 11:00 AM to 10:00 PM~~
- ~~i. Participation in Auction Napa Valley~~

~~“Marketing of wine” means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code Chapters 18.16 and 18.20. Marketing of wine may include cultural and social events directly related to the education and development of customers~~

~~and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.~~

~~Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s use permit. Marketing plans in their totality must remain “clearly incidental, related and subordinate to the primary operation of the winery as a production facility” (County Code Sections 18.16.030(G)(5) and 18.20.030(I)(5)). To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of recovery of variable costs, and any business content unrelated to wine must be limited.~~

~~Careful consideration shall be given to the intent of the event, the proportion of the business event’s non-wine-related content, and the intensity of the overall marketing plan (County Code Section 18.08.370–Marketing of Wine).~~

~~All activity, including cleanup, shall cease by 10:00 PM. If any event is held which will exceed the available on-site parking, the applicant shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.~~

Replaced by P21-00281-MOD Condition of Approval 4.1, 4.2 and 4.3

COA No. 5.0 GRAPE SOURCE

At least 75% of the grapes used to make the winery’s wine shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agricultural Commissioner’s format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

COA No. 6.0 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (Use Permits and Modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC), United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event permittee loses the required ABC or TTB permits and licenses (or permit/license is revoked), permittee shall cease marketing events and

tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

Visitation log books, custom crush client records, and any additional documentation determined by staff to be necessary to evaluate compliance may be requested by the County for any code compliance or code enforcement process. The permittee (and their successors) shall be required to participate fully in the winery code compliance or enforcement process.

COA No. 7.0 RENTAL/LEASING

No winery facilities, or portions thereof including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons or entities producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

COA No. 8.0 SIGNS

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the PBES Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116. At least one sign placed and sized in a manner to inform the public must legibly post the words "Tours and Tastings by Prior Appointment Only".

COA No. 9.0 LIGHTING

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

COA No. 10.0 LANDSCAPING

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior

to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO), (County Code Chapter 18.118), as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Landscaping shall be completed prior to issuance of a Final Certificate of Occupancy, and shall be permanently maintained in accordance with the landscaping plan.

COA No. 11.0 OUTDOOR STORAGE/SCREENING/UTILITIES

All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and County Code Chapter 18.106) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

COA No. 12.0 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the PBES Department prior to painting the building. Highly reflective surfaces are prohibited.

COA No. 13.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

13.1 GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services

direction. All spoils piles shall be removed prior to issuance of a Final Certificate of Occupancy.

13.2 TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak hours identified as between 7:00 a.m. and 8:00 a.m.; 4:15 p.m. and 5:15 p.m. weekdays, and 3:15 p.m. and 4:15 p.m. on Saturdays travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

13.3 DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

13.4 AIR QUALITY

During all construction activities the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Best Management Practices, as provided in Table 8-1, May 2011 Updated CEQA Guidelines:

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13,

Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.

- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

13.5. STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board (SRWQCB).

13.6 PARKING

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

13.7 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

COA No. 14.0 **ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS**

Please contact Environmental Health with any questions regarding the following:

14.1 WELLS

The permittee shall (at the permittee's expense) provide well monitoring data monthly and the total annual groundwater pumped. Data requested shall include, but not necessarily be limited to, water extraction volumes and static well levels. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

- a. No new on-site or off-site water sources, including but not limited to wells, imported water, new ponds/reservoir(s) or other surface water impoundments, or use of an existing pond shall be permitted without additional environmental review and may be

subject to a modification to this use permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.

- b. All monitoring shall commence within six months of the issuance of the use permit, or immediately upon commencement of the winery use, whichever occurs first and shall be submitted annually thereafter.
- c. The monitoring required by these conditions shall verify that the water use assumptions and the actual water use are consistent with the usage and assumptions analyzed in the Water Availability Analysis prepared by Ludhorff & Scalmanini Consulting Engineers dated March 19, 2015, (the "WAA"). If the actual water usage is greater than what was assumed in the WAA, the report shall analyze whether the increased water usage is likely to have potential impacts and whether it results in the annual water allocation of 39.6 af/yr in normal years and 27.72 af/yr in dry years (dry years are defined as 70% or less of normal rainfall) for the project being exceeded. If the annual water allocation is exceeded, the report shall recommend ways in which water usage can be reduced so as not to exceed the allocation the following year. All recommendations shall be immediately implemented to the satisfaction of the PBES Director.
- d. If after two years of reporting the monitoring shows that the annual water allocation identified above continues to be exceeded, this use permit shall be scheduled for review by the Planning Commission and possible modification, revocation or suspension.
- e. Groundwater pumping shall not exceed 39.6 af/yr in normal years and 27.72 af/yr in dry years.

14.2 NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

COA No. 15.0 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the

area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

COA No. 16.0 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

COA No. 17.0 INDEMNIFICATION

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the PBES Department's standard form.

COA No. 18.0 AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.

COA No. 19.0 MONITORING COSTS

~~All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the owner. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.~~

~~The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with County Code Section 18.124.120.~~

Replaced by P21-00281-MOD Condition of Approval 3.0

COA No. 20.0 TEMPORARY AND FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow commencement of production activities prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

COA No. 21.0 STATUTORY AND CODE SECTION REFERENCES

~~All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.~~

Replaced by P21-00281-MOD Condition of Approval 2.0

COA No. 22.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS

~~No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full.~~

Replaced by P21-00281-MOD Condition of Approval 5.1

B. VERY MINOR MODIFICATION USE PERMIT NO. P16-00068

COA No. 1.0 SCOPE:

The permit shall be limited to:

- a. Construct the approved winery development in two phases;
- b. Phase I will consist of a 5,050 s.f. of hospitality/administration building, a 7,064 s.f. fermentation and crush pad area, a 10,130 s.f. cave, 480 s.f. of mechanical sheds, all paths and covered porches, wastewater and driveway improvements;
- c. Phase II will include full build out of the originally approved 10,125 s.f. hospitality/administration building, 20,545 s.f.

fermentation and crush pad area, 38,240 s.f. cave, and 4,733 mechanical sheds;

- d. There are no changes proposed or approved to production, hospitality, marketing, or number of employees. No additional improvements or modifications are authorized as part of this approval.

The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

COA No. 2.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

COA No. 3.0 ~~PREVIOUS CONDITIONS:~~

~~As applicable, the permittee shall comply with any previous conditions of approval for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.~~
Replaced by P21-00281-MOD Condition of Approval 4.22

COA No. 4.0 ~~MONITORING COSTS:~~

~~All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final occupancy. Violations of conditions of approval or mitigation~~

~~measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.~~

~~The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with §18.124.120 of the Napa County Code.~~

Replaced by P21-00281-MOD Condition of Approval 3.0

“C”

Previous Conditions of
Approval
P21-00281

**FINAL CONDITIONS OF APPROVAL
P14-00202-UP**

PLANNING COMMISSION – OCTOBER 7, 2015

**HUDSON VINEYARDS WINERY
5398 CARNERON HIGHWAY
(APN: 047-070-016)**

1.0 SCOPE

This permit shall be limited to:

- 1.1 Production up to 80,000 gallons per year;
- 1.2 Construction of approximately 38,240 square feet Type III cave;
- 1.3 Tours and tastings by appointment only on a daily basis up to a maximum of 120 visitors per day and a weekly maximum of 480 visitors;
- 1.4 Marketing events up to six per month with a maximum of 24 guests;
- 1.5 Marketing events up to seven per year with a maximum of 50 guests;
- 1.6 Marketing events up to three per year with a maximum of 150 guests;
- 1.7 A maximum of 16 employees;
- 1.8 Construction of a new winery hospitality building totaling 6,913 square feet, with a commercial kitchen, 3,215 square foot winery office building with storage and laboratory space, 20,545 square feet of fermentation space in two structures, and 4,550 square feet of covered crush pad;
- 1.9 Request for on premise consumption of wines produced on site within the hospitality building and outdoor areas as shown on the submitted plans consistent with Business and Professions Code §§23356, 23390, and 23396.5;
- 1.10 Construction of a Transient Non-Community Water System (a water system to serve the winery, visitors, and employees);
- 1.11 Construction of a wastewater treatment system;
- 1.12 Construction of 29 parking spaces;
- 1.13 Construction of a twenty foot wide access driveway to the proposed winery buildings; and
- 1.14 Landscaping improvements including a picnic area near the hospitality building.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

****Alternative locations for cave spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services (the PBES Director), when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.**

2.0 PROJECT SPECIFIC CONDITIONS

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document (beginning in Section 3.0 and following), the Project Specific Conditions shall supersede and control.

2.1 On-Premises Consumption

In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the hospitality building and outdoor patio as specified in the application. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in Section 4.0 below.

2.2 The installation, operation and maintenance of freshwater pond shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.

2.3 Mitigation Measures:

The permittee shall comply with all mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project, inclusive of the following:

a. Prior to the issuance of a Certificate of Final Occupancy for any Winery component, the applicant/permittee shall submit a transportation demand program for review and approval by the Director of Planning, Building and Environmental Services. Upon approval of the transportation demand program, the applicant shall implement the following mitigation measures:

1. Scheduling of employee work shifts to commence and conclude outside of peak periods between 7:00 a.m. and 8:00 a.m.; 4:15 p.m. and 5:15 p.m. weekdays, and 3:15 p.m. and 4:15 p.m. on Saturdays.
2. Schedule marketing event set up, arrival and departure to occur outside of weekday and weekend peak traffic periods. Peak periods are between 7:00 a.m. and 8:00 a.m.; 4:15 p.m. and 5:15 p.m. weekdays, and 3:15 p.m. and 4:15 p.m. on Saturdays.

Method of Monitoring: Annual report certifying employee schedules submitted by the applicant for the review and approval by the Director of PBES, and/or their designee.

Responsible Agency(ies): PBES

3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- 3.1 Engineering Services Division as stated in their Memorandum dated August 30, 2015.
- 3.2 Environmental Health Division as stated in their Memorandum dated December 29, 2014.
- 3.3 Building Division as stated in their Memorandum dated June 20, 2014.
- 3.4 Fire Department as stated in their Inter-Office Memo dated June 26, 2014.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

4.0 VISITATION

Consistent with County Code Sections 18.16.030 and 18.20.030, marketing and tours and tastings may occur at a winery only where such activities are accessory and “clearly incidental, related, and subordinate to the primary operation of the winery as a production facility.”

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the date of the visits. This record of visitors shall be made available to the Department of Planning, Building and Environmental Services (PBES Department) upon request.

4.1 TOURS AND TASTING

Tours and tastings shall be limited to the following:

- a. Frequency: 7 days per week, Monday through Sunday (or otherwise specified)
- b. Maximum number of persons per day: 120
- c. Maximum number of persons per week: 480
- d. Hours of operation: 10:00 AM to 6:30 PM

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.

Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is

incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant (County Code Section 18.08.620 - Tours and Tastings).

Tours and Tastings shall be limited to those wines set forth in the County Code Section 18.20.030(I)(5)(c) - AW Zoning and 18.16.030(G)(5)(c) - AP Zoning.

4.2 MARKETING

Marketing events are limited to the following:

- a. Type of Event: Marketing
 - 1. Frequency: 72 times per year
 - 2. Number of persons: 24 maximum
 - 3. Time of Day: 11:00 AM to 10:00 PM
- b. Type of Event: Marketing
 - 1. Frequency: Seven times per year
 - 2. Number of persons: 50 maximum
 - 3. Time of Day: 11:00 AM to 10:00 PM
- c. Type of Event: Marketing
 - 1. Frequency: Three times per year
 - 2. Number of persons: 150 maximum
 - 3. Time of Day: 11:00 AM to 10:00 PM
- d. Participation in Auction Napa Valley

“Marketing of wine” means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code Chapters 18.16 and 18.20. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s use permit. Marketing plans in their totality must remain “clearly incidental, related and subordinate to the primary operation of the winery as a production facility” (County Code Sections 18.16.030(G)(5) and 18.20.030(I)(5)). To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of recovery of variable costs, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan (County Code Section 18.08.370 - Marketing of Wine).

All activity, including cleanup, shall cease by 10:00 PM. If any event is held which will exceed the available on-site parking, the applicant shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

5.0 GRAPE SOURCE

At least 75% of the grapes used to make the winery's wine shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agricultural Commissioner's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

6.0 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (Use Permits and Modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC), United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event permittee loses the required ABC or TTB permits and licenses (or permit/license is revoked), permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

Visitation log books, custom crush client records, and any additional documentation determined by staff to be necessary to evaluate compliance may be requested by the County for any code compliance or code enforcement process. The permittee (and their successors) shall be required to participate fully in the winery code compliance or enforcement process.

7.0 RENTAL/LEASING

No winery facilities, or portions thereof including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons or entities producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

8.0 SIGNS

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the PBES Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116. At least one sign placed and sized in a manner to inform the public must legibly post the words "Tours and Tastings by Prior Appointment Only".

9.0 LIGHTING

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

10.0 LANDSCAPING

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO), (County Code Chapter 18.118), as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Landscaping shall be completed prior to issuance of a Final Certificate of Occupancy, and shall be permanently maintained in accordance with the landscaping plan.

11.0 OUTDOOR STORAGE/SCREENING/UTILITIES

All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and County Code Chapter 18.106) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

12.0 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the PBES Department prior to painting the building. Highly reflective surfaces are prohibited.

13.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

13.1 GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to issuance of a Final Certificate of Occupancy.

13.2 TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak hours identified as between 7:00 a.m. and 8:00 a.m.; 4:15 p.m. and 5:15 p.m. weekdays, and 3:15 p.m. and 4:15 p.m. on Saturdays travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

13.3 DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

13.4 AIR QUALITY

During all construction activities the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Best Management Practices, as provided in Table 8-1, May 2011 Updated CEQA Guidelines:

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.

- f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

13.5. STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board (SRWQCB).

13.6. PARKING

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

13.7. GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

14.0 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact Environmental Health with any questions regarding the following:

14.1. WELLS

The permittee shall (at the permittee's expense) provide well monitoring data monthly and the total annual groundwater pumped. Data requested shall include, but not necessarily be limited to, water extraction volumes and static well levels. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

- a. No new on-site or off-site water sources proposed to be used for the winery, including but not limited to wells, imported water, new ponds/reservoir(s) or other surface water impoundments, or use of an existing pond shall be permitted without additional environmental review (if applicable) and may be subject to a modification to this use permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.
- b. All monitoring shall commence within six months of the issuance of the use permit, or immediately upon commencement of the winery use, whichever occurs first and shall be submitted annually thereafter.
- c. The monitoring required by these conditions shall verify that the water use assumptions and the actual water use are consistent with the usage and assumptions analyzed in the Water Availability Analysis prepared by Ludhorff & Scalmanini Consulting Engineers dated March 19, 2015, (the "WAA"). If the actual water usage is greater than what was assumed in the WAA, the report shall analyze whether the increased water usage is likely to have potential impacts and whether it results in the annual water allocation of 39.6 af/yr in normal years and 27.72 af/yr in dry years (dry years are defined as 70% or less of normal rainfall) for the project being exceeded. If the annual water allocation is exceeded, the report shall recommend ways in which water usage can be reduced so as not to exceed the allocation the following year. All recommendations shall be immediately implemented to the satisfaction of the PBES Director.
- d. If after two years of reporting the monitoring shows that the annual water allocation identified above continues to be exceeded, this use permit shall be scheduled for review by the Planning Commission and possible modification, revocation or suspension.
- e. Groundwater pumping shall not exceed 39.6 af/yr in normal years and 27.72 af/yr in dry years.

14.2 NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

15.0 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The

permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

16.0 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

17.0 INDEMNIFICATION

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the PBES Department's standard form.

18.0 AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.

19.0 MONITORING COSTS

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the owner. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with County Code Section 18.124.120.

20.0 TEMPORARY AND FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow commencement of production activities prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

21.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

22.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full.

23.0 PREVIOUS CONDITIONS [RESERVED]

FINAL CONDITIONS OF APPROVAL P16-00068-UP

ZONING ADMINISTRATOR – MARCH 24, 2016

**HUDSON VINEYARDS WINERY
5398 CARNERON HIGHWAY
(APN: 047-070-016)**

1. SCOPE:

The permit shall be limited to:

- a. Construct the approved winery development in two phases;
- b. Phase I will consist of a 5,050 s.f. of hospitality/administration building, a 7,064 s.f. fermentation and crush pad area, a 10,130 s.f. cave, 480 s.f. of mechanical sheds, all paths and covered porches, wastewater and driveway improvements;
- c. Phase II will include full build out of the originally approved 10,125 s.f. hospitality/administration building, 20,545 s.f. fermentation and crush pad area, 38,240 s.f. cave, and 4,733 mechanical sheds;
- d. There are no changes proposed or approved to production, hospitality, marketing, or number of employees. No additional improvements or modifications are authorized as part of this approval.

The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of

the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

2. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

3. PREVIOUS CONDITIONS:

As applicable, the permittee shall comply with any previous conditions of approval for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.

4. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with §18.124.120 of the Napa County Code.

