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Recommended Findings

Diamond Creek Vineyards Use Permit Major Modification P19-00177-MOD and
Exception to the Roads and Street Standards
Planning Commission Hearing – January 21, 2026

PLANNING COMMISSION HEARING – JANUARY 21, 2026
RECOMMENDED FINDINGS
DIAMOND CREEK VINEYARDS WINERY
USE PERMIT MAJOR MODIFICATION P19-00177-MOD
AND EXCEPTION TO THE NAPA COUNTY ROAD AND STREET STANDARDS
1500 DIAMOND MOUNTAIN ROAD, CALISTOGA, CALIFORNIA
APN# 020-440-004 AND 0020-400-012

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 finds the project:

1. The Planning Commission has read and considered the Mitigated Negative Declaration and Mitigation Monitoring 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 resources are incorporated into the project approval.
5. There is no evidence, in considering the record as a whole that the 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 Clerk 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.

EXCEPTION TO ROAD AND STREET STANDARDS:

The Commission has reviewed the following Road and Street Standards (RSS) Exception request for two segments of the road in accordance with Road and Street Standards Section 3 and makes the following findings:

STA 0+50 to 1+80 – The existing historic bridge has a 13.7' clear width. This 130-foot linear section of existing roadway is adjacent to a natural blue line stream. Widening the roadway to a minimum of 22 feet would result in earth disturbance and grading within the stream setback. The applicant is proposing turnouts with clear sight lines on either side of the bridge.

STA 2+40 to 4+73 – The existing road in this area is approximately 15' clear and includes an existing access gate that has a clear width opening of 15.5'. This 233-foot linear section of existing roadway is adjacent to a steep slope and several large mature native trees. Widening the roadway to a minimum 22 feet would result in the grading on slopes over 50% and earthwork near the stream setback.

8. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height (dbh) and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like.

Analysis: The existing access road surface beginning at the connection with Diamond Mountain Road varies in width from 13 feet to 15 feet. An Exception to the RSS is requested for two segments of the road, including Station 0+50 to 1+80 and Station 2+40 to 4+73. In the two areas where the exception is sought, the existing access road is within the stream setback area and/or bound by steep slopes greater than 50% and mature trees of at least six inches dbh. All other areas will be improved to comply with the RSS. The first Exception request is for the existing bridge with a 13.7' width. This 130-foot linear section of existing roadway is adjacent to a natural blue line stream. Widening the roadway to a minimum of 22 feet would result in earth disturbance and grading within the stream setback. The project proposes turnouts with clear sight lines on either side of the bridge. The second Exception request is for the existing road in this area that is approximately 15' clear and includes an existing access gate that has a clear width opening of 15.5'. This 233-foot linear section of existing roadway is adjacent to a steep slope and several large mature native trees. Widening the roadway to a minimum of 22 feet would result in the grading on slopes over 50% and earthwork near the stream setback.

The exception to the RSS is requested for the existing bridge and entry structure is due to constraints of an unnamed stream, encroachment into stream setbacks, and will limit vegetation removal and minimizes grading on steep slopes while ensuring adequate access for emergency vehicles.

9. The exception is necessary to accommodate physical site limitations such as grade differentials.

Analysis: The proposed driveway design follows the existing paved driveway alignment, and existing gravel vineyard avenue. The segments totaling 363 feet subject to the RSS are constrained by steep slopes, an adjacent ephemeral drainage, which physically limits expansion of the existing driveway to meet commercial standards. To achieve the same overall practical effect, two turnouts with clear sight lines on either side of the bridge are proposed in locations to be inter-visible, including placement of signs to yield to emergency vehicles. These measures were reviewed by the Fire Department and Engineering Services and found to provide the same overall practical effect towards providing adequate access, and defensible space, consistent with the SRA Fire Safe Regulations. (See Engineering Services Division SRA Road Exception Evaluation memorandum dated July 23, 2025, and Recommended Approval Conditions dated July 25, 2025, for further analysis and proposed conditions.)

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:

10. 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 the Agricultural Watershed (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 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.

11. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code (zoning regulations) have been met.

Analysis: The use permit application has been appropriately filed, and notice and public hearing requirements have been met. The hearing notice and intent to adopt Mitigated Negative Declaration and MMRP were posted on December 10, 2025, and copies were forwarded to appropriate persons on the mailing list. The project was scheduled to be heard at the Planning Commission Hearing of January 7, 2026. However, due to an unannounced closure of the Governor's Office of Land Use and Climate Innovation, the posting of the Initial Study-Mitigated Negative Declaration prepared for this project was delayed. Since the project was not posted in a timely manner that would allow State or public review for the required 30 day review period prior to the hearing, the item was continued to extend public review of the CEQA document prepared for this project, which ran from December 10, 2025, to January 9, 2026. (SCH #2025120440)

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

Analysis: Granting the Use Permit for the project as proposed and conditioned will not adversely affect health, safety or welfare of the County. Various County divisions and departments have reviewed the project and commented regarding the proposed site access, grading, drainage, installation of a proposed wastewater system, parking, 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.

