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PUBLIC NOTICE

NOTICE OF PLANNING COMMISSION HEARING & NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

On Wednesday morning, the 2nd day of September 2020, at 9:00 a.m. at 1195 Third Street, Suite 305, Napa, California, a public hearing will be conducted by the Napa County Planning Commission regarding the project identified below. All interested persons are invited to attend the hearing and be heard.

Ballentine Vineyards – Use Permit Major Modification #P18-00382 & Variance #P19-00006

Location: 2820 St. Helena Highway North; APN: 022-200-003

Zoning and General Plan Designation: AP (Agricultural Preserve) zoning district and AWOS (Agriculture, Watershed, and Open Space) and Agricultural Resources (AR) General Plan land use designations

Request: Modification of an existing Use Permit for an existing 50,000 gallon winery at an approximately 21 acre site to allow the following changes:

A. COMPONENTS NECESSARY TO REMEDY EXISTING VIOLATIONS:

- 1) recognition of daily tastings of 21 persons per day, 147 visitors maximum per week. Currently authorized for 10 weekly visitors;
- 2) recognition of an existing marketing program of six events per year (325 guests). Currently authorized for two events per month (120 guests); and
- 3) recognition of 11 full-time employees. Currently authorized for four full-time employees.

B. EXPANSION BEYOND EXISTING ENTITLEMENTS:

- 1) Construction of a 3,500 square foot freestanding covered crush pad and outdoor work area; remodel the existing tasting room including the addition of a 1,200 square foot outdoor tasting area adjacent to the tasting room; construction of a 240 square foot attached ADA compliant restroom, 215 square foot attached private tasting room, 250 square foot attached employee break room, and a 225 square foot pomace bin;
- 2) Increase in maximum annual permitted wine production from 50,000 to 125,000 gallons;
- 3) Increase existing daily tastings from 21 persons per day, 147 visitors maximum per week (existing conditions to be recognized via the County's Code Compliance program) to 40 persons per day Monday through Friday and 95 persons per day Saturday and Sunday; 390 visitors maximum per week. All visitation would be by appointment only;
- 4) Modification of an existing Marketing Program to increase events from six events per year (325 guests) (existing conditions to be recognized via the County's Code Compliance program) to 112 events per year (3,400 guests) as follows:
 - a. Ninety-Six (96) annual events for up to 25 guests;
 - b. Twelve (12) annual events for up to 50 guests;
 - c. Four (4) annual events for up to 100 guests; and
 - d. Closure of the winery for daily tastings during all 100 person events.
- 5) On-premises consumption of wines produced on site in the open air patio, tasting room, and private tasting room in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
- 6) Change the winery's tasting room hours of operation from 10:00 AM to 5:00 PM to 10:00 AM to 6:00 PM (Seven days a week);
- 7) Increase parking spaces from 15 spaces to 37 spaces and provide a minimum of two on-site bicycle parking spaces;

- 8) Increase the number of employees from 11 (existing conditions to be recognized via the County's Code Compliance program) to 15;
- 9) Construct a new gate and re-configure the existing on-site circulation pattern;
- 10) Upgrade existing landscaping and the façade of the existing winery building and the provision of an accessible path of travel;
- 11) Potential relocation of the existing overhead power lines;
- 12) Improvement of the existing driveways to county standards; and
- 13) Upgrade the existing water system permit from a Transient Non Community (TNC) water system to a Non-Transient Non-Community (NTNC) water system.

A Variance application (P19-00006) is also requested to allow construction of the proposed covered work area approximately 375 feet from the centerline of State Highway 29 and the proposed covered pomace bin approximately 430 feet from the centerline of State Highway 29. Both would be located within the minimum 600-foot winery setback from State Highway 29.

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures (or MM's). MM's are proposed for the following area(s): **cultural resources, transportation/traffic, and tribal cultural resources**. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

The proposed Mitigated Negative Declaration is available for inspection, along with copies of all documents which relate to the above described project, between the hours of 8:00 AM. and 4:30 PM Monday through Friday, at the office of the Napa County Planning, Building, & Environmental Services Department, 1195 Third Street, Second Floor, Napa, California. Scheduling appointments to review documents is encouraged. Application materials are also available on the Department's Current Projects Explorer at:

<http://napacounty.maps.arcgis.com/apps/opsdashboard/index.html#/5cb8ac8a5291487f88d3c15798d8a46f>

Written and verbal comments regarding the environmental effects of this project and the adequacy of the proposed Mitigated Negative Declaration are solicited. Written comments must be presented during the public review period, which runs from July 31, 2020 through September 1, 2020. Comments should be directed to Jason R. Hade, Principal Planner, Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California; (707) 259-8757 or jason.hade@countyofnapa.org and must be received before 4:45 p.m. on September 1, 2020.

Appeals to decisions of the Planning Commission must be filed in writing with the Clerk of the Board of Supervisors, 1195 Third Street, Suite 305, Napa, California, in accordance with the timelines and submittal requirements set forth in Chapter 2.88 of the County Code.

If you challenge the particular proceeding in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

DATED: July 27, 2020

David Morrison
Director of Planning, Building, & Environmental Services