“D”

Categorical Exemption (Cat
Ex) CEQA Memo
P21-00281



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David Morrison
Director

MEMORANDUM

To:	Planning Commission	From:	Dana Morrison, Planner III
Date:	July 7, 2022	Re:	#P21-00281-MOD / Use Permit Major Modification CEQA Exemption Determination 5398 Carneros/Sonoma Highway (Highway 12/121) APN: 047-070-023-000

Background

Pursuant to Section 303 of Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA), the Planning Division has prepared this environmental evaluation for the proposed Hudson Winery Major Modification Application (File No. P21-00281).

The Napa County Planning Division has received a request for a Major Modification #P21-00281 to modify the existing Use Permit (#P16-00068 and subsequent modifications) for Hudson Winery to allow the following changes to visitation (tours and tastings and marketing events) – see Project Description, under Application Materials, to view a tabulated version of the proposed changes:

A. EXISTING ENTITLEMENTS:

- 1) Visitors: 120 by-appointment visitors per day (480 per week)
 - i. [24,960 tour and tastings visitors annually];
- 2) Marketing Events:
 - i. Six (6) events per month with 24 guests (1,728 small event guests annually),
 - ii. Seven (7) events per year with 50 guests (230 medium event guests annually),
 - iii. Three (3) events per year with 150 guests (450 large event guest annually)
 - iv. 2,528 event guests annually;
- 3) Overall visitors annually [Tours and Tastings + Event visitors] = 27,488 overall visitors

B. PROJECT REQUEST:

- 1) Visitors: No change to daily and weekly visitor allowance, except that applicant proposes to reduce Tour and Tasting visitor numbers on days which have events scheduled, as follows:
 - i. 108 tour and tastings visitors on days with small events
 - ii. 84 tour and tastings visitors on days with medium events
 - iii. Zero (0) tour and tastings visitors on days with large events
 - iv. Total reduction of 3,120 tours and tastings visitors annually;

1. [21,840 tours and tastings visitors annually]
- 2) Marketing Events:
 - i. Six (6) events per month with 36 guests (2,592 small event guests annually),
 - ii. 30 events per year with 60 guests (1,800 medium event guests annually),
 - iii. Two (2) events per year with 250 guests and five (5) events per year with a maximum of 150 guests (1,250 large event guests annually)
 - iv. 5,642 event guests annually;
- 3) Project will result in a total increase of 3,114 event guests annually and a reduction of 3,120 tour and tastings guests, resulting in an overall decrease of six (6) visitors to the winery per year.
- 4) Overall visitors annually[Tour and Tastings + Event visitors] = 27,482 overall visitors

No changes are proposed to wine production, employees, hours of operation, or existing infrastructure.

Existing Setting

The project is located on a 166.8-acre parcel on the north side of Carneros/Sonoma Highway (HWY 12/121) approximately 0.8 miles from the intersection of Duhig Road and Carneros/Sonoma Highway (HWY 12/121) within the AP (Agricultural Preserve) Zoning District; APN: 047-070-016. The General Plan land use designations for the property are Agriculture Watershed and Open Space (AWOS) and Agricultural Reserve (AR).

The property has a steep northern slope with slopes ranging from zero (0) to 30%. The parcel contains with a residence, 100 acres of vineyard, farm operations center, irrigation reservoir, two wells, greenhouse, and several agricultural workshops, storage, and maintenance buildings. The property also currently includes livestock and orchard operations. The property produces both olive oil and products prepared from fruit trees on site. The winery includes olive oil tastings and sales. The surrounding land uses include vineyards, wineries (Artesa Winery, Domaine Carneros, Cuvaion Carneros, Michael Mondavi Family Winery), and residential development on large parcels, the nearest of which is approximately 2,700 feet southwest of the proposed winery. An unnamed blue line stream which flows into Huichica Creek runs along the western property line. No construction or winery activities are proposed near the creek.

The winery is being developed in two phases; to date only Phase I of the winery development has been completed consisting of the following; 5,050 sf hospitality/administration building; 7,064 sf fermentation and crush pad area; 10,130 sf cave (Type III); 480 sf of mechanical sheds; all paths and covered porches; and, wastewater and driveway improvements. Phase II (not yet implemented) would finalize the full build out of the originally approved 10,124 sf hospitality/administration building, 20,434 sf fermentation and crush pad area, 38,240 sf cave, and 4,733 sf mechanical sheds.

Past Approvals

On October 7, 2015, the Planning Commission adopted a Mitigated Negative Declaration (MND) and approved a use permit request (Use Permit P14-00202 – UP) for Hudson Vineyards Winery to operate a wine production facility with visitation, marketing events, and Type III cave on a 166.8-acre property located at 5398 State Highway 12. That approval allowed construction of a new winery hospitality building totaling 6,913 sf, with a

commercial kitchen, 3,215 sf winery office building with storage and laboratory space, 20,545 sf of fermentation space in two (2) structures, and 4,550 sf of covered crush pad, 32,240 of caves (Type III). Winery operations were limited to production of up to 80,000 gallons of wine per year, 16 employees, up to 120 tours and tastings visitors per day by appointment (weekly maximum of 480), and a wine marketing program consisting of up to 16 events per year with a range of 24-150 guests.

A very minor modification (Permit Number P16-00068 - approved March 24, 2016) permitted the winery to be constructed in a two phase development. Where Phase I consisted of development the 5,050 sf of hospitality/administration building, 7,064 sf fermentation and crush pad area, 10,130 sf cave, 480 sf of mechanical sheds, all paths and covered porches, wastewater and driveway improvements. While Phase II, not yet implemented, will consist of a full build out of the originally approved 10,125 sf hospitality/administration building, 20,545 sf fermentation and crush pad area, 38,240 sf cave, and 4,733 sf of mechanical sheds. The very minor modification did not result in changes to the production, hospitality, marketing, or number of employees.

Zoning and General Plan Consistency:

Roads and Traffic:

The site is located on the north side of Carneros/Sonoma Highway (Highway 12/121), approximately 0.8 miles west of the intersection of Carneros Highway and Duhig Road Lane at 5398 Sonoma Highway. Access to the winery is from an existing driveway which is accessed off Carneros Highway. The applicant has submitted a Winery Trip Generation Worksheet for the project, which was reviewed by the Public Works Department. According to the trip generation worksheet the project is expected to generate twenty-eight (28) new daily trips during weekdays, and twenty-five (25) new trips during weekends as a result of the increased marketing visitation; however, with the reduction in tours and tasting visitors the overall number of annual visitors to the site is decreasing by six (6). The trip generation worksheet analyzed the proposed changes between previous entitlements and the current request.

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, guidance may be taken 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 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 4 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."

As noted above, a Trip Generation Form was completed and reviewed by Napa County Public Works Division Staff; it was determined that no Traffic Impact Study was required. In addition, there is no increase in wine production proposed, therefore, there will be no increased truck traffic beyond current levels. Installation of a left-turn lane was required as part of the original winery use permit approval, and this was implemented. The project is below the 110 trip per day threshold limit and as such results in a less than significant impact.

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 part of the application materials. The existing winery already incorporates the following GHG reductions methods: generation of on-site renewable energy, habitat restoration or new vegetation, local food production, AND use of 70-80% cover crop. In addition the following GHG reduction methods are already being done and plan to be continued: solar hot water heating, energy conserving lighting, energy star roof/cool roof, water efficient fixtures, water efficient landscape, recycle 75% of all waste, connection to recycled water, compost 75% of food and garden material, planting of shade trees, local food production, and implement site design to optimize natural heating/cooling. Furthermore, in relation to GHG emissions in resulting from transportation, projects resulting in less than 110 trips per day are considered to be below the threshold for a significant impact. Given that the project results in an additional 28 daily trips on weekdays (25 on weekends), it is below this threshold and considered to have a less than significant impact on transportation GHG emissions.

Groundwater:

On April 21, 2021, Governor Gavin Newsom declared a drought emergency in the state of California and as of July 8, 2021, 50 counties are under the drought state of emergency, including Napa County. The Governor directed the Department of Water Resources to increase resilience of water supplies during drought conditions. On June 8, 2021, the Napa County Board of Supervisors adopted a resolution declaring a Proclamation of Local Emergency due to drought conditions which are occurring in Napa County. On October 19, 2021, the Governor issued a proclamation extending the drought emergency statewide. The County of Napa has not adopted or implemented any mandatory water use restrictions. The County requires all discretionary permit applications (such as use permits and erosion control plan approvals) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

In March 2022, Governor Newsom enacted Executive Order N-7-22, which requires prior to approval of a new groundwater well in a basin subject to the Sustainable Groundwater Management Act and that is classified as medium- or high-priority, obtaining written verification from the GSA (Groundwater Sustainability Agency) managing the basin that groundwater extraction would not be inconsistent with any sustainable groundwater management program established in any applicable GSP (Groundwater Sustainability Plan) and would not decrease the likelihood of achieving sustainability goals for the basin covered by a GSP, or that the it is determined first that extraction of groundwater from the new/proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure. On June 7, 2022, the Napa County Board of Supervisors

provided direction regarding interim procedures to implement Executive Order N-7-22 for issuance of new well permits during the declared drought emergency. Because the Board's interim procedures and the Executive Order N-7-22 apply to issuance of new well permits or alterations to existing wells only, and the project relies on an existing well permit, the project is not subject to the EO or the Board's interim procedures implementing the EO.

Due to the project's location on a hillside, a Tier 1 and Tier 2 Water Analysis Study was prepared by Ludhorff & Scalmanini Consulting Engineers as part of the original winery approval dated March 19, 2015. The applicant has also provided Water Use Estimate Calculations for existing and proposed permit conditions. The project is not expected to violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. The project site contains a Transient Non-Community Water System (a water system to serve the winery, visitors, and employees). There are two existing well onsite, which will continue to serve the existing winery, vineyard and on-site residence. The wells are 117 feet and 170 feet deep, and produce at 25 and 60 gpm. The projected water use for the project is 11.09 AF/YR, which is a very minor increase as compared to existing conditions as there is no increase in employees, production and the proposed changes to the tours and tastings and the marketing plan result in an overall decrease of six (6) visitors to the site per year. The slight increase is a result of additional water use anticipated for guest attending medium and large events. The existing vineyards are currently watered from the existing freshwater pond on site (State of California Water Resources Board Permit # 18829) and will continue to be watered from that source.

The 2015 WAA concluded that based on an average rainfall on the parcel was 29.54 inches or 410.5 AF/YR. This average rainfall was measured using precipitation data from 1998-2011, encompassing dry, normal, and wet years. Based on the soils on site the groundwater recharge was estimated to be 39.6 AF/YR during normal rainfall years and 27.72 AF/YR during drought years. The proposed water use of 11.09 AF/YR is a very minor increase from 11.00 AF/YR; the proposed water use is well below the available groundwater of 39.6 AF/YR (and 27.72 AF/YR in dry years) available to the site. Additionally, there are no non-project wells within 500 feet. Based on these calculations, the project would remain below the established availability of groundwater use on the parcel, and the water system engineer's report indicated there is adequate water available to serve the project. Furthermore, the project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. The project is proposing a very minor increase in water use on the site which is well below the 27.72 dry year water recharge and, as such, no further review in regards to water is required.

Wastewater:

The proposed project was reviewed by the Environmental Health Division, who did not raise concerns regarding the projects ability to accommodate wastewater, provided the project continues to implement the existing Conditions of Approval. According to the Wastewater Feasibility Study prepared by Applied Civil Engineering, Inc., dated May 30, 2014, the winery facility is serviced by one combined domestic and process waste septic system. The existing mound system is anticipated to have adequate capacity for disposal of the domestic wastewater, with an existing capacity of 1,425 gallons per day (gpd).

Transient Non-Community Water System:

A Transient Non-Community Water System was required to be installed as part of the original use permit approval and as such already exists. The public water system well will continue supply the residence, the

winery facility and the associated landscaping. Vineyard irrigation will continue to be supplied by the on-site pond. The total proposed water use for the public water system well is estimated at 11.00 AF/YR. This results in an average daily demand of approximately 2,892 gallons and a maximum daily demand (MDD) of approximately 6,507 gallons (calculated using a peaking factor of 2.25 per California Waterworks Standards Section 64554b.3.(C)). As noted by Environmental Health, there are no concerns about the existing system handling the slight change in visitors to the site per year as the annual number of overall visitors to the site is being reduced by six (6).

Noise:

The subject property is located along the Carneros Highway. The nearest off-site residence is located more than 2,700 feet from the subject parcel. As such, a Noise Study was not submitted as part of this Major Modification. Hours and operations of marketing events and tastings will continue to adhere to the original Use Permit Conditions of Approval. Hudson has not had a history of complaints from neighboring residences regarding noise from winery activities and no concerns were raised during the initial courtesy noticing period for the project. The project, as conditioned, will not create a noise nuisance for surrounding residences.

CEQA Exemption Criteria and Analysis:

Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. The minor operational changes to the winery's visitation/marketing plan qualify under Article 19: CCR Section 15301 (Class 1, Existing Facilities), which permits operational changes to existing facilities involving negligible or no expansion of existing use. The project site is not located on any of the lists of hazardous material sites compiled pursuant to Government Code Section 65962.

Under CEQA Guidelines Section 15300.2, a Class 1 Categorical Exemption cannot be used if the project substantially affects mapped or designated environmentally sensitive areas or resources. There are no environmentally sensitive resources (source: Napa County Geographic Information System including California Natural Diversity Database layer) on the subject property. According to the County's resource maps, there are no scenic resources, hazardous waste sites, nor historic resources identified on the site. The project does not result in substantial effects to mapped or designated environmentally sensitive areas or resources. No native trees or native vegetation will be removed as part of the project.

The only change in the winery's operation would be the decrease in the number of daily (and weekly) tours and tastings visitors, and an increase in the maximum number of visitors permitted at approved marketing events; resulting in an overall decrease of six (6) visitors to the site per year. This minor decrease will not trigger the need for physical changes to the site itself or to operations; therefore no additional analysis of the winery's operational components are required.

Based upon the above analysis there is no reasonable possibility that the project would have a significant effect on the environment or damage scenic resources because there will be no physical changes to the existing development on the project site. CEQA Guidelines Section 15301 exempts projects involving the minor alteration of existing facilities involving negligible or no expansion of existing or former use. Hudson Winery is proposing to make no changes to the existing winery production or marketing facilities but will decrease the number of annual tours and tastings visitors and increase the number of marketing visitors per year, resulting

in an overall decrease of six (6) visitors to the site per year. No additional floor area or site alterations are needed to allow this change to the existing marketing plan. The project was assessed by County Division Staff and the proposed project can be accommodated with the existing circulation infrastructure circulation and would result in a minor increase in trips; below a level of significance. The proposed changes, while increasing the number of events and event visitors, overall, results in a decrease in the number of overall visitors to the site annually. The proposed change to the marketing plan is considered to be minor in nature and would not have a negative impact on the environment. Based on the proposed project as described above, the Hudson Winery Use Permit Major Modification application request meets the criteria for eligibility as a Class 1 Categorical Exemption from CEQA.

“E”

Application Submittal
Materials
P21-00281

**USE PERMIT MODIFICATION APPLICATION
PROJECT DESCRIPTION (REVISED JULY 2022)
HUDSON VINEYARDS WINERY
5398 CARNEROS HIGHWAY, NAPA**

APPLICANT:

Hudson Vineyards
5398 Carneros Highway
Napa, CA 94559

APPLICANT'S REPRESENTATIVE:

George H Monteverdi, Principal
Monteverdi Consulting
PO Box 6079
Napa, CA 94581
707.761.2516

APN: 047-070-023**ACREAGE:** ±166.8 acres**GENERAL PLAN & ZONING DESIGNATION:** Agricultural Watershed**GENERAL PROJECT DESCRIPTION:**

The purpose of this application is to obtain approval to modify the visitation program at the existing winery located on Applicant's property at 5398 Carneros Highway (APN 047-070-016) (Property). Pursuant to Use Permit P14-00202-UP, the Hudson Vineyards Winery is entitled to the following:

- Production up to 80,000 gallons per year;
- Construction of approximately 33,042 square feet Type III cave;
- Tours and tastings by appointment only on a daily basis up to a maximum of 120 visitors per day and a weekly maximum of 480 visitors, between 10:00 AM and 6:30 PM;
- Small marketing events up to six per month with a maximum of 24 guests;
- Medium marketing events up to seven per year with a maximum of 50 guests;
- Large marketing events up to three per year with a maximum of 150 guests;
- A maximum of 16 employees;
- Construction of a new winery hospitality building totaling 6,911 square feet, with a commercial kitchen, 2,327 square foot winery office building with storage and laboratory space, and a 4,810 square foot covered crush pad;
- Request for on premise consumption of wines produced on site within the hospitality building and outdoor patio consistent with Business and Professions Code §§23356, 23390, and 23396.5;
- Construction of a Transient Non-Community Water System (a water system to serve the winery, visitors, and employees);
- Construction of a wastewater treatment system;
- Construction of 29 parking spaces;

- Construction of a twenty-foot-wide access driveway to the proposed winery buildings; and
- Landscaping improvements including a picnic area near the hospitality building.

In 2016, P16-00068-VMM approved the following modifications to P14-00202-UP:

- Construction the approved winery development in two phases;
- Phase I consisting of a 5,050 s.f. of hospitality/administration building, a 7,064 s.f. fermentation and crush pad area, a 10,130 s.f. cave, 480 s.f. of mechanical sheds, all paths and covered porches, wastewater and driveway improvements;
- Phase II including full build out of the originally approved 10,125 s.f. hospitality/administration building, 20,545 s.f. fermentation and crush pad area, 38,240 s.f. cave, and 4,733 mechanical sheds;
- There were no changes proposed or approved to production, hospitality, marketing, or number of employees. No additional improvements or modifications were authorized as part of the approval.

