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Recommended Findings

**ZONING ADMINISTRATOR HEARING – AUGUST 27, 2025
RECOMMENDED FINDINGS**

**SCHLATTER FAMILY ESTATE MICRO-WINERY
USE PERMIT P24-00217-UP
1111 CONN VALLEY ROAD, ST. HELENA, CA 94574
APN: 025-180-083-000 & 025-180-082-000**

ENVIRONMENTAL:

The Zoning Administrator 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 that:

1. The Zoning Administrator 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 is based on independent judgement exercised by the Zoning Administrator.
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 aesthetic, biological, and tribal 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 potentially adverse effect on wildlife resource 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 Planning 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, Suite 210, Napa, CA 94559.

EXCEPTION TO THE ROAD AND STREET STANDARDS:

The Zoning Administrator has received and reviewed the attached Napa County Road and Street Standards (NCRSS) Exception Request Letter in accordance with Road and Street Standards Section 3 and makes the following findings:

8. 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 six inches diameter at breast height and found by the decision-maker to be of significant importance, but do not include man-made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like.

Analysis: The subject parcel is served by an existing paved road that begins at the intersection of Conn Valley Road. From Conn Valley Road, the road runs south adjacent to an ephemeral stream and steep slopes of approximately % for about 950 feet and then bears east to terminate its 2,300-foot length at the proposed site. The NCRSS requires a 22-foot minimum width for roads serving commercial uses such as this proposed micro winery. The Schlatter micro winery project is seeking exception to the NCRSS to accommodate environmental and physical constraints that forbid compliance to the standards for the first 1,000 feet of the access road. The roadway will meet the requirements of the NCRSS for the remainder of its length. The Engineering and Fire Divisions have visited the site on multiple occasions to evaluate the exception request and are supportive.

Driveway Section 1 (STA 1+00 to STA 1+73: Driveway Width): The NCRSS requires a 22-foot minimum width for commercial access roads. About 12 linear feet of pavement along this segment has an existing width of 21 feet. This short length is within the setback of the adjacent stream, prohibiting improvement to the compliant width. To achieve the same overall practical effect, the driveway will be widened by seven feet immediately beyond the stream setback boundary.

Driveway Section 2 (STA 1+00 to STA 1+73: Non-Standard Connection): The NCRSS requires rural roadway connections to a county road to be consistent with the P2 detail of the aforementioned document. The transition radii at the intersection should be a minimum of 20 feet. The existing driveway connection provides a 77.5-foot radius on the southern side while the northern side has a radius that is less than the 20-foot minimum. This produces a driveway entrance that is oriented at an acute angle relative to Conn Valley Rd. The entrance is within the setback of Conn Creek and an ephemeral stream, which prohibits improvements to meet the full requirements of the NCRSS. The lower driveway, including the driveway entrance, has been modeled to demonstrate that a Cal Fire Type 1 engine can safely navigate the driveway entrance. A wide angled mirror is proposed to be strategically positioned to improve the visibility at the driveway connection to Conn Valley Road. These measures will serve in providing the same overall practical effect as the SRA Fire Safe Regulations' towards providing defensible space.

Driveway Section 3 (STA 2+48 to STA 9+50: Driveway Width): The NCRSS requires a 22-foot minimum width for commercial access roads. The existing driveway along this corridor has widths ranging from 10 to 13 feet and is constrained by steep slopes on the north and an adjacent ephemeral stream on the south. Bringing this road segment into full compliance with the NCRSS will require grading on steep slopes and within the stream setback. The project proposes the installation of drivable swales where possible, to provide widening to the maximum extent feasible, with a minimum 14-foot horizontal clearance. Two intervisible turnouts spaced approximately 400 feet apart are also proposed to provide refuge areas that will facilitate safe ingress and egress during an emergency. Vegetation management will be conducted along this segment to maintain sight lines along this corridor and intervisibility between turnouts. The installation of these measures would provide the same overall practical effect, consistent with the Napa County Fire Department requirements and the SRA Fire Safe Regulations toward providing defensible space.

Due to the 14-foot of horizontal clearance required, two live oak trees alongside the driveway will be removed and replaced at a 3:1 replanting ratio.

Driveway Section 4 (STA 2+40 and STA 10+70: Driveway Curvature): The NCRSS horizontal curves to have a minimum internal radius of 50ft. The horizontal curves at these two locations

are substandard and cannot be improved to full compliant radii due to their proximity to an adjacent stream. To mitigate the existing curvature of the driveway, an additional 7ft of pavement will be added to the curve at Station 2+40, and a pole mounted wide angled mirror will be installed at station 10+70 to improve sightlines and visibility.

