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Recommended Findings

**PLANNING COMMISSION HEARING – FEBRUARY 4, 2026
RECOMMENDED FINDINGS**

**PROMISE WINERY VARIANCE (P25-00283-VAR), USE PERMIT (P22-00384-UP),
AND EXCEPTION TO THE ROAD AND STREET STANDARDS
2004 SAGE CANYON ROAD, ST. HELENA, CA 94574
APN 032-520-009-000**

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Mitigated Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and makes the following findings.

That:

1. The Planning Commission has read and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) prior to taking action on said Mitigated Negative Declaration and the proposed project.
2. The Mitigated Negative Declaration and MMRP is based on independent judgment exercised by the Commission.
3. The Mitigated Negative Declaration and MMRP was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).
4. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment provided that measures to mitigate potentially significant impacts to biological and cultural resources are incorporated into the project approval.
5. There is no evidence, in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
6. The site of this proposed project 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.
7. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. Records are located at the Napa County Planning, Building, and Environmental Services Department, 1195 Third Street, Ste 210, Napa, California.

VARIANCE:

The following findings must be made in order for the Commission to grant a Variance pursuant to County Code § 18.128.060.

8. That the procedural requirements set forth have been met.

Analysis: An application and required processing fees have been submitted for a variance accompanied with a statement from the applicant outlining the reasons for the request. Site plans depicting the location of the project and elevation drawings showing the existing and proposed structures have been submitted as required by Napa County Code (NCC) §18.128.020. According to NCC § 18.128.040, the applicant shall bear the burden of proof in establishing facts supporting the applicant's eligibility for grant of variance while also providing other appropriate information, including graphic depictions necessary to show the grounds for granting of a variance. As such the applicant has submitted a narrative with responses to the required findings and the appropriate information needed to support approval of a variance. Noticing and public hearing requirements have been met. The hearing notice was posted on December 18, 2025, and copies were forwarded to property owners within 1,000 feet of the project parcels and all other interested parties.

9. Special circumstances exist applicable to the property, including size, shape, topography, location or surroundings, because of which strict application of the zoning district regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Analysis: This Variance is requested in tandem with the Use Permit request to allow conversion of existing structures and construction of new adjacent structures to establish a new winery. This existing building complex is one of two accessible flatter areas of the property and is entirely within the 600-foot winery road setback from Sage Canyon Road/Highway 128 (SR 128). Additionally, a portion of the building complex (the existing barn) is within the 300-foot winery road setback from a private road that serves APN 032-520-008 and the project parcel. The other accessible level area of the property contains the main residence which meets the setback but is occupied by the landowner/winery operator and has a smaller footprint due to surrounding topography. Existing structures within the building complex include a barn/proposed winery which is 344+/- feet from the road centerline of SR 128 and 279+/- feet from the road centerline of the private road, and an ADU/proposed tasting room that is 488+/- feet from the road centerline of SR 128. The barn and ADU were legally constructed in 1990 and 2016 under Building Permits #B46991 and #16-0470, respectively. New winery structures proposed include an unenclosed covered parking structure with winery storage space and an ADA restroom next to the proposed tasting room, located 555+/- feet from the road centerline of SR 128; and a covered crush pad with a mechanical enclosure located 421+/- from the road centerline of SR 128.

As discussed below, the Promise Winery parcel has a unique combination of geologic and biotic resource features. Although the subject parcel is over 60 acres and well above the 10-acre requirement for a winery parcel, its topography is steep and there are limited sites suitable for building a winery. Properties accessed from SR 128 within vicinity of the project site with the same zoning designation (AW) appear to contain steeper topography with limited topographical benches and limited presence, if any, of serpentine grassland and serpentine shrubland biotic communities.

Special Circumstances

The project parcel is characterized by steep slopes. Sage Creek, a designated significant stream, flows along SR 128 and borders the northern project parcel's boundary. The subject parcel has

special circumstances unique to it in that it contains an existing building complex sited on a topographical bench that is tucked into the hillside and screened from view from the highway. Most of the property is either in the 600-foot setback from the highway, contains slopes between 15 percent and greater than 30 percent, or is vegetated with sensitive biotic communities including oak woodland, serpentine grassland, serpentine shrubland, and riparian habitat. Additionally, a portion of the existing barn/proposed winery building is within the 300-foot setback from the private road that serves the project parcel and the adjacent parcel to the west (APN 032-520-008).