At this time, the Applicant has completed Phase 1 of winery development.

This Application requests the following changes to the approved visitation plan:

Visitation Element	Existing	Proposed
Small Marketing Events	Up to 6 monthly events for up to 24 guests/event	Up to 6 monthly events for up to 36 guests/event
Medium Marketing Events	Up to 7 events annually for up to 50 guests/event	Up to 30 events annually (max. of 6/month) for up to 60 guests/event
Large Marketing Events	Up to 3 events annually for up to 150 guests/event	Up to 2 events annually for up to 250 guests; and Up to 5 events annually for up to 150 guests
Total Annual Marketing Event Attendees	Up to 2,528 guests annually	Up to 5,642 guests annually <u>Net increase of 3,114 guests annually</u>
Daily/Weekly Tours & Tastings (T&T)	Up to 120 guests daily Up to 480 guests weekly	No T&T on Large Marketing Event days; Up to 84 guests on Medium Marketing Event days; Up to 108 Guests on Small Marketing Event days; and Up to 120 guests on all other days Up to 21,840 guests annually
Total Annual T&T	Up to 24,960 guests annually	Up to 21,840 guests annually <u>Net decrease of 3,120 guests annually</u>

Overall Change in Total Annual Visitation	3,114 additional marketing guests minus 3,120 fewer T&T guests	Six fewer guests annually
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As demonstrated on the Winery Trip Generation Worksheet submitted as part of the Use Permit Modification Application, there will be only minor increases to the projected Total Weekday Daily Trips (193 to 221 trips during Harvest; 186 to 214 trips during Non-Harvest) and Total Weekend Daily Trips (185 to 211 trips during Harvest; 178 to 204 trips during Non-Harvest). Under all conditions, projected peak hour trips will remain unchanged, due to the reduction in T&T on days when Medium Marketing Events occur. Specifically, Total Weekday Peak Hour Trips will be 63 trips during Harvest, and 60 trips during Non-Harvest conditions. Similarly, Total Weekend Peak Hour Trips will be 78 trips during Harvest, and from 74 trips during Non-Harvest conditions. Total Vehicle Trips from all sources will increase by approximately 10,000 trips annually. Based on the County Worksheet, a Traffic Impact Study is not required. For both normal operations and marketing events, parking for all visitors will continue to be accommodated onsite through the use of the paved parking lots and the unpaved vineyard avenues and farm access roads surrounding the winery facility.

No other changes to the entitlements approved by P14-00202-UP and P16-00068-VMM are proposed, including changes to winery design, wine production, employee numbers or any operational or infrastructural parameters.



A Tradition of Stewardship
A Commitment to Service

Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
Main: (707) 253-4417
Fax: (707) 253-4336

PLANNING APPLICATION FORM

Applicant Information

Applicant Contact

Name: Lee Hudson, Hudson Vineyards, LLC
Mailing Address: 5398 Carneros Highway
City: Napa State: CA Zip: 94558
Phone: 707-255-1455
E-Mail Address: Lee@HudsonRanch.com

Property Owner Contact

Name: Same as Applicant
Mailing Address: _____
City: _____ State: _____ Zip: _____
Phone: _____
E-Mail Address: _____

Agent Contact

Name: Peter Willmert, CEO, Hudson Vineyards, LLC
Mailing Address: 5398 Carneros Highway
City: Napa State: CA Zip: 94558
Phone: 707-286-9174
E-Mail Address: Peter.Willmert@HudsonRanch.com

Other Representative Contact

☐ Engineer ☐ Architect ☒ Agent
Name: George H Monteverdi, Monteverdi Consulting, LLC
Mailing Address: PO Box 6079
City: Napa State: CA Zip: 94558
Phone: 707-761-2516
E-Mail Address: George@MonteverdiConsulting.com

Property Information

Project Name: Hudson Vineyards Winery 2021 Use Permit Modification
Project Address: 5398 Carneros Highway, Napa, CA 94558
Assessor's Parcel Number(s): 047-070-023
Size of site (acreage and/or square footage): +/-166.8 acres
General Plan Designation: AWOS Zoning: AW

Application Type¹

File No(s) P21-00281

Administrative	Planning Commission/ALUC/BOS	Zoning Administrator
Erosion Control Plan: <input type="checkbox"/> Track I <input type="checkbox"/> Track II <input type="checkbox"/> Admin Viewshed <input type="checkbox"/> Fence Entry Structure Permit <input type="checkbox"/> Land Division/Mergers <input type="checkbox"/> Site Plan Approval/Modification <input type="checkbox"/> Winery Administrative Permit <input type="checkbox"/> Other Very Minor Modification <input type="checkbox"/> Addressing <input type="checkbox"/> Signs Temporary Event: <input type="checkbox"/> 51-400 <input type="checkbox"/> 401+ <input type="checkbox"/> Late Application Submittal <input type="checkbox"/> Application Entitled to Fee Waiver <input type="checkbox"/> Other: _____	Major Modification: <input checked="" type="checkbox"/> Winery <input type="checkbox"/> Other Use Permit: <input type="checkbox"/> Winery <input type="checkbox"/> Other <input type="checkbox"/> Viewshed <input type="checkbox"/> AG Preserve Contract <input type="checkbox"/> Development Agreement <input type="checkbox"/> Airport Land Use Consistency Determination <input type="checkbox"/> General, Specific or Airport Land Use Plan Amendment <input type="checkbox"/> Variance <input type="checkbox"/> Zoning Map/Text Amendment <input type="checkbox"/> Road Exception <input type="checkbox"/> Con. Reg. Exception <input type="checkbox"/> Other: _____	<input type="checkbox"/> Certificate of Legal Non Conformity <input type="checkbox"/> Other Minor Modification <input type="checkbox"/> Road Exception <input type="checkbox"/> Small Winery Exemption <input type="checkbox"/> Winery Minor Modification <input type="checkbox"/> Variance <input type="checkbox"/> Viewshed <input type="checkbox"/> Other: _____ Misc. Services <input type="checkbox"/> Use Determination <input type="checkbox"/> Status Determination <input type="checkbox"/> Other: _____

¹: Include corresponding submittal requirements for each application type.


Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please refer to specific Supplemental Application submittal handouts for details to describe the project and required special studies.

Conditions of Application

1. All materials (plans, studies, documents, etc.) and representations submitted in conjunction with this form shall be considered a part of this application and publicly available for review and use, including reproduction.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Director, the Zoning Administrator, and Planning Commission to represent the owner's interests and to file applications, plans and other information on the owner's behalf.
4. Certification and Indemnification Form: Refer to attached form for notifications and required signature.
5. Fees: The applicant agrees to pay the County any and all processing fees imposed by the Board of Supervisor's current Fee Resolution including the establishment of an hourly fee application agreement and initial deposit. Applicant understands that fees include, but not limited to: Planning, Engineering, Public Works, and County Counsel staff time billed at an hourly rate; required Consultant service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. This form, together with the corresponding application forms for specific permits, will become the Permit Document.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

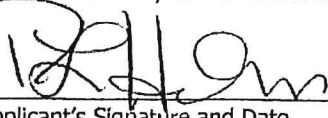
If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

 10/7/21
Property Owner's Signature and Date

Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

 10/07/21
Applicant's Signature and Date

Date Received: _____ Received by: _____ Receipt No. _____ File No. _____	Application Fees	
	Deposit Amount	\$ _____
	Flat Fee Due	\$ _____
	Total	\$ _____
	Check No	_____

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

R L Hoasen

Print Name of Property Owner

Print Name Signature of Applicant (if different)

R L Hoasen 10/07/21

Signature of Property Owner

Date

Signature of Applicant

Date

Hourly Fee Agreement

PROJECT File: P21-00281; request for Use Permit Modification to revise Marketing Program to better reflect winery hospitality needs. I, Lee Hudson, the undersigned, hereby authorize the County of Napa to process the above referenced permit request in accordance with the Napa County Code. I am providing \$ 10,000.00 as a deposit to pay for County staff review, coordination and processing costs related to my permit request based on actual staff time expended and other direct costs. **In making this deposit, I acknowledge and understand that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current Napa County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Hourly Fee Agreement:

1. Time spent by Napa County staff in processing my application and any direct costs will be billed against the available deposit. "Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, or responding to any legal challenges related to the application during the processing of your application. "Staff" includes any employee of the Planning, Building and Environmental Services Department (PBES), the Office of the County Counsel, or other County staff necessary for complete processing of the application. "Direct costs" include any consultant costs for the peer review of materials submitted with the application, preparation of California Environmental Quality Act (CEQA) documents, expanded technical studies, project management, and/or other outside professional assistance required by the County and agreed to by the applicant. The cost to manage consultant contracts by staff will also be billed against the available deposit.
2. Staff will review the application for completeness and provide me with a good faith estimate of the full cost of processing the permit. Any requested additional deposit shall be submitted to PBES to allow continued processing of the project.
3. I understand that the County desires to avoid incurring permit processing costs without having sufficient funds on deposit. If staff determines that inadequate funds are on deposit for continued processing, staff shall notify me in writing and request an additional deposit amount estimated necessary to complete processing of my application. I agree to submit sufficient funds as requested by staff to process the project through the hearing process within 30 days of the request.
4. I understand that if the amount on deposit falls below zero, staff will notify me and stop work on the application until sufficient additional funds are provided.
5. If the final cost is less than the amount remaining on deposit, the unused portion of the deposit will be refunded to me. If the final cost is more than the available deposit, I agree to pay the amount due within 30 days of billing.
6. If I fail to pay any invoices or requests for additional deposits within 30 days, the County may either stop processing my permit application, or after conducting a hearing, may deny my permit application. If I fail to pay any amount due after my application is approved, I understand that my permit may not be exercised, or may be subject to revocation. I further agree that no building, grading, sewage, or other project related permits will be issued if my account is in arrears.

7. I may file a written request for a further explanation or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.

Name of Applicant responsible for payment of all County processing fees (Please Print):

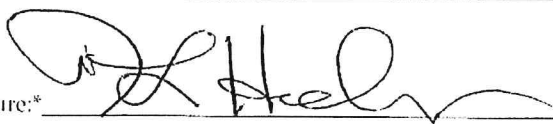
Lee Hudson, Hudson Vineyards, LLC

Mailing Address of the Applicant responsible for paying processing fees:

5398 Carneros Highway

Napa, CA 94558

Signature:*



Email Address: Lee@HudsonRanch.com

Date:

10/07/21

Phone Number: 707-255-1455

*ATTENTION - The applicant will be held responsible for all charges.

No changes are proposed to any of the design or use of existing winery structures, the winery development area or winery coverage area. Values presented per P14-00202.

Winery Coverage and Accessory/Production Ratio

Winery Development Area. Consistent with the definition at "a.," and with the marked-up site plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing +/-42,483 sq. ft. +/-0.98 acres
Proposed No change sq. ft. No change acres

Winery Coverage. Consistent with the definition at "b.," and with the marked-up site plans included in your submittal, please indicate your proposed winery coverage (maximum 25% of parcel or 15 acres, whichever is less).

+/-102,838 sq. ft. +/-2.36 acres +/-1.42 % of parcel

Production Facility. Consistent with the definition at "c.," and the marked-up floor plans included in your submittal, please indicate your proposed production square footage. If the facility already exists, please differentiate between existing and proposed.

Existing +/-65,187 sq. ft. Proposed No change sq. ft.

Accessory Use. Consistent with the definition at "d.," and the marked-up floor plans included in your submittal, please indicate your proposed accessory square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing +/-9,238 sq. ft. +/-14 % of production facility
Proposed No change sq. ft. No change % of production facility

Caves and Crush pads

If new or expanded caves are proposed, please indicate which of the following best describes the public accessibility of the proposed and existing cave space: Please denote on cave floor plans the location of existing and proposed cave type/activities and identify location of on-site cave spoils on a site plan.

Existing Cave:

- ☐ None – no visitors/tours/events (Class I) ☐ Guided Tours Only (Class II) ☒ Public Access (Class III)
☒ Marketing Events and/or Temporary Events (Class III)

Expanded or New Cave: **No changes to cave design or occupancy.**

- ☐ None – no visitors/tours/events (Class I) ☐ Guided Tours Only (Class II) ☐ Public Access (Class III)
☐ Marketing Events and/or Temporary Events (Class III)

Please identify the winery's...

Cave area (total)	Existing: <u>+/-33,024</u> sq. ft.	Proposed: <u>No change</u> sq. ft.
Cave area (Production)	Existing: <u>+/-33,024</u> sq. ft.	Proposed: <u>No change</u> sq. ft.
Cave area (Accessory)	Existing: <u>0</u> sq. ft.	Proposed: <u>No change</u> sq. ft.
Covered crush pad area	Existing: <u>+/-4,810</u> sq. ft.	Proposed: <u>No change</u> sq. ft.
Uncovered crush pad area	Existing: <u>0</u> sq. ft.	Proposed: <u>No change</u> sq. ft.
Cave Spoils total:		Proposed: <u>NA</u> cy.
Cave Spoils Use:	<input type="checkbox"/> Onsite <input type="checkbox"/> Offsite	

Grape Origin

All new wineries and any existing (pre-WDO) winery expanding beyond its winery development area must comply with the 75% rule and complete the attached "Initial Statement of Grape Source". See Napa County Code §18.104.250 (B) & (C). The project description should include information on location and quantity of grapes.

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, hours, location/facilities to be used, food service details, etc. Provide a site plan showing where the marketing event activities will occur, including overflow/off-site parking. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

This application proposes replacing the existing Marketing Program with the following:

<u>Event Type</u>	<u>Existing Entitlement</u>	<u>Proposed Entitlement</u>
Small Marketing Events	Up to 6 monthly events for up to 24 guests/event	Up to 6 monthly events for up to 36 guests/event
Medium Marketing Events	Up to 7 events annually for up to 50 guests/event	Up to 30 events annually (max. of 6/month) for up to 60 guests/event
Large Marketing Events	Up to 3 events annually for up to 150 guests/event	Up to 2 events annually for up to 250 guests; and Up to 5 events annually for up to 150 guests

On-Site Consumption

If requesting On-Site Consumption, please provide a site plan showing where such activities will occur.

No changes are proposed to the permitted on-site consumption activities.

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service and existing type of commercial kitchen (low, medium or high risk) and/or food preparation areas authorized by the County Environmental Health Division. (Attach additional sheets as necessary.)

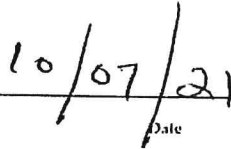
No changes are proposed to the permitted food service activities

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.



Owner's Signature



Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.



A Tradition of Stewardship
A Commitment to Service

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services

1195 Third Street, Suite 210

Napa, CA 94559-3082

(707) 253-4417

PROJECT DESCRIPTION

Clear Form

Winery Name: Hudson Vineyards Winery

Date Prepared: 9/21/21

Existing Entitled Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	<u>16</u>	<u>16</u>
	Weekend	<u>16</u>	<u>16</u>
Number of Part Time Employees*	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>
Maximum Daily Visitation	Weekday	<u>120</u>	<u>120</u>
	Weekend	<u>120</u>	<u>120</u>
Annual Gallons of Production		<u>80,000</u>	<u>80,000</u>
Annual Tons of Grape Haul		<u>500.0</u>	<u>N/A</u>
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	<u>24</u>	<u>24</u>
	Weekend	<u>24</u>	<u>24</u>

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	<u>16</u>	<u>16</u>
	Weekend	<u>16</u>	<u>16</u>
Number of Part Time Employees*	Weekday	<u></u>	<u></u>
	Weekend	<u></u>	<u></u>
Maximum Daily Visitation <i>*120 persons on days with <60 person marketing events*</i>	Weekday	<u>120</u>	<u>120</u>
	Weekend	<u>120</u>	<u>120</u>
Annual Gallons of Production		<u>80,000</u>	<u>80,000</u>
Annual Tons of Grape Haul		<u>500.0</u>	<u>N/A</u>
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	<u>60</u>	<u>60</u>
	Weekend	<u>60</u>	<u>60</u>

*Number of full time and part time employees should represent the max number of employees that will be working on any given day (including all vendors and contractors employed for the largest event that occurs two or more times per month on average).