9. 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: Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the NCRSS as adopted by Resolution No. 2023--59 by the Board of Supervisors on April 18, 2023, this division has determined that the applicant has met the provisions for an exception to the NCRSS. The proposed improvement achieves the same overall practical effect by installing a parabolic mirror to enhance visibility at intersection and implementing vegetation management measures to maintain line of sight.

USE PERMIT:

The Zoning Administrator has reviewed the Use Permit request in accordance with the requirements of Napa County Code (NCC) Section 18.124.070 and makes the following findings:

10. The Zoning Administrator 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 micro-winery (as defined in Napa County Code (NCC) §18.08.377) and uses in connection with a winery (see NCC §18.20.030) are permitted in the AW zoning 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 set forth in NCC §18.124 of the Napa County Code have been met;

Analysis: The Use Permit application has been appropriately filed, noticed, and public hearing requirements have been met. The appropriate applications, fees, and public hearing requirements have been met. The hearing notice to approve the project and to adopt a Mitigated Negative Declaration under CEQA was posted and published in the Napa Valley Register on July 24, 2025, and copies of the notice were forwarded to property owners within 1,000 feet of all project parcels. In addition to the requirements, the notice of public hearing was sent to interested parties requesting such notice.

12. 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 approval of the Use Permit for the proposed micro-winery project as conditioned will not affect the public health, safety or welfare of the County. The specific restrictions and prohibitions set forth in NCC §18.08.377 that serve as criteria to qualify as a micro-winery have all been met, and in meeting these criteria the project is not intended or expected to present any adverse effects on public health, safety or welfare. Applicable County divisions and departments have reviewed the project and commented regarding water use,

waste disposal, fire protection, building construction, access improvements and traffic. Conditions of approval from these divisions and departments have been incorporated into the Conditions of Approval as needed to uphold public health, safety and welfare of the County, which include those from the Napa County Engineering Division, the Department of Public Works, the Environmental Health Division, and the Napa County Fire Marshall's Office.

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 micro-winery, as defined in NCC §18.08.377, is permissible within the AW zoning district with the approval of a Use Permit. The proposed project includes the establishment of a winery that will produce up to 5,000 gallons of wine per year within a proposed 4,998 square-foot winery facility, with a daily visitation program, two full-time employees, and onsite driveway and parking areas. The project, as conditioned, complies with the Napa County Winery Definition Ordinance (WDO) and all other requirements of the NCC Title 18 – the Zoning Ordinance, as applicable.

The proposed project is compliant with minimum winery building setbacks, as well as maximum winery lot coverage and maximum accessory to production ratio requirements specified in the Napa County Code. In compliance with NCC §18.104.200, which establishes a maximum allowable building area for accessory uses at 40 percent, the accessory use square footage associated with the requested permit is approximately 32 percent of the enclosed winery area.

Analysis: Compliance with the General Plan

The General Plan land use designation for the parcel is Agriculture, Watershed and Open Space (AWOS). The intent of the AWOS land use designation is to provide areas where the predominant use is agriculturally orientated and where watersheds are protected and enhanced (Policy AG/LU-20). General uses in the designation include agriculture, processing of agricultural products, and single-family dwellings, and the proposed project is compatible with the intended land use.

Applicable General Plan Policies include:

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.

Analysis: The proposed project will assist with the continued production and processing of agricultural projects, and their related marketing and sales. The parcel is, and has been, used for agriculture for a significant period of time, and the approval of the project will help ensure this continued use through further options for marketing, sales and other accessory uses. The support of agricultural uses for agricultural land reservation in this case can also help support the reserve significant portions of the project that are in the watershed open space general plan designation and consist of undeveloped natural environments that support the health and

agricultural vitality of the greater Napa Valley watershed.

Policy AG/LU-10: New wineries and other agricultural processing facilities as well as expansions of existing wineries and facilities in agricultural areas should be designed to convey their permanence and attractiveness.

Policy CC-2: New wineries and other uses requiring the issuance of a Use Permit should be designed to convey their permanence and attractiveness.

Analysis: The proposed winery cave and facilities have been designed to ensure the long-term viability of the winery operation, and they support its permanence and attractiveness. The proposal was designed for long-term wine production with limited daily visitation to ensure long-term its sustainability, while the cave structure emphasizes the preservation of the existing vineyards and surrounding oak woodland with minimal ground disturbance and surficial structures.