As can be seen from the slope exhibit provided under Graphics (Attachment K), the property is almost completely covered in either dark yellow color (surface slope of 15% to 30%), orange color (surface slope of 30% to 50%) and dark red (surface slope over 50%). The existing building complex is located on a bench in the northern portion of the property, approximately 344+/- feet from SR 128 and 279+/- feet from the private road, shown in areas with dark green color (surface slope of 0% to 5%) and light green (surface slope of 5% to 15%). Development of the other areas shown in green colors (slopes less than 15%) are either within the stream bank of Sage Creek (along SR 128) or would require construction of an access road that would pass through areas with greater than 30% slope and sensitive habitat in the southern portion of the property and are therefore not considered viable options.

Other geologic conditions on the property include a landslide and fault line. Napa County GIS Environmental Maps (Landslides line, polygon, and geology layers) show the property is underlain by a landslide deposit estimated to be 58 acres in size that extends from Sage Creek at the lower elevations of the site to about 0.5-mile upslope to the south. County GIS Environmental Maps (Fault layers) also show a quaternary fault line bisecting the southern portion of the property. Based on staff's review of the 2016 geotechnical report prepared by RGH Consultants for the ADU and other nearby improvements (on file with County records under 2004 Sage Canyon Rd, APN 032-520-009, Permit #B16-00470), the building complex appears to be the most suitable site for a new winery. RGH Consultants' report describes no active landslides, or any evidence of recent slope movement were observed at the ADU and surrounding areas surveyed at the time of their assessment in 2016. The 2016 geotechnical survey also describes no landforms observed within proximity of the ADU that would indicate the presence of active faults thus, RGH Consultants estimated the risk of fault rupture at the ADU site to be low.

Meeting the setbacks presents a practical difficulty as the areas located outside the required setbacks are on steep topography with slopes of between 15 percent and greater than 30 percent and would require conversion of either agricultural land or sensitive biotic communities. Although the vineyard blocks permitted under #P17-00348 are outside of both winery road setbacks and are unplanted, these areas contain slopes ranging from 15% to over 25%. Developing other areas of the property with slopes less than 15% would elevate the geologic hazard due to the proximity to the fault line and require substantial grading for access and new building pads, as well as new stream crossings and conversion of oak woodland, serpentine shrubland, and serpentine grassland.

Unnecessary Hardship

Developing a winery outside of the 300-foot and 600-foot road setbacks would create a substantial hardship in that any alternative location on the 62.56-acre parcel would necessitate substantial grading and earthmoving operations and the construction of additional structures, including access driveways, drainage and erosion control, on steeply sloping lands. This will necessitate the permanent loss of land permitted for vineyards or land with intact sensitive biotic communities. Additionally, grading and slope re-contouring will move development from an area on low geologic instability to areas of elevated geologic hazard. Although the applicant is not a licensed contractor, the applicant estimates building a winery on the areas outside of the winery setback, and extending the road to those areas, would cost millions of dollars.

The applicant owns the adjacent 40.06-acre parcel to the west (APN 032-520-008); however, this parcel contains only one single family dwelling and is characterized by steep slopes covered in oak woodland and serpentine shrubland. Converting the dwelling unit and surrounding area to a winery would result in loss of residential use of the property, conversion of oak woodland and necessitate a variance to the winery setback as the dwelling is approximately 488 feet from SR 128.

As the applicant's property, including the western parcel, cannot feasibly accommodate the imposed 300-foot and 600-foot winery road setbacks due to steep topography and sensitive biotic communities, the strict application of the setbacks would deprive the applicant of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