Hudson Vineyards Winery TRIP GENERATION

Existing Winery					Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	16	16	3.05 one way trips/employee	FT Employee Daily Trips	48.8	48.8
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	120	120	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	92.3	92.3
Max Event	24	24	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	18.5	18.5
Gallons of Production	80,000		0.000018 truck trips	Production Daily Trips	1.4	1.4
Tons of Grape Haul#	500.0		0.013889 truck trips	Grape Haul Daily Trips	6.9	0.0
					Total Weekday Daily Trips	168
					Total Weekday Peak Hour Trips*	55
<u>Maximum Daily Weekend Traffic (Saturday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	16	16	3.05 one way trips/employee	FT Employee Daily Trips	48.8	48.8
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	120	120	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	85.7	85.7
Max Event	24	24	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	17.1	17.1
Gallons of Production	80,000		0.000018 truck trips	Production Daily Trips	1.4	1.4
Tons of Grape Haul#	500.0		0.013889 truck trips	Grape Haul Daily Trips	6.9	0.0
					Total Weekend Daily Trips	161
					Total Weekend Peak Hour Trips*	70
<u>Maximum Annual Traffic</u>						
					Total Annual Trips**	58,782

Proposed Winery					Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	16	16	3.05 one way trips/employee	FT Employee Daily Trips	48.8	48.8
PT Employees			1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	120	120	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	92.3	92.3
Max Event	60	60	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	46.2	46.2
Gallons of Production	80,000		0.000018 truck trips	Production Daily Trips	1.4	1.4
Tons of Grape Haul#	500.0		0.013889 truck trips	Grape Haul Daily Trips	6.9	0.0
					Total Weekday Daily Trips	196
					Total Weekday Peak Hour Trips*	55
<u>Maximum Daily Weekend Traffic (Saturday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	16	16	3.05 one way trips/employee	FT Employee Daily Trips	48.8	48.8
PT Employees			1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	120	120	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	85.7	85.7
Max Event	60	60	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	42.9	42.9
Gallons of Production	80,000		0.000018 truck trips	Production Daily Trips	1.4	1.4
Tons of Grape Haul#	500.0		0.013889 truck trips	Grape Haul Daily Trips	6.9	0.0
					Total Weekend Daily Trips	186
					Total Weekend Peak Hour Trips*	70
<u>Maximum Annual Traffic</u>						
					Total Annual Trips***	68,484

Net New Trips				Harvest	Non-Harvest
<u>Maximum Weekday Traffic (Friday)</u>					
If total net new daily trips is greater than 40, a TIS is required					
				Net New Weekday Daily Trips	28
				Net New Weekday Peak Hour Trips*	0
<u>Maximum Weekend Traffic (Saturday)</u>					
If total net new daily trips is greater than 40, a TIS is required					
				Net New Weekend Daily Trips	25
				Net New Weekend Peak Hour Trips*	0
<u>Maximum Annual Traffic</u>					
A Traffic Impact Study is NOT Required					
				Net New Annual Trips***	9,702

#Trips associated with Grape Haul represent harvest season only.

*Weekday peak hour trips are calculated as 38% of daily trips associated with visitors and production plus one trip per employee. Weekend peak hour trips are calculated as 57% of daily trips associated with visitors and production plus one trip per employee.

**Annual trips represent a conservative calculation that assumes 11 weeks of harvest, all weekdays are Fridays, all weekends are Saturdays, and assumes that the largest event that occurs two or more times per month on average occurs every day.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services - Hillary Gitelman, Director
1195 Third Street, Napa, CA 94559 - (707) 253-4417 - www.countyofnapa.org

Project name & APN: Hudson Vineyards Winery 047-070-016

Project number if known:

Contact person: Peter Willmert

Contact email & phone number: Peter.Willmert@HudsonRanch.com

Today's date: 9/30/2021

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65 (e) and Policy CON-67 (d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Plan
Doing To Do

ID # BMP Name



BMP-1 Generation of on-site renewable energy

If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.



BMP-2 Preservation of developable open space in a conservation easement

Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.

Already Plan
Doing To Do

☒ ☐ **BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)**

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO₂e and add the County's carbon stock.

☐ ☐ **BMP-4 Alternative fuel and electrical vehicles in fleet**

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles _____

Typical annual fuel consumption or VMT _____

Number of alternative fuel vehicles _____

Type of fuel/vehicle(s) _____

Potential annual fuel or VMT savings _____

☐ ☐ **BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2**

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

☐ ☐ **BMP-6 Vehicle Miles Traveled (VMT) reduction plan**

Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- ☐ employee incentives
- ☐ employee carpool or vanpool
- ☐ priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- ☐ bike riding incentives
- ☐ bus transportation for large marketing events
- ☐ Other: _____

Estimated annual VMT _____

Potential annual VMT saved _____

% Change _____

Already Plan
Doing To Do

☐☐**BMP-7 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1**

See description below under BMP-5.

☒☒**BMP-8 Solar hot water heating**

Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.

☒☒**BMP-9 Energy conserving lighting**

Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.

☒☒**BMP-10 Energy Star Roof/Living Roof/Cool Roof**

Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.

☐☐**BMP-11 Bicycle Incentives**

Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (\$18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!

☐☐**BMP-12 Bicycle route improvements**

Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.

Already Plan
Doing To Do

☒ ☒ **BMP-13 Connection to recycled water**

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

☒ ☒ **BMP-14 Install Water Efficient fixtures**

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

☐ ☐ **BMP-15 Low-impact development (LID)**

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

☒ ☒ **BMP-16 Water efficient landscape**

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or If your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.

☒ ☒ **BMP-17 Recycle 75% of all waste**

Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with this goal in mind.

Already Plan
Doing To Do

☒ ☒ **BMP-18 Compost 75% food and garden material**

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

☐ ☐ **BMP-19 Implement a sustainable purchasing and shipping programs**

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

☒ ☒ **BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation**

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

☐ ☐ **BMP-21 Electrical Vehicle Charging Station(s)**

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

☐ ☐ **BMP-22 Public Transit Accessibility**

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

Already Plan
Doing To Do

☒ ☒ **BMP-23**

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building burned into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.

☐ ☐ **BMP-24 Limit the amount of grading and tree removal**

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

☐ ☐ **BMP-25 Will this project be designed and built so that it could qualify for LEED?**

BMP-25 (a) ☐

LEED™ Silver (check box BMP-25 and this one)

BMP-25 (b) ☐

LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)

BMP-25 (c) ☐

LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

☐ ☐ **BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?**

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

☐ ☐ **BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?**

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Plan
Doing To Do

☐ ☐ **BMP-28 Use of recycled materials**

There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.

☒ ☐ **BMP-29 Local food production**

There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.

☐ ☐ **BMP-30 Education to staff and visitors on sustainable practices**

This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.

☒ ☐ **BMP-31 Use 70-80% cover crop**

Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.

☐ ☐ **BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site**

By selecting this BMP, you agree not to burn the material pruned on site.

☐ ☐ **BMP-33 Are you participating in any of the above BMPs at a 'Parent' or outside location?**

☐ ☐ **BMP-34 Are you doing anything that deserves acknowledgement that isn't listed above?**

Comments and Suggestions on this form?

Sources:

1. *Napa County Bicycle Plan*, NCTPA, December 2011
2. *California Air Pollution Control Officers Associate (CAPCOA)*. January 2008. *CEQA and Climate Change*
3. *Napa County General Plan*, June 2008.
4. *California Office of the Attorney General*. 2010. *Addressing Climate Change at the Project Level* available at http://ag.ca.gov/global_warming/pdf/GW_mitigation_measures.pdf
5. *U.S. Green Building Council (2009)*. *LEED 2009 for New Construction and Major Renovations Rating System*. Washington, DC: United States Green Building Council, Inc.
6. *California Energy Commission (2008)*. *Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings*. Sacramento, CA: California Energy Commission.
7. *U.S. Department of Energy (2010)*. *Cool roof fact sheet*.
8. <http://www1.eere.energy.gov/buildings/ssl/ledlightingfacts.html>
9. *Compact Fluorescent Light Bulbs*". *Energy Star*. Retrieved 2013-05-01.
10. <http://energy.gov/energysaver/articles/solar-water-heaters>. Retrieved 2013-05-02.
11. <http://energy.gov/energysaver/articles/solar-water-heater>. Retrieved 2013-05-09
12. http://www.bchydro.com/powersmart/residential/guides_tips/green-your-home/cooling_guide/shade_trees.html
13. <http://www.napagreen.org/about>. Retrieved 2013-05-09
14. <http://www.countyofnapa.org/pages/departmentscontent.aspx?id=4294971612>
15. <http://www.napasan.com/Pages/ContentMenu.aspx?id=109>
16. <http://water.epa.gov/polwaste/green/index.cfm>

“F”

Water Use Table and Water
Availability Analysis (2015)

P21-00281

WATER USE ESTIMATE CALCULATIONS - PROPOSED UP MOD CONDITIONS		
Updated July 2022		
	Water Use ac-ft/yr	Notes
Residential Domestic Water Use		
Existing Residence	0.75	Based on Napa County Phase 1 Water Availability Analysis Guidelines (Primary Residence)
Total Residential Domestic Water Use	0.75	
Winery Domestic & Process Water Use		
Winery - Daily Visitors	0.20	Based on 21,840 visitors per year @ 3 gallons per visitor ⁽¹⁾
Winery - Events with Meals Prepared Onsite (Small and Medium)	0.20	Based on 4,392 guests per year @ 15 gallons per guest ⁽²⁾
Winery - Events with Catered Meals (Large)	0.02	Based on 1,250 guests per year @ 5 gallons per guest ⁽³⁾
Winery - Employees	0.16	Based on 16 employees @ 0.01 ac-ft/yr per employee per Napa County Phase 1 Water Availability Analysis Guidelines
Winery - Process	1.72	Based on 7 gallons of water per gallon of wine ⁽⁴⁾ @ 80,000 gallons max production
Total Winery Water Use	2.30	
Existing Office Water Use		
Office Employees	0.04	Based on 4 employees @ 0.01 ac-ft/yr per employee per Napa County Phase 1 Water Availability Analysis Guidelines
Irrigation Water Use		
Landscape	4.00	Estimated for 1 acre of existing and 1 acre of new moderate water use landscaping at 2 ac-ft/ac/yr
Other Agriculture	4.00	1 acre of garden & orchard @ 4 ac-ft/ac/yr
Total Irrigation Water Use	8.00	
Total Combined Water Use	11.09	

⁽¹⁾ 3 gallons of water per visitor is based on project wastewater disposal feasibility report by Applied Civil Engineering.

⁽²⁾ 15 gallons of water per guest is based on project wastewater disposal feasibility report by Applied Civil Engineering.

⁽³⁾ 5 gallons of water per guest is based on project wastewater disposal feasibility report by Applied Civil Engineering.

⁽⁴⁾ Napa County Phase 1 Water Availability Analysis Guidelines estimate 7 gallons of water per gallon of wine produced.

WATER USE ESTIMATE CALCULATIONS - EXISTING PERMIT CONDITIONS

	Water Use ac-ft/yr	Notes
Residential Domestic Water Use		
Existing Residence	0.75	Based on Napa County Phase 1 Water Availability Analysis Guidelines (Primary Residence)
Total Residential Domestic Water Use	0.75	
Winery Domestic & Process Water Use		
Winery - Daily Visitors	0.23	Based on 24,960 visitors / year @ 3 gallons per visitor ⁽¹⁾
Winery - Events with Meals Prepared Onsite (Small and Medium)	0.10	Based on 2,078 guests per year @ 15 gallons per guest ⁽²⁾
Winery - Events with Catered Meals (Large)	0.01	Based on 450 guests per year @ 5 gallons per guest ⁽³⁾
Winery - Employees	0.16	Based on 16 employees @ 0.01 ac-ft/yr per employee per Napa County Phase 1 Water Availability Analysis Guidelines
Winery - Process	1.72	Based on 7 gallons of water per gallon of wine ⁽⁴⁾ @ 80,000 gallons max production
Total Winery Water Use	2.21	
Existing Office Water Use		
Office Employees	0.04	Based on 4 employees @ 0.01 ac-ft/yr per employee per Napa County Phase 1 Water Availability Analysis Guidelines
Irrigation Water Use		
Landscape	4.00	Estimated for 1 acre of existing and 1 acre of new moderate water use landscaping at 2 ac-ft/ac/yr
Other Agriculture	4.00	1 acre of garden & orchard @ 4 ac-ft/ac/yr
Total Irrigation Water Use	8.00	
Total Combined Water Use	11.00	

⁽¹⁾ 3 gallons of water per visitor is based on project wastewater disposal feasibility report by Applied Civil Engineering.

⁽²⁾ 15 gallons of water per guest is based on project wastewater disposal feasibility report by Applied Civil Engineering.

⁽³⁾ 5 gallons of water per guest is based on project wastewater disposal feasibility report by Applied Civil Engineering.

⁽⁴⁾ Napa County Phase 1 Water Availability Analysis Guidelines estimate 7 gallons of water per gallon of wine produced.

Memorandum

DATE: March 19, 2015 PROJECT: 15-1-011

TO: Lee Hudson, Hudsonia, LLC

CC: George Monteverdi, Monteverdi Consulting, LLC

FROM: Vicki Kretsinger Grabert, Reid Bryson, Nick Watterson, P.G.

SUBJECT: **HUDSON VINEYARDS TIER 1 WATER AVAILABILITY ANALYSIS
ESTIMATED AVERAGE ANNUAL GROUNDWATER RECHARGE**

INTRODUCTION

This memorandum presents the results of an analysis of estimated average annual groundwater recharge at the Hudson Vineyards parcel, APN 047-070-016, as related to the pending Napa County Use Permit application for winery facilities on this parcel. The project parcel is located in the Carneros groundwater subarea at 5398 Sonoma Highway, Napa, California 94559. The parcel covers approximately 166.8 acres, as reported on the related Water Availability Analysis – Phase One Study dated May 30, 2014.

At the direction of Napa County, the applicant is conducting additional analyses of potential project impacts according to the criteria included in the revised draft Water Availability Analysis Guidance Document (Napa County, 2015). Among the applicable criteria are the Tier 1 Water Usage Criteria requiring a comparison of projected annual water demands with estimated average annual groundwater recharge on the project parcel.

The groundwater recharge analysis presented in this memorandum has been conducted to meet the requirement for providing an estimate of average annual groundwater recharge for project parcels located in certain areas of the county where a water use criterion has not been established by Napa County. Projected annual water demands for the proposed project are being developed by others and are not addressed by this memorandum.

METHODS

Infiltration of precipitation is believed to represent the primary source of groundwater recharge in Napa County (Kunkel and Upson, 1960). MBK Engineers (MBK) previously conducted a water budget analysis to estimate groundwater recharge in the Napa River Watershed, including eight subwatersheds and tributary watersheds (LSCE and MBK, 2013). The MBK water budget analysis incorporated precipitation, streamflow, and land use data from each gauged watershed, along with evapotranspiration data from Napa Valley, to calculate groundwater recharge on a watershed scale. The period of analysis spanned at least 8 years in each watershed and included a range of wet, dry, and normal precipitation year types. The Huichica Creek Watershed, which

includes the Hudson Vineyards parcel, was not included in that analysis due primarily to the lack of continuous streamflow records (LSCE and MBK, 2013). **Figure 1** depicts the location of the Hudson Vineyards parcel and Huichica Creek Watershed as delineated for this memorandum.

In the absence of any prior water budget analysis for the Huichica Creek Watershed, average annual groundwater recharge at the Hudson Vineyards parcel was estimated in two stages. For the first stage, physical characteristics, including land cover and surficial geology, in the Huichica Creek Watershed¹ were compared with individual tributary watersheds included in the analysis by MBK to determine a representative estimate of average annual groundwater recharge as a percent of average annual precipitation. For the second stage, the watershed scale estimate of groundwater recharge was refined using an evaluation of parcel-specific characteristics, including land surface slope and soils characteristics, based on an approach used previously to evaluate recharge potential in a portion of neighboring Sonoma County (Winzler & Kelly Consulting Engineers and LSCE, 2005).

Land cover data for the Huichica Creek Watershed were compiled from the California Department of Water Resources 1999 survey of land use in Napa County (DWR, 1999) along with the Natural Resources Conservation Service 2011 National Land Cover Dataset (NRCS, 2011). Spatial data on surficial geologic units were obtained from the U.S. Geological Survey (Graymer et al., 2007).

Land surface slope data for the Hudson parcel analysis were obtained from high resolution LiDAR² digital elevation datasets publically available through the County of Napa Geographic Information System (GIS) Data Catalog. The elevation data were originally mapped at a scale of 1 inch = 200 feet using LiDAR data acquired in 2003. Soils data were obtained from the Natural Resources Conservation Service (NRCS) soil survey for Napa County (NRCS, 2007). The parcel-specific groundwater recharge estimate was calculated using a spatially-continuous average annual precipitation dataset that includes the Hudson Vineyards parcel.

Average annual precipitation data were obtained from the Oregon State University PRISM Climate Group. PRISM precipitation data incorporate a digital elevation model, point measurements of precipitation, and other climatic factors to produce continuous spatially distributed datasets of precipitation. The most recent PRISM long-term average precipitation dataset, spanning the period from 1981 to 2010, was used for this analysis. The data are produced at a grid cell size of 800 meters (2,624 feet) (PRISM Climate Group, 2012).

¹ For this analysis the Huichica Creek Watershed was delineated as the catchment area upstream of a point on Huichica Creek below the confluence with the unnamed tributary flowing through the Hudson Vineyards parcel.

² Light Detection and Ranging (LiDAR) is a remote sensing method for high resolution elevation mapping where data are collected by an airborne light-emitting sensor paired with a Global Positioning System (GPS) sensor.

ANALYSIS

Average annual groundwater recharge for the Hudson Vineyards parcel was calculated as a percentage of average annual precipitation on the parcel. **Figure 2** depicts the distribution of average annual precipitation at the parcel. The area-weighted mean annual precipitation for the period from 1981 to 2010 for the Hudson Vineyards parcel is 29.54 inches, with an area-weighted average annual volume of 410.5 acre-feet per year (AF/yr).

