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Recommended Findings

**PLANNING COMMISSION HEARING – AUGUST 20, 2025
RECOMMENDED FINDINGS**

**NIGHTS IN WHITE SATIN WINERY
APPLICATION NO. P22-00236-UP
SONOMA HIGHWAY (SR 12/121)
APNS 047-380-009 (WINERY PARCEL) 047-380-010 (EXISTING WELL PARCEL)**

ENVIRONMENTAL:

The project is subject to the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.) The Planning Commission has received and reviewed the Initial Study/Mitigated Negative Declaration for the Use Permit, pursuant to the provisions of CEQA, the State CEQA Guidelines and Napa County's Local Procedures for Implementing CEQA, and finds 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 are based on independent judgment exercised by the Planning Commission.
3. The Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the CEQA.
4. There is no substantial evidence in the record as a whole, that the proposed project will have a significant effect on the environment provided that measures to mitigate potentially significant impacts on biological resources and cultural resources are incorporated into the project approval, and when the project is made subject to compliance with standard conditions of development approval.
5. 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 compatibility plan.
6. 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.
7. The Secretary of the Planning 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, Room 210, Napa, California.

PLANNING AND ZONING ANALYSIS:

USE PERMIT:

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

8. The Planning Commission has the power to issue the approval for the Use Permit request 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 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.

9. 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 application for a Use Permit has been appropriately filed, and notice and public hearing requirements of County Code Sections 18.124.040.B and 18.136.040 have been met. On July 17, 2025, the notice of public hearing was emailed to interested parties requesting such notice; was published in the Napa Valley Register; and mailed via first class mail to the applicant and the applicant's project team, as well as, to owners of property located within 1,000 feet of the property. The CEQA public comment period ran from July 17, 2025, to August 18, 2025.

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

Analysis: The requested use permit, as proposed and conditioned, will not adversely affect the health, safety or welfare of the County. Affected County divisions and departments have also reviewed the project and commented regarding the wastewater treatment system, food service, proper waste disposal, existing site access, and fire and life safety. Conditions of Approval are recommended which will incorporate these comments, along with other project-specific and standard County conditions into the project approval to assure the protection of the public health, safety, and welfare.

11. 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 Winery Parcel is located in the AW District, where wineries with accessory uses are conditionally permitted. The proposed project is currently compliant with maximum winery lot coverage and maximum accessory to production ratio. In compliance with County Code Section 18.104.200, which establishes a maximum allowable building area for accessory uses at 40 percent of the area used for winemaking. The proposed project includes the construction of a new winery facility and establishment of the winery's visitation and

marketing program. The proposed winery building meets the 600-foot setback from Sonoma Highway (SR 12/121), complying with Section 18.104.230. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (WDO) and all other requirements of the Zoning Code as applicable.

Analysis: 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 parcel is Agriculture, 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.

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12. 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: A Non-Transient Non-Community Water System Information Report was prepared by Applied Engineering, Inc, dated August 22, 2020. Due to the proposed number of employees and daily visitation (25 people or more per day for 60 days or more per year), the project will trigger the need for a Non-Transient Non-Community Water System. The project will be connected to a new well on the Winery Parcel. The well will meet the requirements for use in this type of water system. The report demonstrates the ability of the Winery Parcel to support a Non-Transient Non-Community Water System. Furthermore, any project which reduces water usage or any water usage which is at or

below the established threshold is, for purposes of the application of the County's Groundwater Conservation Ordinance, assumed not to have a significant effect on groundwater levels. Based on the submitted Water Availability Analysis (WAA) by O'Connor Environmental (OEI), the subject 59.6-acres and as part of the WAA the contiguous parcel to the west under common ownership was included as part of the assessment for total holding of 120.72 acres. The estimated groundwater recharge of 33.0 acre-feet per year (af/yr). Water Demand Calculations submitted for the project indicate the water demand for existing uses on the holding that supports 88.1 acres of vineyard is 21.63 af/yr. The proposed winery project will reduce the existing vineyard by 5.4 acres resulting a reduction in water demand of 2.7 af/yr, the project would use the following: process water, 2.58 af/yr; employees, 0.35 af/yr; establish a visitation and marketing program 0.42 af/yr. Using unrounded numbers, the proposed project would increase water usage by 1.25 af/yr, to total 22.88 af/yr. Based upon this figure, the project would not increase groundwater extraction beyond the parcel's yearly maximum estimated groundwater recharge of 33.0 af/yr. 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. Since the projected water demand for the project is 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 proposes a new groundwater well that will serve the winery only, with a reduction in extraction from the existing vineyard irrigation well and reservoir with the reduction in vineyard onsite. OEI determined that based on Table 3 of the WAA Guidelines, and surrounding well construction records, the proposed well will be constructed 500 feet from Huichica Creek and casing perforation at 150 feet below ground surface and is not expected to result in stream flow depletion or would result in a negative impact on local groundwater.

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-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).
- 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-60.5 All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.

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 Bay Area Air Quality Management District's (BAAQMD) 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.

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.