10. Grant of the variance is necessary for the preservation and enjoyment of substantial property rights.

Analysis: This finding requires the applicant to demonstrate that granting of the variance is necessary for the preservation and enjoyment of substantial property rights generally enjoyed by other property in the same zone and vicinity, but will be denied to the applicant's parcel due to special circumstances of the property and unnecessary hardship. This is generally referred to as the "parity" prong. The property is located within the AW zoning district in which wineries are permitted upon approval of a use permit. The property exceeds the minimum parcel size of 10 acres and as proposed, complies with all development standards for wineries, except for the required road setbacks. Approval of the variance will allow the subject property to be used as an agricultural use consistent with the site's zoning and General Plan land use designations. Further, the variance to the winery setbacks will allow the applicant to achieve a degree of parity with other properties in the vicinity within the same zoning district that are currently in agricultural use and are not constrained by the pre-existing conditions described above. Strict application of the setbacks, results in a practical hardship and a financial hardship which will restrict the ability to obtain a winery use permit. Grant of the variance will bring the parcel into "parity" with other properties zoned AW that have been granted use permits for wineries.

Other AW zoned properties located on SR 128 contain wineries in the 600-foot winery road setback. These include three pre-WDO wineries (Neyers Vineyards Winery, Nichelini Vineyards, Moss Creek Winery), Brown Estate Vineyards, and Dakota Shy Winery. The Brown Estate Vineyards parcel has similar topography, oak woodland, and vineyard constraints and obtained a variance to use an existing historic building located 280 feet from the centerline of SR 128.

Dakota Shy Winery is on a smaller flat parcel bounded by two highways and obtained a variance to expand their pre-WDO facilities because there was no alternative location on the site where the variance from winery road setbacks would not be necessary. Additionally, Gandona Winery, which is approximately one mile southwest of the project, obtained a variance to a 300-foot private road winery setback due to similar geological and biological constraints experienced by the applicant. Other wineries located within one mile of the site and in the same zoning district do not have frontage along a road/highway or are pre-WDO facilities and therefore are not limited by winery setbacks.

Conversion of existing structures on the property for winery purposes is necessary given the lack of other developable portions of the property and is environmentally preferable. Granting of the variance is necessary for the applicant to utilize the existing building complex for the winery. By using these existing structures and their adjacent flatter, mostly disturbed areas, the project preserves sensitive biotic communities onsite as well as the permitted vineyard land onsite. If the landowner cannot use the existing structures and adjacent building areas, there is no other feasible developable portion of the property for winery purposes, and the landowner would be deprived of substantial property rights as a result.

11. Grant of the variance will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: The intent of the 300-foot and 600-foot winery setbacks is to avoid impacts to views and noise of a winery on major thoroughfares and neighbors and preserve the rural character of Napa County.

The requested variance will not adversely affect public health, safety and welfare and instead provides a benefit to the public welfare by avoiding scenic areas and substantial grading and vegetation removal, as discussed further below.

- The existing building complex is located on a topographic bench tucked into the hillside above SR 128, approximately 344 to 555 feet from the road centerline of SR 128 and 279+/- feet from a private road. Due to surrounding topography and vegetation, this building complex cannot be viewed from SR 128 or the private road. As such, none of the existing and proposed winery structures will be visible from views from SR 128 or the private road.
- By utilizing the existing building complex and adjacent hillside for the production cave, as well as the existing road that provides access to these areas, the project minimizes cut and fill and other earthmoving operations. Thus, approval of the variance will avoid substantial changes to the natural landforms and topography of the site.
- The project avoids sensitive biotic communities found on the property, including riparian habitat, oak woodland, serpentine shrubland, and serpentine grassland. Mitigation measures require pre-construction surveys to ensure potential impacts to protected plants and wildlife are significantly reduced.
- Placing the new unenclosed covered parking structure adjacent to the tasting room reduces the path of travel distance from the tasting room to the proposed ADA restroom (contained in parking structure).

Additionally, the project does not result in potential adverse impacts from noise, light, and dust:

- The nearest non-project related residence is located to the north, across SR 128 and approximately 600 feet from the proposed winery. Due to the distance, existing vegetation, and ambient noise levels from the highway, the potential for the creation of significant noise from the winery is significantly reduced. All production activities would occur inside the winery, within the covered crush pad located behind the winery, and in the cave. Noise resulting from winery truck traffic for a 30,000-gallon winery is expected to be negligible, as the facility would generate an average of one truck trip per day and three truck trips per day during harvest. Standard project conditions of approval further reduce noise impacts to neighbors by prohibiting outdoor amplified music and requiring marketing events to finish by 10:00 p.m., with quiet cleanup ending by 11:00 p.m.
- The winery is required to minimize nighttime light disruption and visual glare by using shielded exterior light fixtures and directing them downwards as specified in the County's standard Conditions of Approval.
- The winery must adhere to best management practices for dust control as specified in the County's standard conditions of approval.