Land cover data for the Huichica Creek Watershed and other Napa River tributary watershed are summarized in **Table 1**. DWR land use survey data were referenced for determination of the agricultural land uses in the Huichica Creek Watershed, while NRCS land cover data were referenced for determining acreages for developed land and different types of native vegetation. This approach is consistent with the approach used for land use determinations presented in LSCE and MBK (2013). As with the other tributary watersheds, native vegetation and comprises the majority of the watershed area in the Huichica Creek Watershed. The percentages of native vegetation and agricultural acreages in the Huichica Creek Watershed, 76 percent and 20 percent respectively, are most similar to those of the Redwood Creek Watershed, 84 percent and 13 percent respectively.

Previous research has found that geology can also affect recharge potential in coastal California groundwater systems (Muir and Johnson, 1979). Surficial geologic units with the greatest groundwater recharge potential were previously identified by LSCE (2011). **Table 2** summarizes the occurrence of these formations within the Huichica Creek Watershed and other Napa River tributary watersheds. The Huichica Creek Watershed contains a percentage of geologic units with greatest recharge potential, 32 percent, similar to those of the Napa Creek and Milliken Creek Watersheds, 28 percent and 27 percent respectively. Comparing the distribution of geologic units listed for the latter two watersheds, and assuming that similar geologic units present similar recharge potential across different watersheds, the Huichica Creek Watershed is most similar to the Napa Creek watershed, with a more even proportion of Quaternary units to Sonoma Volcanics units.

Based on similarities in land cover and geologic formations, the Redwood Creek and Napa Creek watersheds were determined to be most comparable to the Huichica Creek Watershed. The water balance calculations presented in LSCE and MBK (2013) found average annual groundwater recharge to be 10 percent and 11 percent of average annual precipitation for the Redwood Creek and Napa Creek watersheds, respectively. For this analysis, the value for the Redwood Creek Watershed, 10 percent, was chosen based on the similarities in land cover, which was an explicit component of the water budget analysis performed by MBK (LSCE and MBK, 2013).

Surface slopes on the Hudson Vineyards parcel were reviewed for their potential to affect groundwater recharge. Three slope classes were considered based on previous work for a characterization of groundwater recharge potential in Sonoma County (Winzler & Kelly Consulting Engineers and LSCE, 2005). Surface slopes on the Hudson Vineyards parcel are generally low to moderate, favoring infiltration of precipitation, with only 3 percent of the parcel having slopes greater than 25 percent (**Table 3 and Figure 3**). Mean surface slopes were also

calculated for comparison between the Hudson Vineyards parcel and the watersheds of Huichica Creek, Redwood Creek, and Napa Creek. Mean surface slope for the Hudson Vineyards parcel is 9.78 percent, while the mean slope for the Huichica Creek Watershed is 21.88 percent. The Redwood Creek and Napa Creek Watersheds have mean slopes of 34.96 percent and 30.90 percent, respectively. The lower mean slope for the Hudson Vineyards parcel indicates that surface slopes do not limit infiltration potential on the parcel. However, in order to reduce the likelihood of over estimating groundwater recharge for this analysis, the parcel acreage with slopes greater than 25 percent are not included in the calculation of estimated recharge.

Soils on the parcel have relatively moderate to high vertical hydraulic conductivities that allow infiltration of precipitation (**Table 3 and Figure 3**). The representative vertical soil hydraulic conductivity values on the Hudson Vineyards parcel range from 0.48 cm/hr to 9.1 cm/hr (NRCS, 2007). These values are greater than the 0.33 cm/hr peak rate of precipitation reported in the Napa County Baseline Data Report for the period from 1993 to 2005 at the California Information Management System's Carneros meteorological station (Station 109), located 3 miles southeast of the Hudson Vineyards parcel (Jones and Stokes Associates & EDAW, 2005). Thus, the saturated hydraulic conductivity of soils located on the parcel are not considered to be a limiting factor for the purposes of estimating average annual groundwater recharge on the parcel.

After excluding portions of the parcel with slopes greater than 25 percent, the average annual groundwater recharge on the parcel is estimated to be 39.6 AF/yr (**Table 4**). This amount is equivalent to 10 percent of the area-weighted average annual precipitation for the 97 percent of the parcel with low to moderate surface slopes.

RESULTS AND CONCLUSIONS

Limited available data, in particular continuous streamflow data, for the Huichica Creek Watershed precluded prior development of a water balance analysis of average annual groundwater recharge. However, geologic formations and land cover in the Huichica Creek Watershed are comparable to the Redwood Creek Watershed where prior analysis has calculated that 10 percent of annual precipitation becomes groundwater recharge on an average annual basis.

Area-weighted average annual precipitation on the Hudson Vineyards parcel was 29.54 inches, or 410.5 AF/yr, from 1981 – 2010. After accounting for vertical saturated hydraulic conductivity of soils on the parcel and excluding portions of the parcel where slopes may limit infiltration of precipitation, average annual groundwater recharge on the Hudson Vineyards parcel is estimated to be 2.95 inches, or 39.6 AF/yr.

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HUDSON VINEYARDS TIER 1
WATER AVAILABILITY ANALYSIS
ESTIMATED AVERAGE ANNUAL GROUNDWATER RECHARGE

Table 1: Land Cover as Percent of Total Watershed Acreage

Land Cover Class ¹	Huichica Creek	Redwood Creek	Napa Creek	Dry Creek	Milliken Creek	Tulucay Creek
Evergreen Forest (NV)	2.4%	36.6%	25.3%	57.1%	3.8%	6.1%
Shrub/Scrub (NV)	21.7%	16.4%	13.3%	21.0%	62.4%	19.8%
Mixed Forest (NV)	12.0%	17.3%	16.3%	9.5%	8.5%	22.0%
Grassland/ Herbaceous (NV)	35.7%	7.6%	13.1%	3.7%	9.6%	17.5%
Woody Wetlands (NV)	0.0%	0.0%	0.1%	0.0%	0.1%	0.0%
Emergent Herbaceous Wetlands (NV)	0.8%	0.0%	0.0%	0.0%	0.0%	0.0%
Deciduous Forest (NV)	3.5%	5.7%	5.3%	2.4%	1.5%	1.4%
Developed, Open Space	2.2%	2.6%	3.8%	2.8%	3.9%	9.7%
Developed (Low and Med. Intensity)	1.2%	0.8%	11.5%	0.6%	5.8%	12.9%
Idle (Barren Land)	0.1%	0.1%	0.1%	0.2%	0.1%	2.6%
Vineyard (Ag)	19.9%	12.8%	11.2%	2.7%	3.0%	5.6%
Deciduous Fruit (Ag)	0.0%	0.1%	0.1%	0.1%	0.0%	0.2%
Pasture (Ag)	0.0%	0.0%	0.0%	0.0%	0.2%	0.5%
Grain and Hay Crops (Ag)	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%
Almonds (Ag)	0.0%	0.0%	0.0%	0.0%	0.3%	1.0%
Citrus and Subtropical (Ag)	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%
Fallow/Idle	0.0%	0.0%	0.0%	0.0%	0.1%	0.3%
Open Water	0.6%	0.0%	0.0%	0.0%	0.5%	0.1%
Total Watershed Acreage	3,141	6,429	9,883	11,152	11,112	8,050
Native Vegetation Land Cover as a Percent of Total Watershed	76%	84%	73%	94%	86%	67%
Agriculture Land Cover as a Percent of Total Watershed	20%	13%	11%	3%	4%	7%
Sum of Native Vegetation and Agricultural Percentages	96%	97%	85%	96%	90%	74%
<p>1 Land cover acreages are a synthesis of data from DWR (1999) and NRCS (2011) as described in the text and in LSCE and MBK (2013). (NV) denotes Native Vegetation classes. (Ag) denotes Agricultural classes.</p>						

HUDSON VINEYARDS TIER 1
WATER AVAILABILITY ANALYSIS
ESTIMATED AVERAGE ANNUAL GROUNDWATER RECHARGE

Table 2: Geologic Units of Greatest Recharge Potential, by Acreage

Geologic Formation	Huichica Creek	Redwood Creek	Napa Creek	Dry Creek	Milliken Creek	Tulucay Creek
Quaternary Alluvium	404	0	7	112	105	771
Quaternary Alluvium (Holocene)	0	69	302	0	216	125
Quaternary Channel Deposits	10	25	110	78	23	44
Quaternary Alluvial Fan Deposits	0	0	622	0	170	0
Quaternary Napa Valley Alluvium (Undiff.)	0	75	571	7	46	2507
Sonoma Volcanics Sediment	0	0	0	0	640	0
Sonoma Volcanics Tuff	600	1056	1190	91	1747	438
Total Acreage of Geologic Units of Greatest Recharge Potential	1015	1225	2802	288	2947	3885
Total Watershed Acreage	3,141	6,429	9,883	11,152	11,112	8,050
Geologic Units of Greatest Recharge Potential as a Percent of Total Watershed	32%	19%	28%	3%	27%	48%
Quaternary Units as a Percent of Potential Recharge Units	41%	14%	58%	68%	19%	89%
Sonoma Volcanics Units as a Percent of Potential Recharge Units	59%	86%	42%	32%	81%	11%

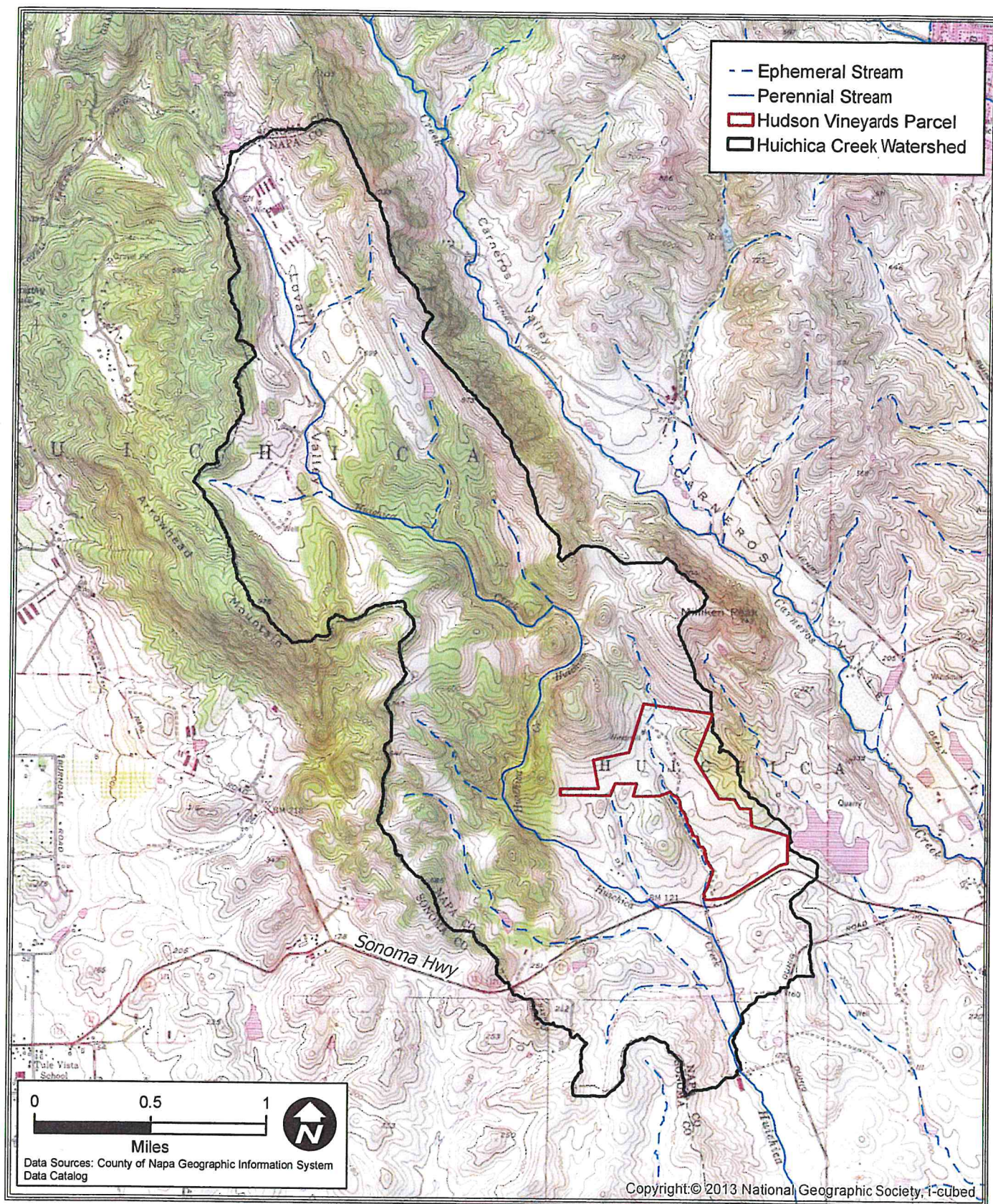
HUDSON VINEYARDS TIER 1
WATER AVAILABILITY ANALYSIS
ESTIMATED AVERAGE ANNUAL GROUNDWATER RECHARGE

**Table 3: Hudson Vineyards Parcel Acreage
by Soil and Slope Characteristics**

Representative Saturated Vertical Hydraulic Conductivity, Ksat (cm/hr) ¹	Slope class (percent)			Total Acres
	< 15%	15% - 25%	> 25%	
< 1.0	132.1	10.4	1.1	143.6
1.0 - 5.0	1.4	0.1	0.0	1.5
> 5.0	6.6	10.5	4.6	21.7
Total Acres	140.1	21.0	5.7	166.8
1 Representative saturated vertical hydraulic conductivity values for the dominant soil component in each map unit were calculated for this analysis by the NRCS Soil Data Viewer GIS utility.				

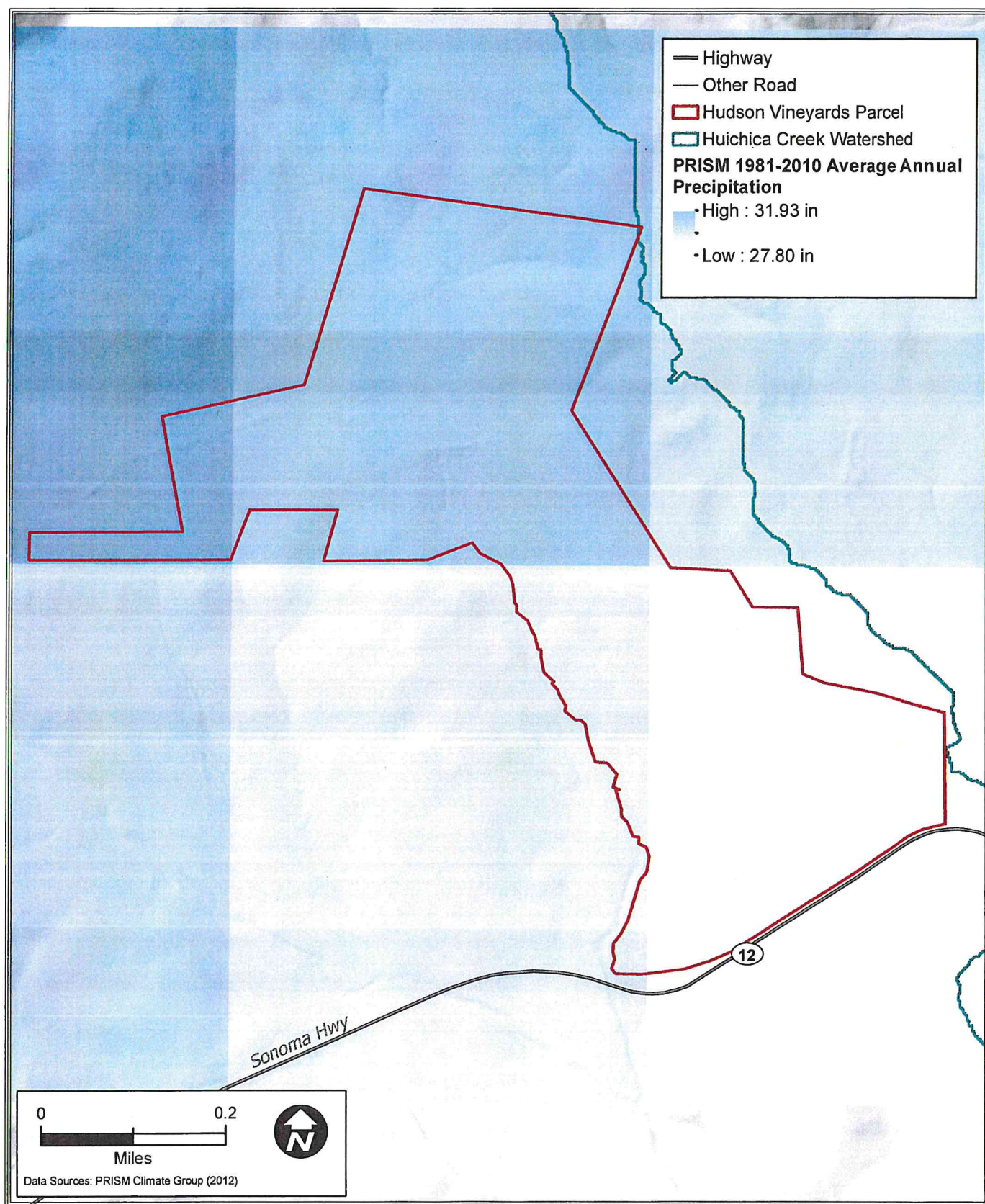
**Table 4: Hudson Vineyards Parcel
Average Annual Precipitation (1981 - 2010) and
Estimated Average Annual Groundwater Recharge (AF/yr)**