Policy CC-6: The grading of building sites, vineyards, and other uses shall incorporate techniques to retain as much as possible the natural landform appearance. Examples include: The overall shape, height, and grade of any cut or fill slope shall be designed to simulate the existing natural contours and scale of the natural terrain of the site.

Analysis: The proposed winery cave was designed to blend in with the natural landform appearance with a minimal footprint. The hospitality terrace has been situated in a location that uses the natural topography to remain out of the greater viewshed, and an extended cave tunnel has been added for underground water storage in order to avoid viewshed disturbance potentially caused by the use of above-ground water tanks.

Policy CC-10: Consistent with the County's Viewshed Protection Program, new developments in hillside areas should be designed to minimize their visibility from the County's scenic roadways and discourage new encroachments on natural ridgelines. The County shall continue implementation of the Viewshed Protection Program and shall apply the protective provisions of the program to all public projects.

Analysis: As mentioned in the previous two analyses, the winery cave has been designed to maintain attractiveness and avoid any disturbances to the County's protected viewsheds. The project has been designed in a manner that would not warrant a Viewshed Protection Program Permit as the hospitality terrace is positioned to blend in with the surround coniferous woodland vegetation and not be visible from a County viewshed road. Earthtone materials will be used to blend into the landscape visually, and as a Standard Condition of Approval the project will be required to use non-reflective surfaces and materials.

Policy CON-20: The County shall monitor biodiversity and habitat connectivity throughout the County and apply appropriate adaptive management practices as necessary to achieve applicable Natural Resources Goals. Changing conditions may include external forces such as changing state or federal requirements, or changes in species diversity, distribution, etc.

Analysis: The proposed project site is located on an area of previously disturbed agricultural land that was approved for a Track I Erosion Control Plan on September 4, 1996. According to the Napa County Vegetation Mapping System, which was updated in 2016 by a University of California (UCD), Davis group using one meter color aerial imagery taken by the National Agriculture Imagery Program (NAIP) and the Manual of California Vegetation classification

system (Thorne et al. 2004), the primary project site is classified as agriculture where surface ground disturbance will occur at the cave portal entrance and crush pad. An area that had been previously cleared and is identified as newly disturbed area is currently inhabited by non-native olive trees at the site of the hospitality terrace. A section of these olive trees will be removed in order to construct the hospitality terrace, and no native tree species will be removed at the terrace and cave portal sites.

According to the California Natural Diversity Database (CNDDB), created by the California Department of Fish and Game's Biogeographic Data Branch (BDB), no candidate, sensitive, or special status species are identified on the project parcel. The nearest occurrence of a candidate, sensitive, or special status species is the Jebson's leptosiphon (*leptosiphon jepsonii*), an annual herb that is found only in California. The Jebson's leptosiphon was observed approximately 2,022 feet to the southwest of the project site on a neighboring parcel. The CNDDB designated a 1,000-foot radius for the Jebson's leptosiphon as an identified area where occurrences are possible. This 1,000-foot radius ends approximately 145 feet from the property line and approximately 1,022 feet from the proposed project. Other candidate, sensitive or special status species within the vicinity of the project site include Clara Hunt's milk-vetch (*astragalus claranus*) and Sharsmith's western flax (*hesperolinon sharsmithiae*), however according to CNDDB data they are not identified as a possible occurrence on the project parcel.

The Napa County Baseline Data Report emphasizes preservation of wildlife corridors and prevention of habitat fragmentation. According to the California Essential Habitat Connectivity Map provided by the California Department of Fish and Wildlife and available on the California State Geoportal, the proposed project is not located in a Natural Landscape Block. The Essential Connectivity Map shows a statewide network of 850 relatively intact Natural Landscape Blocks (ranging in size from 2,000 to about 3.7 million acres) connected by 192 Essential Connectivity Areas. The classification of connectivity is rated from "1 – More Permeable" for wildlife migration and connectivity to "5 – Less Permeable" for migration and connectivity. The project site is located approximately 2.42 miles west of the nearest Natural Landscape Block. As the proposed project is not in an identified Natural Landscape Block and does not include the construction of new roads or fences that can act as barriers or an obstruction to wildlife corridors, connectivity, and migration for terrestrial species, no substantial interference with the movement of any native resident species is expected.

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: 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.

Analysis: In order for the driveway to meet the vertical clearance for emergency vehicle requirements of the Napa County Road and Street Standards, two coastal live oak trees will be removed from the parcel as they inhibit the vertical clearance space required for emergency vehicles (14 feet). The applicant has identified these two trees on submitted site plans and will be replacing them at a 3:1 replanting ratio. This meets the requirements of the Conservation Regulations described in the Napa County Code (NCC) §18.108.020 for tree removal in the Agricultural Watershed (AW) Watershed. With these guidelines in place for the two oak trees to be removed, and the previously disturbed nature of the project site, the proposed project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species.