The proposed project as designed will not adversely affect the public health, welfare and safety of the County of Napa. Technical studies confirm that adequate groundwater is available to supply all existing and proposed uses of the property without adversely affecting local groundwater supplies. Adequate on-site areas are present to treat and dispose of project generated wastewater to state and local standards. Installation of a new wastewater system for domestic flows, and a new process wastewater treatment system where the proposed winery can treat all proposed wastewater flows, and treated process wastewater can be applied to the vineyard during summer irrigation months. The winery access road has been designed to provide an equivalent level of emergency, truck and vehicular access while respecting the natural resources of the parcel. The biological assessment prepared for the project confirms that all potential impacts of the winery and access road can be reduced to a less than significant level through the adoption of feasible mitigation measures. The project includes the 3:1 preservation or replacement of oak trees >6" dbh removed as part of this project. A tree mitigation plan shall be submitted prior to issuance of a grading or building permit depicting the preservation and/or replacement area, planting and maintenance requirements consistent with County standards.

The project was reviewed by the Engineering and Environmental Health Divisions and Fire to ensure that site access and driveways, grading, drainage, the proposed wastewater disposal system, parking, and fire protection are consistent with county standards.

Recommended conditions adopted by the Planning Commission will be incorporated into the final project design to ensure that the project will not adversely affect the public health, safety or welfare of the County of Napa.

That the proposed use complies with the applicable provisions of this code and is consistent with the policies and standards of the general plan and any applicable specific plan.

13. 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 18.20.030) are permitted in the AW District subject to an approved use permit. The proposed project includes the establishment of a new winery including a visitation and market program. The project, as conditioned, complies with the Napa County Definition Ordinance (WDO) and all other requirements of the Zoning Code as applicable.

The proposed project complies with all property line and winery road setbacks, the 35-foot maximum building height, maximum lot coverage and accessory use to production area ratios. The new production and hospitality building and agricultural shop are located on flat to moderately flat slopes in an area previously used for storage of vineyard and winery equipment. There is vegetation in the area that would minimize off-site visual impacts to neighboring properties.

Adopted conditions will be incorporated into the final project design to ensure that the project complies with the Napa County Winery Definition Ordinance (WDO) and all other applicable requirements of the Napa County Code.

Analysis: Compliance with the General Plan

Agriculture has been designated as the primary land use in Napa County since the Agricultural Preserve was first enacted in 1968. The passage of Measures 'J' and 'P' further supported protection of agricultural lands. The proposed winery is in support of the agricultural use of the subject property and is consistent with goals and policies of the General Plan (2008). The General Plan land use designation for the subject parcel is Agriculture, Watershed and Open Space (AWOS). A summary of key Goals and Policies that support the approval of the requested Use Permit are discussed below.

General Plan Agricultural Preservation and Land Use Goal AG/LU-1 instruct 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 proposed 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 construction of a winery at the project site, the proposed Use Permit supports the economic viability of both the nearby vineyards in the region and agricultural product processing uses on the property, consistent with Economic Development Goal E-1 and Policy E-1.

The Water Availability Analysis (WAA) estimates that the subject property including the immediate request that includes the existing winery, existing residence, approved vineyard and site landscaping would also increase visitation to 10 daily and 60 weekly visitors and modify the existing marketing program to eleven (11) annual events where ten (10) events with no more than 12 vehicle one way trips and one (1) event with no more than 20 vehicle one way trips would result in groundwater use of 10.82 af/yr. At full build out, the proposed project which includes a new winery structure, existing and proposed residences, approved vineyard and site landscaping is estimated to use a total of 11.54 acre feet per year (af/yr) prior to proposed reduction methods that would reduce the overall groundwater demand to 11.46 af/yr which is below the annual rate of recharge estimated at 46.15 af/yr. Water generated during the wine making process will be treated by a Biofiltro Wiggle Room or equivalent system, before it is surface dripped on the approved vineyard. Using groundwater sustainably by irrigating with treated wastewater and limiting withdrawal to well below the parcel's recharge (CON-10). Use of groundwater for recognized agricultural uses furthers goal CON-11 of the conservation element.

Treated winery wastewater will be dispersed onto existing approved vineyards to reduce project groundwater use to maintain the long-term viability of local groundwater resources consistent with Goals CON 10, 11 and 53.

