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Recommended Findings

**PLANNING COMMISSION HEARING – SEPTEMBER 17, 2025
RECOMMENDED FINDINGS**

**ARROW AND BRANCH WINERY USE PERMIT MAJOR
MODIFICATION P23-00057-MOD
5215 SOLANO AVE, NAPA, CA 94558
APN 034-190-040-000**

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 noise 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.

USE PERMIT:

The Commission has reviewed the Use Permit Major Modification request in accordance with the requirements of Napa County Code and makes the following findings:

8. The Commission has the power to issue the approval for the Use Permit Major Modification request under the Zoning Regulations in effect as applied to the property;

Analysis: The project is consistent with Agricultural Preserve (AP) 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 18.16.030) are permitted in an AP zoned district with an approved use permit. Major Modifications to Use Permits for wineries located in the AP zoning district require Planning Commission Approval (Napa County Code Sections 18.16.030, 18.124.010, and 18.124.130). There is no companion action necessary for the requested Use Permit Major Modification that would require action by the Board of Supervisors. 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 Major Modification set forth in Chapter 18.124 of Napa County Code (zoning regulations) have been met;

Analysis: The use permit application for a Major Modification to the Use Permit has been appropriately filed, noticed, and public hearing requirements of County Code Sections 18.124.040.B and 18.136.040 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 August 14, 2025, and copies of the notice were forwarded to property owners within 1,000 feet of the Property.

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

Analysis: Granting the Use Permit Major Modification for the project as proposed and conditioned will not adversely affect health, safety or welfare of the County. Applicable 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 be incorporated into the project to assure the protection of the public health, safety, and welfare.

11. The proposed Use Permit Major Modification 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 AP zoning district regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.16.030) are permitted in the AP zoning district subject to an approved use permit. The proposed project includes the expansion of an existing winery facility and expansion of an existing 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 Resource (AR). 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 Chapter 2.94 of 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

12. 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 Tier I Water Availability Analysis (WAA) by Applied Civil Engineering and Tier III WAA by Richard C. Slade & Associates LLC, the subject 10.09 acre parcel has an estimated groundwater recharge of 3.027 acre-feet per year (af/yr). The parcel currently includes two wells, the project well and the Silenus Easement Well. Water Demand Calculations submitted for the project indicate the water demand for existing uses on the property as 12.47 af/yr which includes: vineyard irrigation (3 af/yr), landscape irrigation (0.2 af/yr), a winery visitation program (0.77 af/yr), and a neighbor's well that is located on the project parcel (8.5 af/yr). The proposed groundwater demand would use the following: vineyard irrigation (2.59 af/yr), landscape irrigation (0.2 af/yr), a winery visitation program (1.18 af/yr), and a neighbor's well that is located on the project parcel (8.5 af/yr).

The proposed project would not increase groundwater use beyond existing conditions, due to the modification of the winery's process wastewater system to irrigate vines which would offset the project's proposed expansion to the winery's production, visitation, marketing, and employee programs. The project has been conditioned to implement a Groundwater Demand Management Program that will monitor and report well meter readings to the County. 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 for Well 1 and the Silenus Easement Well are equivalent to the existing conditions on the parcel, the requested Use Permit Major Modification 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 that would have a negative impact on local groundwater.