

RESOLUTION NO. 90-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, ADOPTING AN AMENDMENT TO THE NAPA COUNTY GENERAL PLAN RELATING TO WINERY ACTIVITIES IN AGRICULTURAL AREAS

WHEREAS, on November 14, 1989, the Board of Supervisors voted to initiate amendment of the General Plan of Napa County to eliminate possible inconsistencies between the General Plan and the proposed Winery Definition Ordinance, said amendment (GPA 89-4) to be substantially in the form set forth in Attachment A; and

WHEREAS, on November 19, 1989, following completion of an Initial Study of said proposed General Plan Amendment, the Conservation, Development and Planning Department concluded that the impacts associated with the adoption of the amendment would be essentially the same as those impacts identified in the Draft Environmental Impact Report (DEIR-060) previously prepared in connection with the proposed Winery Definition Ordinance; and

WHEREAS, based upon such conclusion and as authorized by Section 15153 of Title 14 of the California Administrative Code, the Conservation, Development and Planning Department published on November 19, 1989, a Notice of Intention to employ FEIR-060 for both projects; and

WHEREAS, following publication of said Notice, the proposed General Plan Amendment was circulated for public review and comment for a thirty-day period as required by law; and

WHEREAS, duly noticed public hearings regarding the proposed General Plan Amendment, the proposed Winery Definition Ordinance, and certification of the adequacy of FEIR-060 in relation to both projects were held before the Conservation, Development and Planning Commission on December 27 and 28, 1989, and January 3, 1990, at which time public testimony was received and the Conservation, Development and Planning Department directly and through its consultants responded to the comments raised during the public review period as well as during the hearings; and

WHEREAS, at the conclusion of the public hearings on January 3, 1990, the Commission concluded that FEIR-060 had been prepared, noticed, and advertised in compliance with all applicable laws and regulations, including but not limited to, 14 Cal.Admin.Code §15153; that FEIR-060 did address the environmental impacts that could result from adoption and implementation of GPA 89-4 as well as the impacts which could result from adoption and implementation of GPA 90-1, a more restrictive variation of GPA 89-4 set forth in Attachment B; that all significant environmental points raised in the review of FEIR-060 in relation to both the proposed Winery Definition

Ordinance and accompanying General Plan amendments had been adequately responded to; and that a reasonable range of alternatives to said projects were adequately discussed by FEIR-060; and

WHEREAS, based on the foregoing conclusions, the Commission recommended on January 3, 1990, that the Board of Supervisors certify the adequacy of FEIR-060 in relation to both GPA 89-4 and GPA 90-1, as well as the proposed Winery Definition Ordinance; and

WHEREAS, at the conclusion of the hearings on January 3, 1990, the Commission further recommended that the Board of Supervisors reject GPA 89-4 and approve GPA 90-1; and

WHEREAS, consideration of GPA 89-4 and GPA 90-1 and the adequacy of FEIR-060 in relation to said General Plan amendments came on for duly-noticed public hearing before the Board of Supervisors on January 11, 16, and 17, 1990, at which time the Board reviewed the administrative record and accepted public testimony.

NOW, THEREFORE, BE IT RESOLVED that:

1. The foregoing recitals are true and correct;
2. Inasmuch as the sole purpose of GPA 89-4 and GPA 90-1 is to eliminate any inconsistencies which might exist between the current General Plan and the proposed Winery Definition Ordinance by modifying the language in the General Plan rather than modifying the language in the proposed ordinance, the Board hereby finds and determines that the ordinance, including possible environmentally superior variations, and the proposed General Plan amendments are essentially the same in terms of environmental circumstances and impacts, and therefore may employ a single EIR (in this case, FEIR-060);
3. The Board finds and certifies the adequacy of FEIR-060 in relation to GPA 89-4 and GPA 90-1 as follows:
  - a. FEIR-060 was prepared in compliance with all applicable laws and regulations, and in particular was properly noticed and advertised in accordance with 14 Cal.Admin.Code §15153(b) of the State CEQA Guidelines;
  - b. FEIR-060 addresses, with the degree of analysis required by 14 Cal.Admin.Code §15151, the environmental impacts that could result from adoption and implementation of either GPA 89-4 or 90-1;
  - c. FEIR-060 adequately responds to comments received from the general public or public agencies relating to the scope and content of the environmental information relevant to both GPA 89-4 and GPA 90-1;
  - d. FEIR-060 adequately describes a reasonable range of alternatives to GPA 89-4 and GPA 90-1.
4. Based upon the analysis set forth in FEIR-060, public comments received during the public review period and testimony submitted at the public hearings before the Commission and Board, the Board finds

and determines that the adoption of GPA 90-1 will result in significant unmitigated impacts in the following four areas:

- a. Cumulative traffic impacts;
  - b. Increased demand for solid waste disposal at the County's three sanitary landfill sites;
  - c. Increased demand for low and moderate income housing;
  - d. Increased demand for fire protection services;
5. The Board further finds and determines that all other impacts associated with adoption of GPA 90-1 can be mitigated to levels of insignificance if the mitigation measures identified by FEIR-060 or similar measures are adopted by the Commission on a case-by-case basis;
6. In relation to the significant unmitigated impacts described in paragraph 4(a) above, the Board finds and determines that no mitigation measure or project alternative has been identified in FEIR-060 which would reduce such impacts to a level of insignificance;
7. In relation to the significant unmitigated impacts described in paragraph 4(b) through (d) above, the Board finds and determines that no feasible mitigation measures have been identified in FEIR-060 which would reduce such impacts to a level of insignificance and the only alternative identified by FEIR-060 that could completely mitigate such impacts to levels of insignificance is the "No Growth" alternative which would prohibit the approval of any new or expanded wineries;
8. The Board hereby finds and determines that the "No Growth" alternative would seriously impair the future strength of the wine industry in Napa County and such impairment would be inconsistent with the Napa County General Plan since the viability of the wine industry is essential to the promotion, expressed in the General Plan as one of the basic policies of Napa County, of agriculture and the preservation of agricultural land in Napa County;
9. The Board further finds and determines that the following social, economic and other benefits outweigh the identified negative environmental consequences of adoption of GPA 90-1:
- a) preservation and enhancement of the viability of agriculture in Napa County through the provision of a strong local market for Napa County grapes;
  - b) provision of 4000 new permanent jobs and 1000 new seasonal jobs in Napa County over the next 20 years;
  - c) provision of \$5.4 million dollars in net revenues after expenses to Napa County over the next 20 years and nearly 4 million dollars in revenues to the four (4) local incorporated communities;
  - d) preservation of the quality of life in Napa County through

protection of views and minimization of the disruption caused by winery marketing activities;

- e) continuation of contribution to local charities will be enhanced by maintaining a financially strong wine industry;
- f) maintenance of the social and cultural interests of the community through preservation of a strong wine industry which, in consequence of the marketing needs for its super and ultra premium wine product, is inherently a major supporter of the arts.

10. The Board hereby amends Section 3.11 of the Land Use Element of the Napa County General Plan as set forth in GPA 90-1 attached hereto as Attachment B;

11. The foregoing amendment shall constitute the first General Plan Mandatory Element Amendment for 1990.

THE FOREGOING RESOLUTION was adopted by the Board of Supervisors of the County of Napa at a regular meeting held on January 23, 1990 by the following vote:

AYES: SUPERVISORS NEGRI, WHITE AND MIKOLAJCIK

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NOES: SUPERVISORS VARRELMAN AND BATTISTI

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ABSTAIN: SUPERVISORS NONE

ATTEST:

AGNES DEL ZOMPO  
Clerk of the Board  
of Supervisors

By Teri Sisson, Deputy

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**APPROVED** JAN 23 1990  
BOARD OF SUPERVISORS  
COUNTY OF NAPA

AGNES DEL ZOMPO  
CLERK OF THE BOARD

BY Karla Prescott Deputy

ATTACHMENT A

GPA 89-4

Proposed Amendment to the Land Use Element of the  
Napa County General Plan to Implement the  
Winery Definition Ordinance

Policy 2.1 (Recreation Policies) is hereby amended to read:

Cultural Heritage- The County will encourage interest in the cultural heritage of Napa County for the education and enjoyment of present and future citizens to enhance the individual's sense of identity with the County. For that purpose the County will develop regulations and programs to preserve and utilize historical buildings and areas of historic significance or scenic attractiveness. The County may also permit limited cultural activities and events which benefit local charities or the community at large when such activities and events are conducted in such a way as to minimize adverse effects on the natural environment, the local infrastructure such as roads, water and sewage disposal and do not adversely affect the surrounding community.

Policy 3.11 (Agricultural Policies) is hereby amended to read:

Agriculture- Agriculture includes the production and processing of food and fiber, the growing of crops including but not limited to nursery stock, produce and feed and the raising of livestock and animals. Processing includes the sales of agricultural products produced or processed on-site, including tours and/or tastings, the on-site training of personnel, the conduct of limited educational seminars, cultural and social events, all of which must further the art and science of the production or processing of agricultural products when such activities are clearly accessory to the principal use of the facility. The processing of agricultural products often takes on an industrial character which will be subject, in general, to the same kinds of regulations as other industrial uses including the regulation of building location and height, the location and design treatment of primary and accessory buildings and support facilities.

Policy 6.3 (Industrial Policies) is hereby amended to read:

Industrial Location- The County will direct non-agriculturally oriented industry away from productive agricultural lands toward areas more suitable for industrial purposes as shown on figure 14.

Section F. Standards, Subsection 7) Agricultural, Watershed and Open Space, paragraph b) General Uses is hereby amended to read:

Agriculture, the conduct of limited cultural activities and events which benefit local charities or the community at large consistent with Recreation Policy 2.1, single family dwelling.

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ATTACHMENT B

GPA 90-1

Proposed General Plan Amendment Language  
to the Land Use Element of the  
Napa County General Plan to Implement the  
Winery Definition Ordinance

Policy 3.11 (Agricultural Policies) is hereby amended to read:

Processing of Agricultural Products - Agriculture includes the production and processing of food and fiber, the growing of crops, produce and feed as well as the raising of livestock and animals. In the case of wineries, processing includes tours and tastings, retail sales of wine produced by or for the winery partially or totally from Napa County grapes, activities for the education and development of consumers and members of the wine trade with respect to wine produced by or at the winery, and limited non-commercial food service, provided any such activities are clearly accessory to the principal use of the facility as an agricultural processing facility. No other use or development of a parcel located in an agricultural area shall be permitted unless it is needed for the agricultural use of the parcel. The processing of agricultural products often takes on an industrial character which will be subject, in general, to the same kinds of regulations as other industrial uses.