	Slope class (percent)			Total AF/yr
	< 15%	15% - 25%	> 25%	
Average Annual Precipitation	343.2	52.9	14.4	410.5
Estimated Average Annual Groundwater Recharge	34.3	5.3	-	39.6



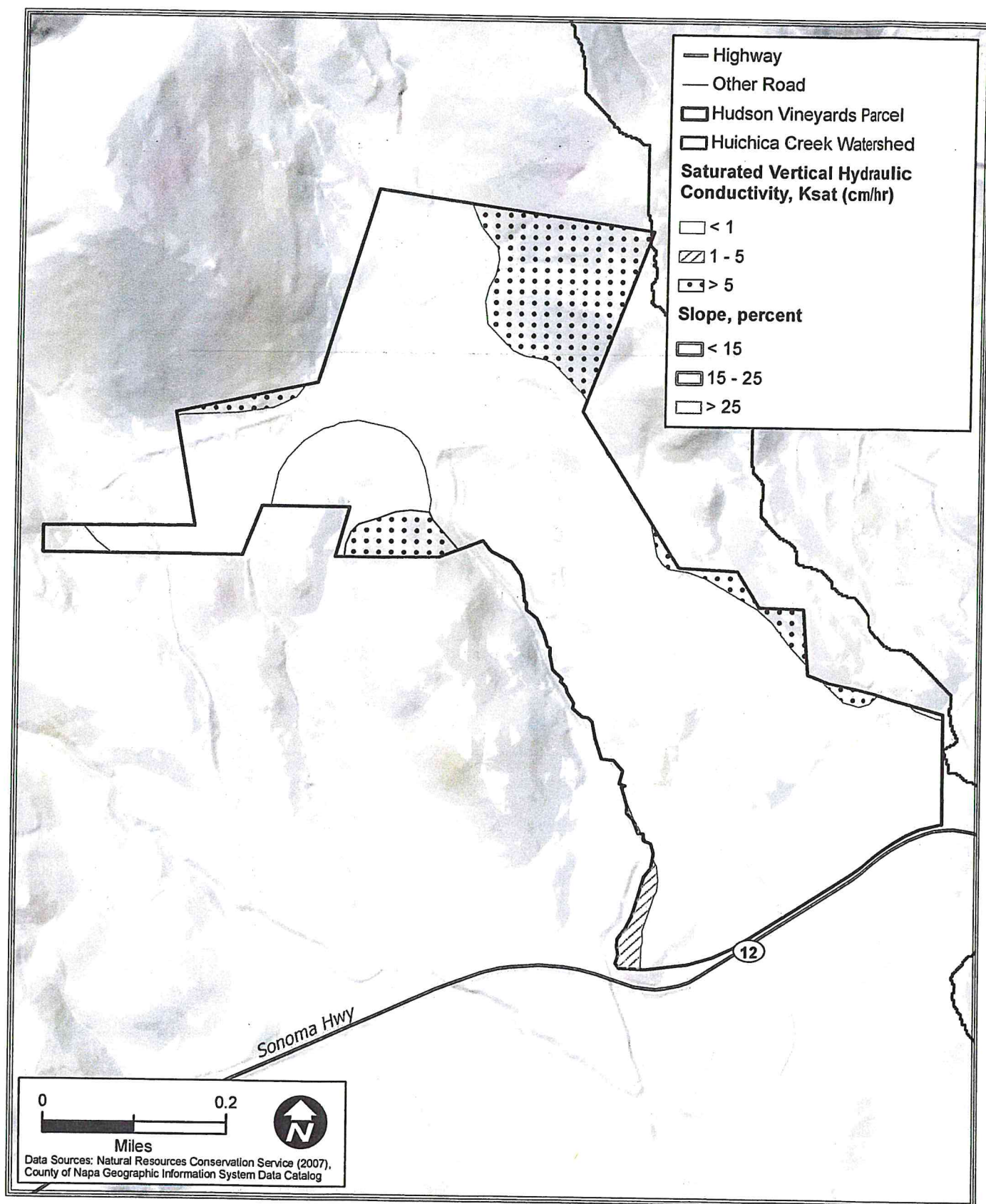
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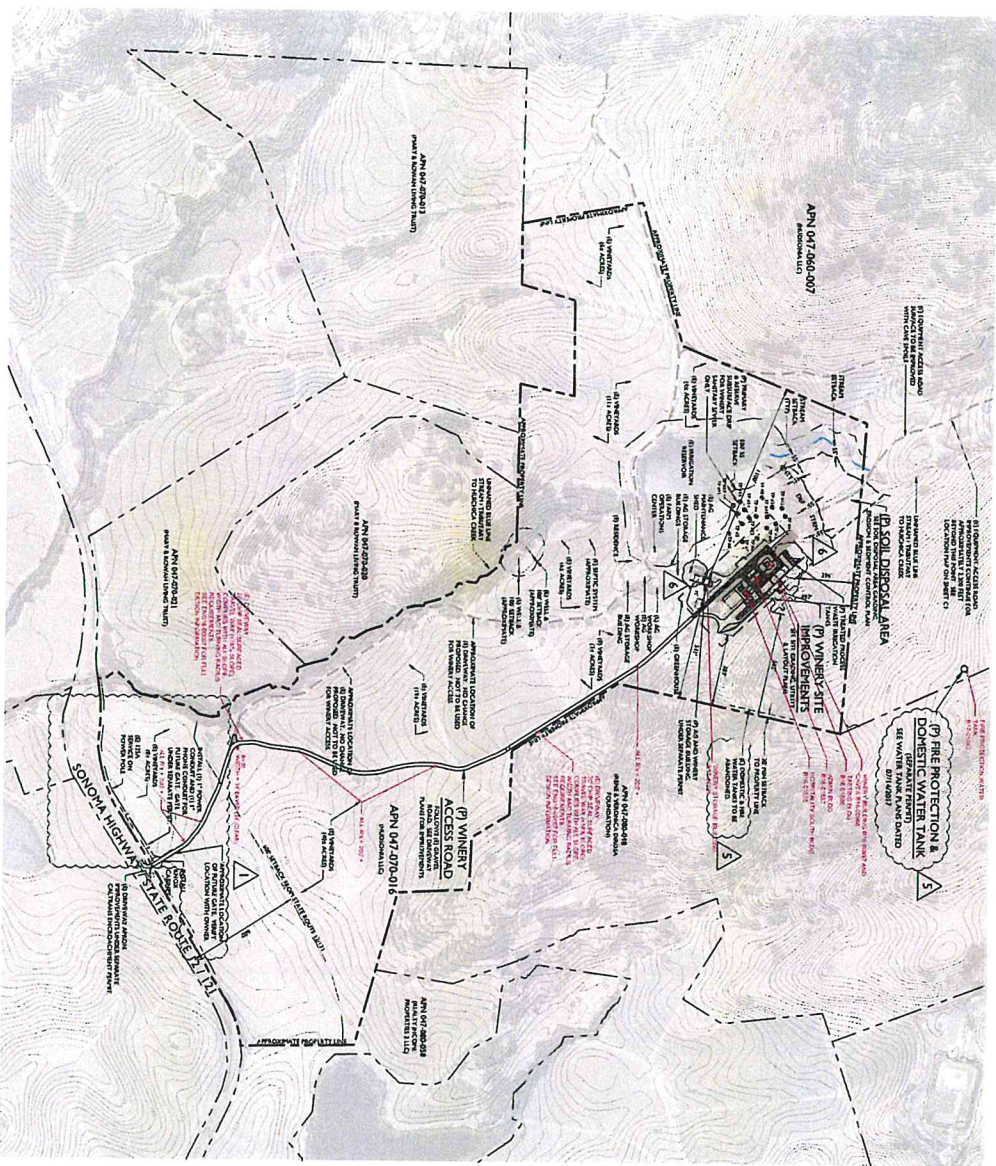
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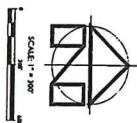
HUDSON VINEYARDS
 5400 Canyon Hwy
 Napa, CA 94558
 AM 01-200-012

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 335 Broadway
 San Francisco, CA 94104
 415-398-1500
 info@forrestarch.com

APPLIED CIVIL ENGINEERING
 www.appliedcivil.com
 2075 West Lincoln Ave
 California 94538
 mail@appliedcivil.com



OVERALL SITE PLAN
 SCALE 1" = 300'



HUDSON VINEYARDS WINERY SITE IMPROVEMENT PLANS

ABBREVIATIONS:

AP	APPROVED	APN 047-000-007
AC	ADJACENT	APN 047-000-008
AD	ADJACENT	APN 047-000-009
AD	ADJACENT	APN 047-000-010
AD	ADJACENT	APN 047-000-011
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OVERALL SITE PLAN

C3



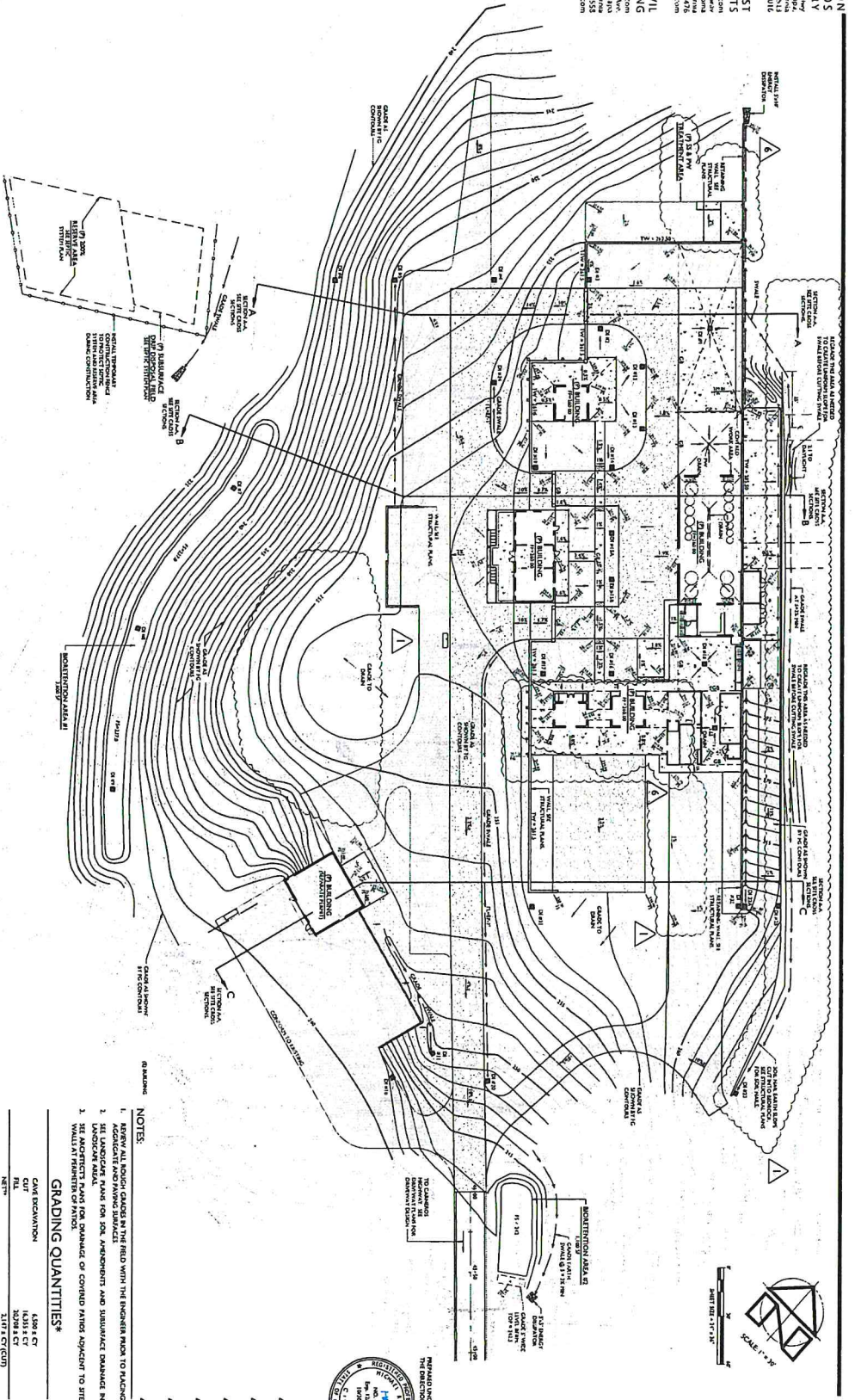
SITE LAYOUT PLAN

96

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ENGINEERING
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SITE GRADING PLAN
SCALE 1" = 10'

SITE GRADING PLAN
C7

- 1 DATE 1/1/17
2 DATE 1/1/17
3 DATE 1/1/17
4 DATE 1/1/17
5 DATE 1/1/17
6 DATE 1/1/17

NOTES:

1. REVIEW ALL NOTES CAREFULLY IN THE FIELD WITH THE ENGINEER PRIOR TO PLACING ANY CONCRETE OR FINISH SURFACES.
2. THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE A GRADING PLAN FOR THE PROJECT. THE ENGINEER'S RESPONSIBILITY IS NOT TO PROVIDE A GRADING PLAN FOR THE PROJECT.
3. THE ARCHITECT'S PLANS FOR CONCRETE OR FINISH SURFACES ADJACENT TO SITE SHALL BE THE RESPONSIBILITY OF THE ARCHITECT.

GRADING QUANTITIES*

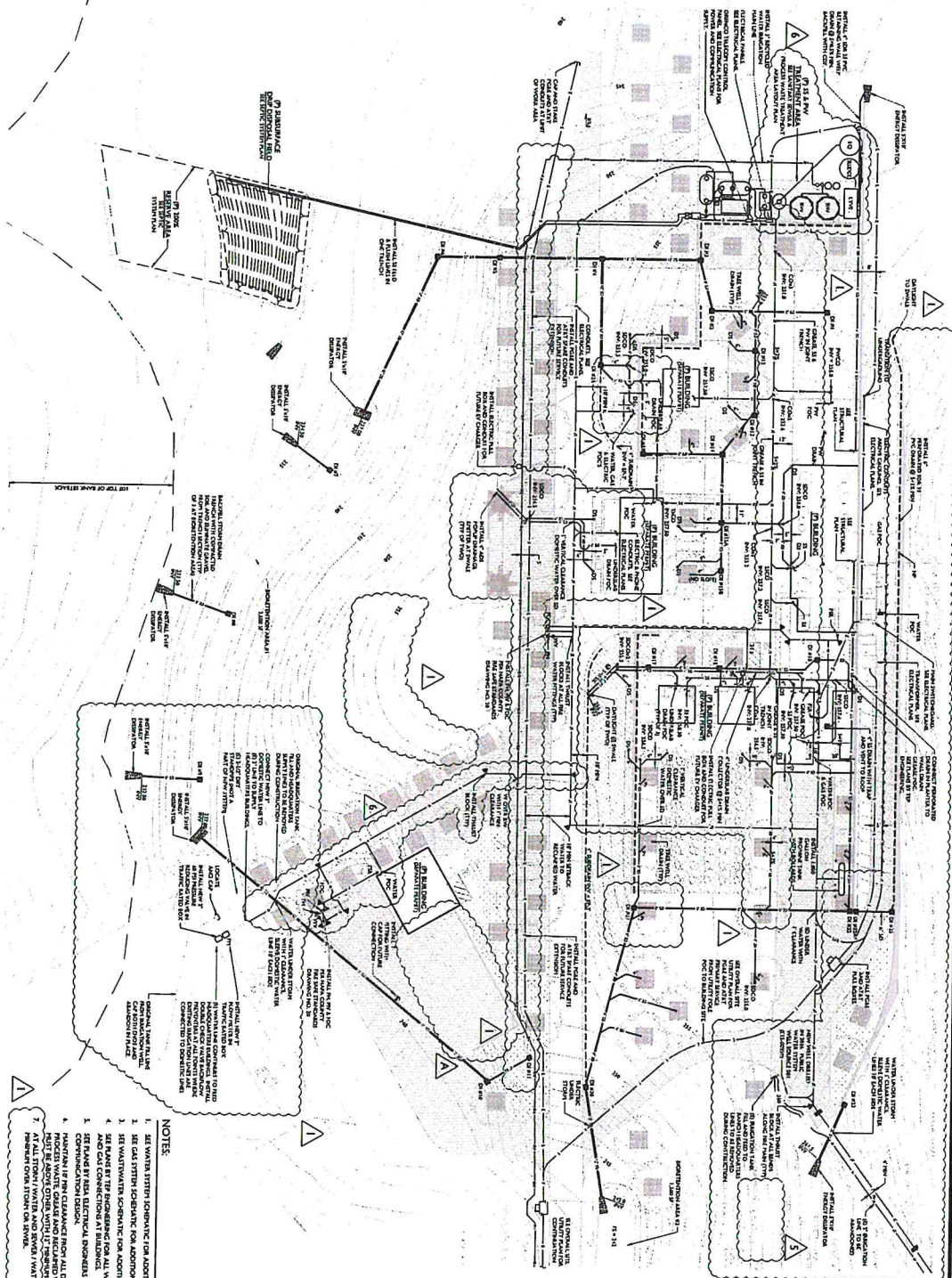
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FILL	1/1/17
NET	1/1/17

* THIS ESTIMATE IS PROVIDED AS A TOOL FOR THE ENGINEERING AGENCIES TO EVALUATE THE ENVIRONMENTAL IMPACT OF THE PROJECT. IT IS NOT INTENDED TO BE USED FOR ANY OTHER PURPOSE. THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE A GRADING PLAN FOR THE PROJECT. THE ENGINEER'S RESPONSIBILITY IS NOT TO PROVIDE A GRADING PLAN FOR THE PROJECT.