Furthermore, various County departments have reviewed the Project and commented regarding water, wastewater disposal, access, building permits, and fire protection. Given that recommended conditions of approval and mitigation measures are incorporated, the project will not adversely affect the public health, safety or welfare of the County of Napa.

12. Grant of the variance in the case of other groundwater basins, or areas which do not overlay an identified groundwater basin, where grant of the variance cannot satisfy the criteria specified for approval or waiver of a groundwater permit under Section [13.15.070](#) or [13.15.080](#), substantial evidence has not been presented demonstrating that grant of the variance might cause a significant adverse effect on any underlying groundwater basin or area which does not overlay an identified groundwater basin.

Analysis: The project is located on a 62.56-acre parcel and is not located in the Napa Valley Floor or a groundwater deficient area. Water Availability Analysis was prepared (CMP Civil Engineering & Land Surveying Inc.) and submitted with the application utilizing the Napa County's Water Availability Analysis (WAA) Guidance Document (Adopted May 12, 2015) and 2024 Interim Guidelines. The analysis concluded that a Groundwater Recharge Rate of 50.05 acre-feet per year (AFY) has been identified for the parcel. The analysis states that the existing total water demand is 3.03 AFY and concluded that the projected water demand for the parcel would decrease by 0.2862 AFY, bringing the total water demand to 2.74 AFY. Additionally, project Conditions of Approval require the applicant to participate in a groundwater demand management program to verify that no more than the previously existing volume of water (2.28 AFY) is pumped from the project well (Well #1). Thus, the project would not increase groundwater extraction beyond the yearly maximum estimated groundwater recharge of 50.05 af/yr and 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.

EXCEPTION TO THE ROAD AND STREET STANDARDS:

The Commission has reviewed the RSS) Exception request in accordance with the exception criteria in Section 3 of the RSS and makes the following findings:

13. The exception will preserve unique features of the natural environment which include, but are not limited to, steep slopes, heritage oak trees, or other trees of at least 6" dbh and found by the decision-maker to be of significant importance, but do not include manmade environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like.

Analysis: The driveway starts with a bridge crossing over Sage Creek which has a width of approximately 19 feet. Widening the existing bridge to 22 feet would likely trigger a full bridge replacement and construction within the streambed and bank. Immediately following the bridge is a 500+/- foot stretch of driveway with widths ranging from 13 to 22 feet, and sides bordered by Sage Creek on the right and steep slopes with oak trees on the left. The driveway continues uphill onto the project parcel with slopes starting at 4% and increasing to 19.9% before leveling out at the building complex. Approval of the Exception would preserve at least 18 to 24 mature oak trees, all over 6 inches DBH and avoid an estimated 10,000 square feet of grading and native vegetation removal, as well as grading on slopes exceeding 30%. By allowing the requested Exception, the project would also avoid placing approximately 3,000 square feet of new impervious area within the stream setback.

14. Grant of the Road and Street Standards Exception will provide the same overall practical effect as the Standards do in providing defensible space, and does not adversely affect the life, safety, and welfare of the public or persons coming to the property.

Analysis: To achieve the same overall practical effect of the NCRSS for commercial roads, the project proposes driveway widening and installation of intervisible turnouts along sub-standard segments of the road in areas outside of stream setbacks, as well as signage and management of vegetation to maintain line of sight. The paved driveway would be extended to the proposed winery barn (currently graveled) to improve access and provide paved fire truck hammerhead turnaround areas. The proposed design has been reviewed by the County Engineering Services Division and Fire Marshal, and they have determined that it meets the same overall practical effect as the NCRSS towards providing defensible space and consideration towards life, safety and public welfare.

15. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

Analysis: The lower portion of the driveway is located within a 40-foot-wide access easement on APN 032-520-006 which is owned by the City of Napa (recorded under document #2015-0019124). Most of the easement is constrained by Sage Creek to the right and steep topography and oak trees to the left.

