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Recommended Findings
Duckhorn Vineyards Winery Major Modification
P19-00097-MOD

PLANNING COMMISSION HEARING – MAY 3, 2023
RECOMMENDED FINDINGS

DUCKHORN VINEYARDS WINERY MAJOR MODIFICATION
P19-00097-MOD
1000 LODI LANE, ST. HELENA, CA 94574
(APN 022-130-010, 022-100-033, -034, -035)

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, Room 210, Napa, California.

EXCEPTION TO THE ROAD AND STREET STANDARDS:

The Commission has received and reviewed the attached described Road and Street Standards (RSS) 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 6"dbh 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 exception request seeks to exclude a section of Lodi Lane between the bridge over the Napa River and Silverado Trail from roadway widening to accommodate an east bound left-turn lane into one of two project driveways. According to an analysis provided by the applicant widening of Lodi Lane would require the removal of a total of 29 trees of greater than 6" dbh; 23 of these trees would Oak trees (7" – 40" dbh), three (3) native black walnut trees (11" – 16" dbh) and three liquid amber trees (11" – 13" dbh). Of the 29 trees which would need to be removed 14 have diameters at breast height which exceed 12". These features meet the definition of unique features of the natural environment, and through approval of the exception, can be preserved.

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: As contained in the Traffic Impact Study collision analysis submitted as part of the application there were no collisions reported on Lodi Lane during the five-year study period between October 1, 2014, and September 30, 2019, even though a left-turn lane (LTL) is warranted based on existing traffic volumes. The proposed project is expected to generate five new left-turn movements over existing volumes during the peak hour on Fridays and Saturdays, resulting in a new total of 14 left turns during each hour. This equates to approximately one left-turn every 4.3 minutes, when averaged over the course of an hour. Based on an analysis using the American Association of State Highway and Transportation Officials (AASHTO's) Policy on the Geometric Design of Highways and Streets LTL warrant methodology, which is based on safety issues, an LTL would not be needed at the Duckhorn driveway for volumes of less than approximately 237 left turn movements (one every 15 seconds). Because the Duckhorn proposal is expected to produce one additional left-turn movement every 4.3 minutes during peak hour, it is reasonable to conclude that the modest increase in project traffic would not create any new safety issues. The Department of Public Works has reviewed this analysis and agreed with the findings.

USE PERMIT

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

10. The Commission has the power to issue a use permit major modification under the zoning regulations in effect as applied to the Property.

Analysis: The project is consistent with Agricultural Watershed (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. 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.

11. The procedural requirements for a use permit major modification set forth in Chapter 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 hearing notice and intent to adopt a Mitigated Negative Declaration was posted and published in the Napa Valley Register on April 3, 2023, and copies of the notice were forwarded to property owners within 1,000 feet of the Property.

12. The grant of a use permit major 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 condition 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.

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 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 District subject to an approved use permit. The proposed project includes the construction of a new winery facility, expansion of an existing winery building, modification of the winery's visitation, marketing events and employment. 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 and other applicable specific plans
As proposed and as conditioned, the requested Use Permit Major Modification is consistent with the overall goals and objectives of the General Plan (2008). The General Plan land use designation for the subject parcel is Agricultural Resource (AR) and 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 continued 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 expansion of the existing agricultural use, the requested Use Permit Major Modification supports the economic viability of both the vineyard and agricultural product processing uses on the property, 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 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-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 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.

14. 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.

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. Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. 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 Bartelt (August, 2022), the subject 32.34 acres (4 parcels), located on the "Valley Floor" by project screening criteria for the Napa County Water Availability Analysis Guidance Document, has an allowable groundwater allotment of 9.7 acre feet per year (af/yr), which is arrived at by multiplying their total 32.34 acre size by a .3 acre feet per year per acre groundwater recharge rate. Water Demand Calculations submitted for the project placed the water demand for existing uses on the property (primary residence, .75 af/yr; vineyard irrigation, 7.84 af/yr; process water, 3.44 af/yr; domestic and landscaping, .8 af/yr; employees .7 af/yr; tasting room visitation, .27 af/yr; events and marketing with onsite catering, .24 af/yr) at a total of 14.04 af/yr. The proposed winery project increases process water, visitation and marketing events. In order to maintain no adverse impacts from the potential increase in groundwater use the applicant has proposed a number of water saving features including demolition of the existing single-family residence, reduction of total vineyard irrigated and reuse of sanitary and process wastewater for vineyard irrigation. These water saving features would reduce the overall groundwater use of the project from the existing 14.04 af/yr to 14 af/yr. Based upon this figure, the project would not increase groundwater extraction over existing demand. 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 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.