HUDSON VINEYARDS WINERY
SITE IMPROVEMENT PLANS

HUDSON VINEYARDS WINERY
 5488 Corners Hwy
 Napa, CA 94558
 APR 01-2006-016
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 Napa, CA 94558
 nape@appliedcivil.com



SITE UTILITY PLAN
 SCALE: 1" = 32'

SITE UTILITY PLAN

C10

NOTES

1. SEE WATER SYSTEM SCHEMATIC FOR ADDITIONAL WATER PUMPING INFORMATION.
2. SEE GAS SYSTEM SCHEMATIC FOR ADDITIONAL GAS PIPING INFORMATION.
3. SEE WASTEWATER SCHEMATIC FOR ADDITIONAL SEWER PIPING INFORMATION.
4. AND SEE ALL PIPING INFORMATION FOR ALL WATER, SEWER, GAS, AND PROCESS WATER.
5. SEE PLANS BY REKA ELECTRICAL ENGINEERS FOR ALL ELECTRICAL AND COMMUNICATIONS DECKS.
6. PROVIDE A MINIMUM 10' CLEARANCE FROM ALL EXISTING WATER LINES TO SEWER, PROCESS WATER, AND WASTEWATER LINES.
7. AT ALL POINTS, WATER AND SEWER WATER CROSSINGS SHALL BE 10' MINIMUM FROM OTHER EXISTING LINES.

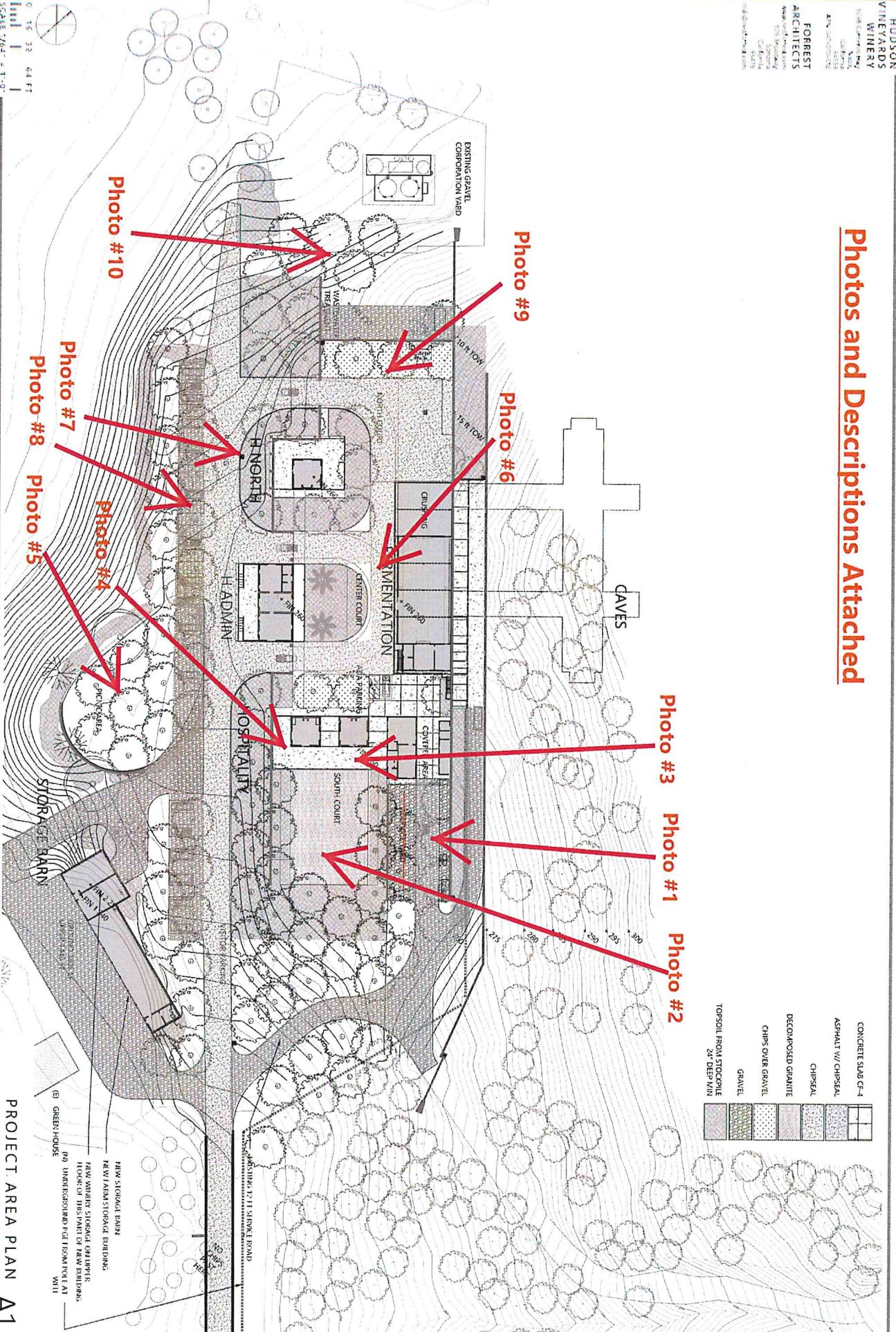
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- 4 DATE 04/10/17
- 5 DATE 05/10/17
- 6 DATE 06/10/17



HUDSON VINEYARDS WINERY
 SITE IMPROVEMENT PLANS

Photos and Descriptions Attached

HUDSON
VINEYARDS
WINERY
FOREST
ARCHITECTS
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New York, NY 10012
Tel: 212-677-1100
Fax: 212-677-1101



PROJECT AREA PLAN A1.11

FERMENTATION HUDSON

Hudson Winery

Location of Outdoor Hospitality and Parking Areas

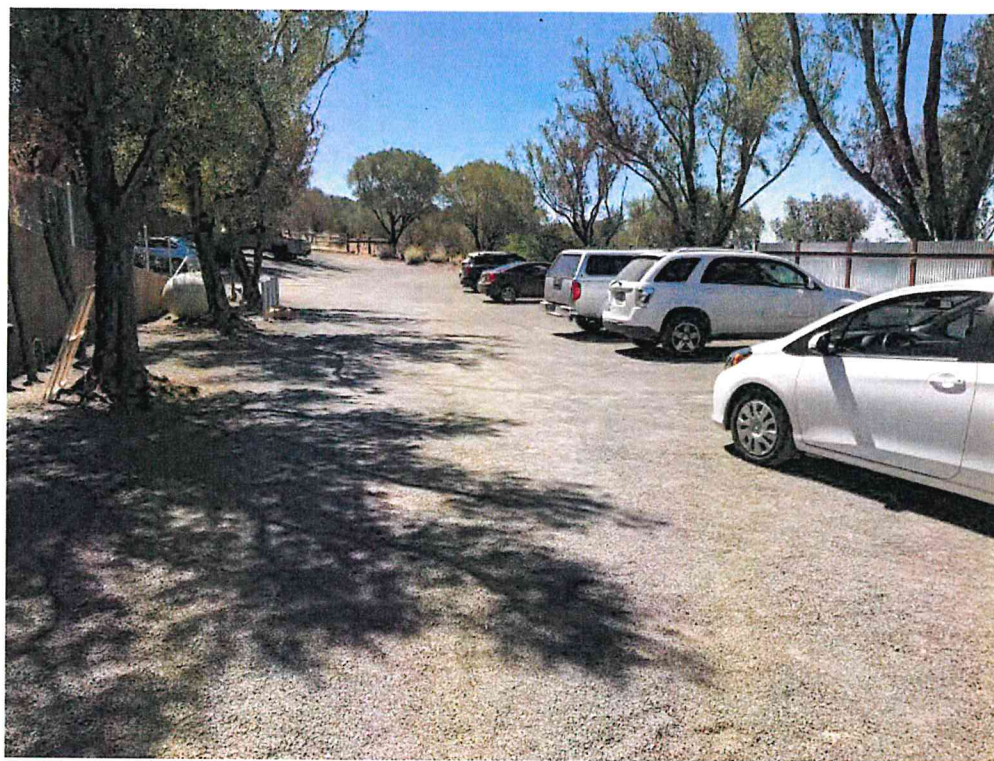


Photo #1 – Employee Parking Area



Photo #2 – South Courtyard Hospitality Area

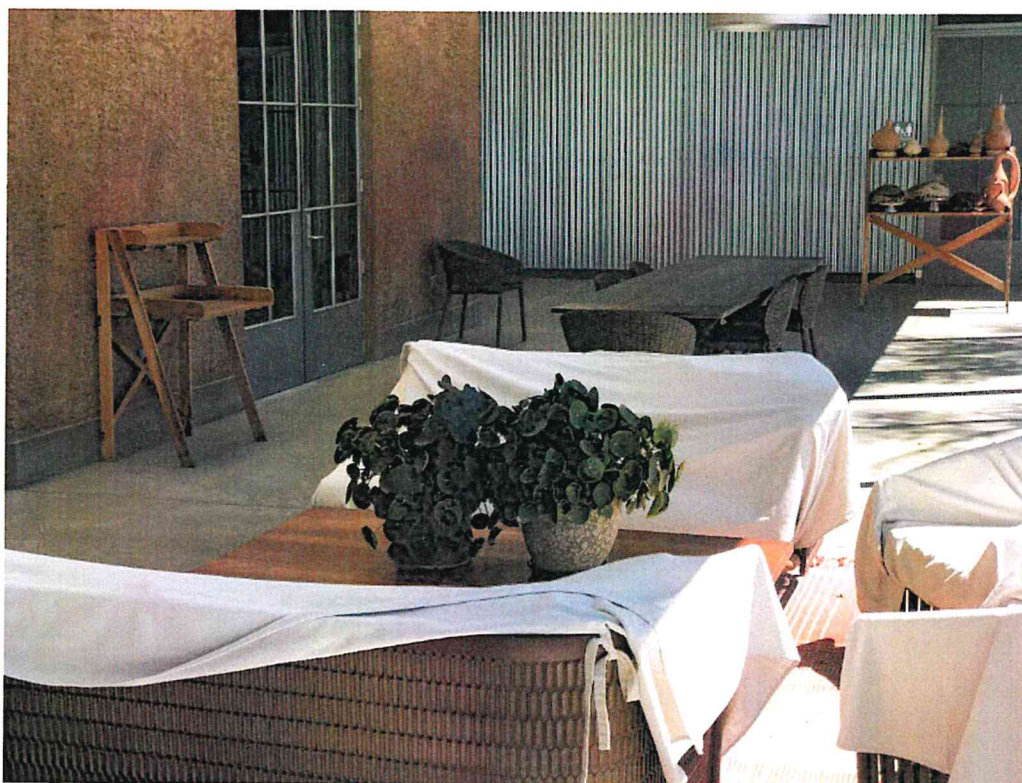


Photo #3 – Outdoor Patio Hospitality Area



Photo #4 - Outdoor Patio Hospitality Area



Photo #5 – Picnic Area



Photo #6 – Center Courtyard Hospitality Area



Photo #7 – North Hospitality Area



Photo #8 – Main Visitor Parking Area



Photo #9 – North Courtyard Parking Area



Photo #10 – Corporation Yard Parking Area

“H”

Winery Comparison Tables
P21-00281

HUDSON VINEYARD WINERY
Permit #21-00281
Summary of Location and Operation Criteria

LOCATIONAL CRITERIA	STAFF COMMENTS
Size of Parcel	166.8 acres
Proximity of Nearest Residence (off-site)	2,700 feet
Number of Wineries Located Within One Mile	Four (4)
Located Within the Napa Valley Business Park (AKA Airport Industrial Area)	NO
Primary Road Currently or Projected to be Level of Service D or Below	N/A (LOS NO LONGER USED)
Primary Road a Dead End	NO
Located Within a Flood Zone	NO
Located Within a Municipal Reservoir Watershed	NO
Located Within a State Responsibility Area or Fire Hazard Severity Zone	NO
Located Within an Area of Expansive Soils	NO
Located Within a Protected County Viewshed	YES, but not visible from road due to topography
Result in the Loss of Sensitive Habitat	NO
OPERATIONAL CRITERIA	STAFF COMMENTS
Napa Green Certified or Other Related Program	NO
Percentage of Estate Grapes Proposed	43.75%
Number of Proposed Variances	NONE
Wastewater Processed On-Site	YES
Voluntary Greenhouse Gas Emission Reduction Measures Proposed	YES, 12 measures incorporated
Vanpools, Flexible Work Shifts, Shuttles, or Other Traffic Congestion Management Strategies Proposed	YES, three employee shifts occur outside peak traffic periods
Violations Currently Under Investigation	NO
High Efficiency Water Use Measures Proposed	YES, water efficient fixtures and landscaping
Existing Vineyards Proposed to be Removed	NO
On-Site Employee or Farmworker Housing Proposed	NO
Site Served by a Municipal Water Supply	NO
Site Served by a Municipal Sewer System	NO
Recycled Water Use Proposed	YES, process waterwaer to be recycled
New Vineyards Plantings Proposed	NO
Hold & Haul Proposed: Temporary (Duration of Time) or Permanent	NO
Trucked in Water Proposed	NO

Hudson Vineyard Winery
Use Permit Major Modification
Permit #P21-00281
Wineries Within One Mile of APN: 047-070-023

Name	Address	Bldg Size	Cave Size	Production	Tours/ Tastings	Weekly Visitors	Number of Marketing Events	Employees
HUDSON VINEYARDS WINERY	5396 CARNEROS/SONOMA	35223	38240	80000	APPOINTMENT	480	82	16
DOMAINE CARNEROS	1240 DUHIG ROAD	72826	0	432000	PUBLIC	1400	16	42
KIEU HOANG WINERY	1285 DEALY LANE	28965	0	35500	PUBLIC	51	0	10
ARTESA WINERY	1345 HENRY ROAD	121081	0	450000	PUBLIC	1750	1673	45

Hudson Vineyard Winery
Permit #21-00281
Winery Comparison (75,000-80,000 Gallons)

BY APPOINTMENT WINERIES

[illegible]

HUDSON VINEYARD WINERY
Permit #21-00281
Winery Comparison (75,000-85,000 Gallons)

PRE-WDO WINERIES

NAME	BUILDING SIZE	CAVE SIZE	PRODUCTION	DAILY VISITORS	WEEKLY VISITORS	ANNUAL VISITORS	ANNUAL MARKETING VISITORS	# OF MARKETING EVENTS	TOTAL ANNUAL VISITATION	ACRES	LOCATION
TWOMEY CELLARS	18940	0	81500	205	530	27,500	200	5	27,700	17	valley floor
LARKMEAD VINEYARDS	18047	0	75000	100	800	41,600	1740	51	43,340	18	valley floor
RUDD ESTATE WINERY	10088	22000	75000	80	250	13,000	702	33	13,702	9.25	valley floor
Average	15691.667	7333.333333	77166.66667	128.333333	526.666667	27366.667	880.666667	29.66666667	28247.33333	14.75	
Median	18047	0	75000	100	530	27500	702	33	27700	17	
HUDSON VINEYARD WINERY	74425	38240	80000	120	480	24,960	2528	82	27,488	166.82	

HUDSON VINEYAR WINDERY MAJOR MODIFICATION #P21-00281
SUMMARY OF CHANGES

Approved/Existing Conditions	Proposed Request	*Proposed Tour and Tasting Reductions on days with events	Net Change (from existing conditions)
Visitation:			
120 Visitors/Day	120 Visitors/Day	108 visitors on days with small events	No net increase of Visitors/Day
480 Visitors/Week	480 Visitors/Week	84 visitors on days with medium events	No net increase of Visitors/Week
24,960 Visitors/Year	21,840* Visitors/Year	0 visitors on days with large events	Net decrease of 3,120 Visitors/Year
		Reduction of 3120 visitors annually	
Marketing Program:			
6 Events/month @ max. 24 guests (1728 total guests)	6 events/month @ 36 guests	2,592 total guests	
7 Events/year @ max. 50 guests (350 total guests)	30 events/year @ max. 60 guests	1,800 total guests	
3 Event/year @ max. 150 guests (450 total guests)	5 events/year @ max. 150 guests	750 total guests	
	2 events/year @ max. 250 guests	500 total guests	
82 Total Events	109 Total Events		Net increase of 27 Total Events
2,528 Total Marketing Guests/Year	5,642 Marketing Guests/year -->	Total increase of 3,114 marketing guests annually	Net increase of 3114 Marketing guests
			(-)Net decrease of 3120 T&T guests
			(=) decrease of 6 visitors/guests to site per year

Quackenbush, Alexandria

From: PlanningCommissionClerk
Subject: FW: Hudson Major Mod Sept 7 agenda item

From: mike hackett <mhackett54@gmail.com>
Sent: Monday, September 5, 2022 1:34 PM
To: PlanningCommissionClerk <planningcommissionclerk@countyofnapa.org>
Subject: Hudson Major Mod Sept 7 agenda item

[External Email - Use Caution]

I'd like to ask for your help in identifying the very important spawning stream which runs through this parcel. I've been hearing that there's an obstruction to this stream's flow, and I'd like to know where it is depicted on the several graphics maps attached to the major mod. The vicinity of water extraction areas to waterways is becoming a very important measure these days, as you all know.