USE PERMIT:

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

16. The Commission has the power to issue a use permit under the zoning regulations in effect as applied to the property;

Analysis: The project is consistent with Agricultural Watershed (AW) zoning district regulations. A winery (as defined in Napa County Code Section 18.08.640) and uses in connection with a winery (see Napa County Code Section 18.20.030) are permitted in an AW zoned district with an approved use permit. The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code) as applicable.

17. The procedural requirements set forth in Chapter 18.124 of Napa County Code have been met;

Analysis: The use permit application has been appropriately filed, noticed, and public hearing requirements have been met. The public hearing notice and intent to adopt a Mitigated Negative Declaration was posted and published in the Napa Valley Register on December 18, 2025, and copies of the notice were forwarded to property owners within 1,000 feet of the Property and other interested parties. The public comment period ran from December 18, 2025 to February 3, 2026.

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

Analysis: Granting the Use Permit for the project as proposed and conditioned will not adversely affect health, safety or welfare of the County. Affected County divisions and departments have reviewed the project and commented regarding the proposed site access, grading, drainage, the existing septic system capacity, parking, building permits, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the protection of the public health, safety, and welfare.

19. The proposed winery use complies with the applicable provisions of Napa County Code and is consistent with the policies and standards of the Napa County General 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 18.20.030) are permitted in the AW zoning district subject to an approved use permit. The proposed project includes the construction of a new winery facility with a visitation and marketing program. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (WDO) and all other requirements of the Zoning Code as applicable.

Analysis: Compliance with the General Plan As proposed and conditioned, the requested Use Permit is consistent with the overall goals and policies of the 2008 Napa County General Plan. The General Plan land use designation for the subject parcel is Agricultural, Watershed, and Open Space (AWOS). 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 use of the property for fermenting and processing 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 proposed agricultural use, the requested Use Permit supports the economic viability of the existing vineyards and agricultural product processing, 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-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 hydrogeological 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 hydrogeological studies have shown that the new water uses will cause significant adverse well interference or substantial reductions in groundwater discharge to surface waters that will 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-72: The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.

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.

Policy CON-81: The County shall require dust control measures to be applied to construction projects consistent with measures recommended for use by the BAAQMD [Bay Area Air Quality Management District].

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.

Policy SAF-20: All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:

- 1) Adequacy of water supply.
- 2) Site design for fire department access in and around structures.
- 3) Ability for a safe and efficient fire department response.
- 4) Traffic flow and ingress/egress for residents and emergency vehicles.
- 5) Site-specific built-in fire protection
- 6) Potential impacts to emergency services and fire department response

20. 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 Section 13.15.070 or 13.15.080 of the Napa County Code.

Analysis: The subject property is not located in a “groundwater deficient area” as identified in Section 13.15.010 of the Napa County Code, and 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. Based on the submitted Water Availability Analysis (WAA) by CMP Civil Engineering & Land Surveying Inc., the subject parcel is outside of the GSA and has an estimated groundwater recharge of 50.05 acre-feet per year (af/yr). Water Demand Calculations submitted for the project indicate the water demand for existing uses on the property as 3.03 af/yr which includes: a primary residence (0.75 af/yr), accessory dwelling unit (0.40 af/yr) with landscaping (0.10 af/yr), and vineyard irrigation (1.78 af/yr). The proposed groundwater demand would reduce from 3.03 af/yr to 2.74 af/yr and include the following: a primary residence (0.75 af/yr), landscaping (0.10 af/yr), winery production (0.55 af/yr), vineyard irrigation supplemented by recycled process wastewater (1.23 af/yr), winery employees (0.06 af/yr), tasting room visitation (0.05 af/yr), and marketing events (0.0038 af/yr).

The proposed project would result in an overall decrease in water usage by 0.2862 af/yr and would not increase groundwater extraction beyond the yearly maximum estimated groundwater recharge of 50.05 af/yr. Additionally, project Conditions of Approval require the applicant to participate in a groundwater demand management program to verify that no more than the previously existing volume of water (2.28 AFY) is pumped from the project well (Well #1). Thus, 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.

Therefore, the project is considered not to have the potential to significantly impact groundwater resources. Since the projected water demand is well below the estimated water 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.