The proposed winery facility is located in an area south of the existing driveway and east of the existing winery on flat to moderately flat slopes. Constructing the winery in this location will require tree removal that will require preservation or replacement onsite in compliance with Napa County Code Sections 18.108.020.D and E of the Conservation Regulation and General Plan Policy CON-24. The winery will utilize existing vegetation as part of the natural landscape and minimize visual impacts. Finally, the proposed project will comply with Title 24 and other green code requirements in compliance with CON-72.

The proposed winery has been designed to convey both permanence and attractiveness, a goal of general plan policy AG/LU-10. The siting and design of the winery with limited visual exposure and the design ensures that the project fits well into the existing landscape, and the surrounding area. The structures employ defensible space, and fire harden materials consistent with current building code requirements. The winery access road will follow the alignment of the existing road to minimize required grading and removal of mature vegetation. While seeking an exception to county RSS, the winery road is designed to ensure adequate traffic flow and ingress/egress for the proposed residence and for guests, delivery trucks and emergency vehicles.

Improvements to the existing driveway together with installation of required erosion control measures, installation of water diversion and energy dissipation devices will reduce baseline sediment delivery to area watercourses, consistent with goals CON-11 and SAF-9 of the Conservation and Safety elements.

Adequate water is also available for fire protection through the construction of two (2) 30,000-gallon water storage tanks, and on-site hydrants pursuant to policy SAF-20 of the general plan Safety Element.

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-24: Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:

- a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
- b) Comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of

oak woodlands, and retain, to the maximum extent feasible, existing oak woodland and chaparral communities and other significant vegetation as part of residential, commercial, and industrial approvals.

- c) Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.
- d) Support hardwood cutting criteria that require retention of adequate stands of oak trees sufficient for wildlife, slope stabilization, soil protection, and soil production be left standing.
- e) Maintain, to the extent feasible, a mixture of oak species which is needed to ensure acorn production. Black, canyon, live, and brewer oaks as well as blue, white, scrub, and live oaks are common associations.
- f) Encourage and support the County Agricultural Commission's enforcement of state and federal regulations concerning Sudden Oak Death and similar future threats to woodlands.

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-54: The County shall maintain or enhance infiltration and recharge of groundwater aquifers by requiring all projects in designated groundwater deficient areas as identified in the County's groundwater ordinance (County Code Chapter 13.15) be designed (at minimum) to maintain a site's predevelopment groundwater recharge potential, to the extent feasible, by minimizing impervious surfaces and promoting recharge (e.g., via the use of water retention/detention structures, use of permeable paving materials, bio-swales, water gardens, cisterns, and other best management practices).

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.

14. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the 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 County Code.

Analysis: The subject property is not located in a “groundwater deficient area” as identified in Section 13.15.010 of the 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 RSA+ Civil, the subject 78.12 acre holding, has an estimated groundwater recharge of 46.15 (af/yr). Water Demand Calculations submitted for the project placed the water demand for existing and proposed uses on the property as follows:

| Usage Type | Existing Usage (af/yr) | Proposed Interim Usage (af/yr) | Proposed Standard Usage (af/yr) | Proposed Reduced Usage (af/yr) |
|---|---------------------------|-----------------------------------|---------------------------------------|--------------------------------------|
| Vineyard Irrigation – well Irrigation – Recycled process Wastewater (credit) Landscaping | 10.75 0 0.05 | 9.66 0 0.05 | 9.66 -0.46 0.13 | 8.95 -0.46 0.13 |
| Residential Existing Proposed | 0.75 0 | 0.75 0 | 0.75 0.75 | 0.75 0.75 |
| Winery Process Water Domestic Water | 0.22 0.15 | 0.22 0.15 | 0.54 0.17 | 0.46 0.17 |
| Totals (af/yr) | 11.92 | 10.82 | 11.54 | 10.75 |
| Estimated Water Recharge (af/yr) | 46.15 | 46.15 | 46.15 | 46.15 |

The estimated water use for the full project build out approved vineyard, existing and proposed winery, existing and proposed residences, existing and proposed landscaping will be 11.54 af/yr before reductions, which will result in groundwater demand of 10.75 af/yr. Prior to build out the existing winery will continue to operate at 10,000 gallons of production, with the water usage including one single-family residence, existing approved vineyard, and landscaping at 10.82 af/yr. The reduction includes reductions in vineyard irrigation. Based upon these figures, the project at full build out would result in a 0.38 af/yr reduction in groundwater extraction beyond the existing groundwater demand and 0.46 af/yr following additional reduction practices, less than the parcel's groundwater recharge of 46.15- af/yr. The County is not aware of, nor has it received any reports of groundwater shortages near the project area. 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 potential to significantly impact groundwater resources. Because the projected water demand for the project is below the

estimated groundwater recharge for the parcel and a reduction from existing groundwater extraction, the requested Use Permit is consistent with General Plan Goals CON-10 and CON-11, as well as the policies mentioned above that support preservation 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.