Thanks very much,

Mike Hackett
707 7380273

From: george@monteverdiconsulting.com
To: [Morrison, Dana](#)
Cc: [Lee Hudson](#); [Mike Muelrath \(mike@appliedcivil.com\)](mailto:mike@appliedcivil.com)
Subject: Hudson Winery MOD
Date: Tuesday, September 6, 2022 5:26:39 PM

[External Email - Use Caution]

Hello Dana:

In light of the County-wide concerns over groundwater usage, Hudson Winery will reduce the quantity of groundwater used for landscape irrigation by 0.1 acre-feet/year (from 4.0 acre-feet/year to 3.9 acre-feet/year).

This reduction will more than offset the 0.09 acre-feet/year increase associated with the proposed reconfiguration of the winery's hospitality program, as described in P21-00281.

Please let me know if you have any questions.

Thank you and stay well,

GM

MONTEVERDI CONSULTING, LLC
Planning + Permitting + Project Management

George H Monteverdi, Ph.D.
Principal
PO Box 6079
Napa, CA 94581
707-761-2516

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1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Hillary Gitelman
Director

MEMORANDUM

To:	Planning Commissioners	From:	Dana Morrison Planner III
Date:	September 6, 2022	Re:	Agenda Item 7A – Hudson Family Winery Use Permit Major Modification P21-00281-MOD

Given recent concerns throughout the State, and within Napa County, the Hudson Family Winery Use Permit Modification is proposing to voluntarily reduce their landscaping water use from an estimated 4.0 ac/ft-yr to 3.9 ac/ft-yr. This reduction in water of 0.01 af will result in a no net increase in water use for the project as proposed. Water use for the existing project is 11.0 af/ac-yr, as presented in the Staff Report water use resulting from changes to the number of catered small and medium events resulted in a very minor increase in water use of 0.09 af/yr (increase from 11.0 af/ac-yr to 11.09 af/ac-yr). With the voluntary reduction in landscaping water use, detailed in the attached email, from 4.0 ac/ft-yr to 3.9 ac/ft-yr the project will result in a final water use of 10.99 ac/ft-yr which is a no net increase in water use. An email from the applicant's representative detailing this proposed change is attached to this memo; a hard copy will also be provided at the Public Hearing tomorrow.

If you have any questions, please do not hesitate to contact me at (707) 253-4437 or at dana.morrison@countyofnapa.com.



Napa County

Board Agenda Letter

Planning Commission

Agenda Date: 9/7/2022

File ID #: 22-1676

TO: Napa County Planning Commission

FROM: David Morrison, Director of Planning, Building, and Environmental Services

REPORT BY: David Morrison, Director of Planning, Building, and Environmental Services

SUBJECT: Update and presentation on the process for a comprehensive update to the Napa County General Plan

RECOMMENDATION

Director of Planning, Building, and Environmental Services will provide an update and presentation on the process for a comprehensive update to the Napa County General Plan.

EXECUTIVE SUMMARY

The 2008 General Plan described the following vision for Napa County: “Today and in the future, unincorporated Napa County will be home to world-famous wines and a residential population smaller than most Bay Area cities and towns. The County’s scenic beauty, valuable agricultural resources, and quality of life are reinforced by longstanding commitments to agricultural preservation, resource conservation, and urban-centered growth. While other Bay Area counties have experienced unprecedented development and urban infrastructure expansion over the last four decades, Napa County’s citizens have conscientiously preserved the agricultural lands and rural character that we treasure.”

Napa County in 2022 reflects the vision defined above and the success of the 2008 General Plan. In fact, the emphasis on preservation and conservation has resulted in a rate of growth since 2005 (which serves as the baseline for the General Plan) that has been far less than what was expected. The General Plan assumed the creation of 2,935 new housing units and 8,259 new jobs in the unincorporated County between year 2005 and 2030. It also assumed the development of up to 12,000 acres of new vineyard during this time, as well as the approval of 225 new wineries, the majority of which would be less than 50,000 gallons annual production.

Instead, of creating 2,935 new houses, the total number of residential units from 2005 to 2021 has decreased by

773 homes. The number of people employed in Napa County has increased by only 2,200 since 2005. There have been 141 new wineries approved since 2005, well below the number anticipated, with the majority of new wineries having 30,000 gallons of annual production or less. A total of 5,402 acres of new vineyard have been approved over the past 17 years, much smaller than what was predicted.

The vision of the 2008 General Plan remains true. As reflected in the 2019 Strategic Plan, there is community consensus for Napa County to remain "...an agricultural treasure known for its legendary wines, our small-town character, and sustainable natural resources." But the General Plan forecast rates of development that have not been achievable in light of unforeseen events such as the Great Recession of 2009, the earthquake of 2014, devastating wildfires in 2017 and 2020, the COVID-19 pandemic, and the current prolonged drought. Nor does the General Plan reflect the increasing importance of policies to effectively and immediately reduce greenhouse gas emissions, address social justice, and reflect the adopted Groundwater Sustainability Plan.

The vision established in 2008 continues to serve as a strong guidepost for the future, but that it needs to be refined and strengthened in light of the significant social and environmental changes that have occurred since 2005. Updating the General Plan is an ambitious undertaking. The comprehensive update will require several years, substantial cost, extensive public engagement, and a commitment of County staff resources to complete. Still, the challenge is well worth the effort to secure the policies needed for the next generation to protect and preserve our community into the future.

To begin the process, staff intends to return to the Board of Supervisors in early 2023 when the new Board of Supervisors is seated, with a draft proposal for an Advisory Committee; to initiate the RFP process for the General Plan and Environmental Impact Report; and a proposed community outreach strategy.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by Title 14 of the California Code of Regulations (CCR) Section 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable. As a project under CEQA, environmental review of the General Plan, ALUCP, and CAP will be conducted prior to adoption. In addition, the proposed action to seek direction is statutorily exempt under 14 California CCR Section 15262 as feasibility or planning studies for possible future actions which the Board of Supervisors has not approved, adopted, or funded.

BACKGROUND AND DISCUSSION

Every county and city in California is required by state law to prepare and maintain a General Plan. State law requires that each General Plan include a minimum of seven elements: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. In addition, jurisdictions that include disadvantaged communities are required to include an eighth element: Environmental Justice.

There is no requirement regarding how often a General Plan must be updated. Individual elements, however, have regularly mandated reviews. The Housing Element must be updated every eight years. Safety Elements must be updated following the adoption of a Hazard Mitigation Plan, which occurs every five years. Environmental Justice Elements must be adopted if there are qualified disadvantaged communities within the plan area AND two or more General Plan elements are updated at the same time. Local jurisdictions may also adopt optional elements at their discretion. The 2008 Napa County General Plan has an optional Economic Development Element.

The Environmental Impact Report (EIR) for the 2008 General Plan evaluated impacts through the planning horizon of 2030. This EIR assesses impacts of the General Plan over a long planning horizon, and consistent with CEQA, the EIR does not assess impacts based on theoretical “build out” of development potential, since build-out (i.e. the maximum permitted number of development on every parcel) may occur well past the 25 year planning horizon, if at all. Instead, the EIR analysis assesses potential policy changes under each alternative and relies on a set of reasonable projections of residential and employment growth that might be expected to occur.

However, any new development that would occur after 2030 may require additional analysis under the California Environmental Quality Act (CEQA).

The current General Plan was unanimously adopted by the Board of Supervisors on June 3, 2008, after recommendations from both the Planning Commission and the General Plan Advisory Committee. Since 2008, there have been the following amendments to the General Plan:

- Proposed Land Use Map Amendment to resolve “urban bubbles” (2009)
- Napa Pipe Specific Plan (2013)
- Allied Clean Fuels Terminal (2014)
- Housing Element update (2014)
- County Jail (2014)
- Angwin Area (2016)
- Circulation Element update (2019)
- Vinum Greenwood Café (2020)

Currently, staff are working on four pending General Plan Amendments: Safety Element update, Housing Element update, Capell School amendment, and the Hess amendment.

RELATED PLAN EFFORTS

Updating the General Plan is a lengthy and complex project, as it sets out the land use blueprint for all of the unincorporated area over the next decades. The update will require the preparation of background documents early in this process to fully inform the public and decision makers about key issues before starting the review of the General Plan, and the update will occur at the same time as other related plan updates are occurring. A brief summary of each of these efforts is as follows:

1. Baseline Data Report (BDR)

The BDR consists of a comprehensive set of data and maps reflecting existing environmental conditions in the County, as they existed in 2005. Although the document was envisioned as an evolving work product that could be updated as necessary over time to reflect new information, changes in plans adopted by other agencies, and other new information, the BDR has not been updated since 2005. Since that time, there have been substantive changes in the designation of earthquake faults, flooding and sea level rise, fire hazard areas, groundwater conditions, wildfires, changes in the built environment, and changes in local and State policy. An update of the BDR would provide current information and analysis on the state of environment in Napa County, to provide a foundation for the work of the General Plan and accompanying Environmental Impact Report.

Staff is beginning work on the BDR, so that both the BDR and early public outreach can inform the development of the General Plan and the Environmental Impact Report (EIR).

2. Climate Action Plan (CAP)

A CAP is a comprehensive roadmap that outlines the specific activities that an agency will undertake to reduce greenhouse gas emissions (GHG). Climate action plans build upon the information gathered by GHG inventories and generally focus on those activities that can achieve the relatively greatest emission reductions in the most cost effective manner, to achieve long-term reduction goals.

A CAP is not a required element within the General Plan. Only about one-third of all California cities and counties to date have adopted a CAP. Although not required as a part of the General Plan, cities and counties are required to meet the State goals of reducing GHG emissions to 40% below 1990 levels by 2030 and to reduce GHG emissions to zero by 2045. GHG emissions are also required to be evaluated under the California Environmental Quality Act (CEQA).

The 2008 General Plan included goals, policies, and action items aimed at reducing GHG emissions, and

Action Item CON CPSP-2 directed that an emissions reduction plan be prepared. A Draft CAP was presented to the Board of Supervisors in 2012, but was not adopted. Preparation of a new CAP began in 2015 and the draft document was released for public review in 2017. Following a public hearing, the County determined that additional changes should be made to the draft CAP and that an Environmental Impact Report (EIR) should be prepared. A revised draft CAP was released for public review in 2019. The County's draft CAP was placed on hold, when the Climate Action Committee (CAC) began meeting on regional GHG reduction strategies in 2019.

The General Plan update will need to be coordinated and integrated with either the County CAP or the regional CAP, to ensure that land use actions and programs will meet the State's adopted GHG reduction goals, including a quantitative and measurable strategy for achieving net zero emissions by 2045.

3. Airport Land Use Compatibility Plan (ALUCP)

The primary function of the ALUCP is to provide guidance to the Airport Land Use Commission (ALUC) in reviewing the land use plans and zoning regulations of local jurisdictions to ensure that future development is compatible with airport activities. The ALUC is an independent agency and their decisions are final. However, the ALUC has no authority over existing land uses and has no authority over the operation of any airport.

State law requires each ALUC to prepare an Airport Land Use Compatibility Plan (ALUCP) with a twenty-year planning horizon. Pursuant to the CalTrans Airport Land Use Planning Handbook, the ALUCP should be updated every 5-10 years to ensure consistency with General Plans, Specific Plans, etc. The current ALUCP was adopted in 1991 and was last amended in 1999.

The proposed General Plan update should include a review of the Napa Valley Business Park Specific Plan (NVBSP), as it provides land use policy for one of the largest employment centers in the incorporated area, and plays a key role in discussions of circulation and jobs/housing balance. The NVBSP lies entirely within the boundaries of the ALUCP.

Although the ALUC is a separate agency from the County of Napa, its activities and staffing are funded by the County. The update of the ALUCP is already underway, as a Request for Proposals (RFP) for a consultant to prepare the new plan was released last month.

NEXT STEPS

1. Advisory Committee

The General Plan Update Steering Committee formed in 2005 consisted of 21 members. Each Supervisor selected four members from the public, with one additional member jointly selected by the five cities and town.

Recent General Plan Advisory committees in Contra Costa County, Sonoma County, and the City of Napa have generally been smaller, with each having a total of 15 members.

Similar to other recent and ongoing public policy efforts such as the Groundwater Sustainability Plan Advisory Committee, the Drought and Water Shortage Task Force, and the Housing Element Advisory Committee, staff recommends that an Advisory Committee be formed to provide a means for the public to directly participate in the creation of the updated General Plan, as well as provide an ongoing public forum for general comment and input. The formation of an Advisory Committee in early 2023 would be one of the first tasks in the General Plan update process, when the new Board of Supervisors seats in January.

2. Timeline and Budget

In early 2023, staff will prepare and distribute a Request for Proposals (RFP) to select and hire a consulting team to lead the process of drafting the revised General Plan and preparing the EIR. Firms responding to the RFP will provide detailed schedules for completion and budgets.

Until detailed RFP responses are available, staff estimates that the process would likely take four years, beginning in 2023, at a cost of \$3.2 million. The cost estimate is based both on staff experience, as well as recent efforts by other local jurisdictions. Other recent examples in the region include:

- Contra Costa County began the General Plan update process in 2018 and will finish in 2022 (4 years). The total cost is \$3.7 million.
- Sonoma County began its General Plan update process in 2022. It is expected to be complete in 2027 (5 years), at a total cost of \$6 million.
- The City of Napa began its General Plan update process in 2018 and will finish in 2022 (4 years), at a cost of \$1.6 million.

The cost for the General Plan update reflects several factors. Of the seven mandatory General Plan Elements, three have been recently updated or will be updated in the next six months: Housing, Safety, and Transportation. The draft County Climate Action Plan is largely complete and/or will be addressed in a separate Regional Climate Action Plan. The Airport Land Use Plan (ALUP) is a separate effort directed by the Airport Land Use Commission and is not included in this cost estimate. In addition, the 2008 General Plan represented substantial work to update the previous document. In contrast, the new update will likely be more

of a refinement to the existing General Plan, and will not be as intensive an effort. Finally, these costs do not include estimates for staff time, which would largely be focused in the PBES and County Counsel Departments.

The remaining mandatory Elements to be updated in the General Plan is where the majority of the effort will be focused: Agriculture and Land Use, Community Character, Conservation, and Recreation and Open Space. The 2008 General Plan also includes an optional Economic Development Element, which would also be updated.

With regards to timeline, staff believes that the BDR update and completion of the CAP could both be accomplished within 18 months, by the end of calendar year 2023.

- The BDR update could be completed by the summer of 2023;
- The Climate Action Plan and EIR could be completed within 12 months, by mid-2023;
- The ALUCP update could be completed within 24 months, by mid-2024; and
- The General Plan update and EIR could be completed by the end of 2026.

4. General Plan Themes

Staff will make a presentation on how demographics, environment, housing, and economy may be affected over the next 20 to 30 years, to start to outline some of the challenges that will be addressed in the next General Plan update. The same presentation will be made to the Planning Commission next month.

Future Trends

- Nearly 60% of future jobs will be in the wine-making and leisure/hospitality sectors, which are currently made up of primarily small businesses.
- As the population ages over the next 30 years, it will become increasingly important to attract people to move here from the US and other countries, to maintain an expanding workforce.
- We will need to build significantly more affordable homes than we have in the past 20 years to house resident families and future workers.
- Increased maximum temperatures, more frequent wildfires, greater energy demand, need for more solar and wind power, reduced surface water storage, and sea-level rise will affect the environment, communities, and agriculture, requiring new infrastructure and changes in how we live.

Future Milestones

- 2035 State Goal for jurisdictions to reduce greenhouse gas emissions to 90% below 1990 levels
- 2031 Housing Element update
- 2039 Housing Element update
- 2042 Napa Valley Sub-basin must achieve groundwater sustainability
- 2045 State Goal for jurisdictions to achieve net zero greenhouse gas emissions
- 2047 Housing Element Update
- 2055 Housing Element Update
- 2059 Measure P ends unless extended by the voters

CAPACITY

The PBES Department currently has 4 unfilled positions out of the 13 approved staff within the Planning Division (30% vacancy). Vacancies include both the Planning Manager and one Supervisor position. The Department continues to supplement limited staff resources with contracted consultants to processing project applications, prepare CEQA documents, and draft both the Housing and Safety Element updates.

In addition to permit processing, the Planning Division is currently working on the following projects:

- Housing Element update;
- Safety Element update;
- Airport Land Use Plan update;
- Housing ordinance to define provisions of Senate Bill 9 and to allow Accessory Dwelling Units in the Agricultural Preserve zone;
- Residential development ordinance to require use permits for large homes in the Agricultural Preserve zone;
- Amendments to the County Code and CEQA Guidelines resulting from recent changes to the State Fire Safe Regulations.

The timeline for the General Plan update will in part depend on the staff resources and competing priorities for the Planning Division that will occur over the next four years.

RECOMMENDATION

Staff intends to return in early 2023, with a draft proposal for an Advisory Committee, to initiate the RFP process for the Baseline Data Report, General Plan, and Environmental Impact Report, and begin discussion of the community outreach strategy.