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.

Analysis: A Water Availability Analysis was prepared by RSA+ civil engineering, dated August 14, 2024, and as directed by the County's Water Availability Analysis Guidance Document of May 2015 (WAA), the report includes a Tier 1 analysis with calculations for the existing and proposed water uses, as well as a groundwater recharge analysis. The analysis also includes an exhibit as Attachment 1 that demonstrates the project well is more than 500 feet from neighboring wells and meets the requirements of a Tier 2 well interference analysis, and that the project well is more than 1,500 feet from the nearest significant stream (Conn Creek) and that the requirements of a Tier 3 surface water analysis have also been met.

The Tier 1 analysis considered existing use onsite which includes irrigation of approximately 24.74 acres of vineyards located on both the winery project parcel to the south (APN: 025-180-082-000; 35.82 acres) and the winery access parcel to the north (APN: 025-180-083-000; 32.21 acres). The existing groundwater usage is estimated at 12.37 acre-feet per year. The proposed project will increase groundwater use by 0.004 acre-feet per year, resulting in an overall water usage of 12.374 acre-feet per year.

Due to the parcel location outside of the GSA boundary, a parcel-specific Annual Groundwater Recharge Rate Report was prepared as Attachment 3 to the WAA. The groundwater recharge was estimated by examining the annual rainfall, runoff and species-specific evapotranspiration during winter months. The 10-year average rainfall PRISM data DEM provided by Napa County was used to determine the annual rainfall amount and site runoff volumes. It was determined that the average annual rainfall amounts to 30 inches per year. The runoff volumes were determined by calculating the site-specific runoff coefficient. The runoff coefficients were calculated using aerial images to view the terrain and the County topography to estimate the slopes in each area. The evapotranspiration losses were calculated using the Water Use Classifications of Landscape Species (WUCOLS) methodology for vineyard, grassland, and coastal live oak tree areas. Only evapotranspiration from the winter was considered, as it is assumed that evapotranspiration in summer will be from irrigation water. The groundwater recharge rate was calculated as the difference of the total annual rainfall and losses from the stormwater runoff and evapotranspiration.

The Recharge Rate Report concluded that the Schlatter Family Estate Micro-Winery property has an annual rainfall of 30 inches per year, equating to 170.08 acre-feet per year for the parcels. Total evapotranspiration volume that occurs throughout the vineyard, grassland, and oak tree areas is 21.90 acre-feet per year. The stormwater runoff from the parcel totals 110.91 acre-feet per year. The total average evapotranspiration and runoff is 132.81 acre-feet per year. This equates to a groundwater recharge rate of 37.26-acre-feet per year, or 0.55 acre-feet per acre per year.

Pursuant to County's WAA requirements, a Tier 2 analysis is required when a neighboring off-site well is located within 500 feet of the project well or the well is located within 1,500 feet from a spring. Attachment 1 of the WAA demonstrates that the project well is located at a greater distance than either requirement, and therefore the proposed project meets the County's Tier

2 requirements.

A Tier 3 review is the County's adopted method for complying with its duties under the Doctrine. As discussed herein, the existing project will comply with the WAA guidance document. Attachment 1 of the WAA demonstrates that the project well is over 1,500 feet from Conn Creek, the nearest significant stream, and therefore a Tier 3 analysis is not required.

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

Analysis: General Plan Goal E-1 is intended to support the maintenance and enhancement of the economic viability of agriculture through a handful of policy measures. Of these measures, aspects such as economic agriculture viability through tourism and the generation of jobs and local spending are supported by the proposed project. Other aspects such as the marketing of Napa County goods, services, and lifestyle are also supported by the project.

14. That, in the case of other groundwater basins, or areas which do not overlay an identified groundwater basin, substantial evidence has not been presented which demonstrates that the new water system or improvement might cause a significant adverse effect on any underlying groundwater basin, 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 this code.

Analysis: As discussed in Finding 13 under General Plan CON-55, the project will not cause significant adverse effects, either individually or cumulatively, on an affected groundwater basin in Napa County. The project is not in a "groundwater deficient area" and is not in close enough proximity to have adverse effects on neighboring wells or natural bodies of surface water or wetlands. The proposed project will be using 12.374 acre-feet per year, which is an increase of 0.004 acre-feet per year from existing vineyard water use. This represents 33 percent of the existing recharge rate of 37.26 acre-feet per year for the project parcels.