

COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STEET SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Mathew Bruno Wines Tasting Room, Use Permit Application No. P17-00387-UP and Request for Exception to Napa County Road and Street Standards
2. **Property Owner:** Mathew and Anthony Bruno
3. **County Contact Person, Phone Number and email:** Charlene Gallina, Supervising Planner, (707) 299-1355, Charlene.Gallina@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):** 1151 Rutherford Road (State Route 128), Napa, nearest cross street Grape Lane (private), unincorporated Napa County, APN 030-160-007
5. **Project sponsor's name and address:** M & B Bruno Family, LP, P.O. Box 1530, Turlock, California 95381
6. **General Plan description:** Agricultural Resource
7. **Zoning:** CL (Commercial Limited) District
8. **Background/Project History:**

The 0.38-acre parcel that is the subject of this proposal was once part of a larger tract of land owned by Eli Van Vleet, a grapegrower in the Napa Valley in the late 19th century. Evidence researched by the applicant's historic architect suggests that the residential structure currently on-site was built in 1892. Ownership of the property has changed several times since that year. Although most of the prior owners used the property as a residence, when ownership of the property changed in 1992, the then-owner began to lease the property to an office tenant. The use of the residential building by office tenants has continued since that time. The project proponent acquired the property in September 2017.

There have been no discretionary permits associated with this property, although the Board of Supervisors, on appeal on June 23, 1992, authorized issuance of a Certificate of Legal Nonconformity for continued use of the existing structure for residential purposes (Napa County Planning file nos. 91395-CLN and 91448-CLN), after the property was rezoned to the CL District in 1990. More specifically, the Board recognized "a 1,545 square foot single-family dwelling (which includes the existing 194 square foot screened porch and all living areas located on a single level); a 1,104 square foot below-grade basement used for storage purposes only; and a 528 square foot unfinished attic, not usable for habitation located above the first floor." The CL District, as then and currently written, excludes single-family residences as allowed uses. As noted above, upon the 1992 change of property ownership, the use of the building changed to an administrative function, and the building remains occupied by office tenants to date.

The CL District regulations allow certain commercial uses with a use permit, but administrative or general offices are not identified as a permissible primary use in that zone. Thus, the existing tenancy is noncompliant with current zoning regulations, though the County has not previously initiated code compliance efforts on the property nor received any complaints about the current office tenancy. Nonetheless, wine bars and food and beverage service establishments with no more than 100 seats are allowed as conditional uses in the CL District, and as such, the current request would resolve the existing matter of noncompliance with zoning regulations.

9. Description of Project.

The applicant requests a Use Permit to allow remodeling of the existing single-family residential structure currently used for commercial offices, and re-purposing of the property for use as a wine bar, wine storage and a wine tasting, with indoor and outdoor seating. Indoor seating would accommodate up to 30 guests at one time; between 20 and 25 additional guests could be accommodated on the outdoor decks proposed to be built attached to the house. Guests would be hosted from 10:00 a.m. until 6:00 p.m. The business is proposed to have two employees, with employee work hours between 9:00 a.m. until 7:00 p.m., which includes time for preparation ahead of guest arrival and clean-up after the last tasting guests leave each day. The wine product marketing program associated with the proposed wine bar and tasting room consists of two events per month for a maximum of 30 persons per event, plus two events per year for up to 250 people per event.

The larger (maximum 250-person) events are proposed to occur on a Saturday or Sunday, within the bar's regular business hours (10:00 a.m. to 6:00 p.m.) and outside of peak traffic hours. The events are proposed to last approximately two to four hours, allowing guests to come and go as they please. In addition, the applicant is working with larger lodging facilities in the cities of Napa and St. Helena and the town of Yountville to arrange for shuttles to allow event parking for out-of-town visitors and local residents at local lodging parking facilities. Shuttle service would be provided to and from the parking areas and the wine bar, and the applicant intends to promote shuttle opportunities and ridesharing on all event invitations and on the business' website.

Smaller (maximum 30-person) marketing events are proposed to occur after 6:00 p.m. and ending no later than 10:00 p.m. These events would be hosted for private groups such as corporate or family gatherings who would likely already be traveling together and/or have already arranged for transportation. The applicant also intends to promote ridesharing when scheduling these smaller events.

Pre-packaged foods such as cheeses, salumi and nuts would be plated in the wash area of the building and served as part of the wine bar and tasting program for daily customers. Any cooked food would be served at events only and prepared by county-approved and licensed caterers.

Due to wastewater treatment system limitations, the maximum number of customers on any day would be 56, including those days when 30-person events are scheduled (i.e., the number of daily guests would be reduced to a maximum of 26 on days that the smaller marketing events would occur). Portable restrooms would be used for the two larger (maximum 250-person) events. When on the property, the 14-foot long restroom facility is proposed to be placed on the project property, on the west side of the building and north of the on-site parking stalls.

Physical changes to the property would include renovation of the existing single-family residential building. The approximately 1,545 square foot ground floor of the building would be remodeled to create two private wine bar/tasting rooms, along with an administrative office, food pairing plating and ware washing area, wine library and restrooms. The existing basement and upper floor of the building would be used for wine storage and would not be accessible to patrons. Exterior changes to the building are proposed to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), and would include: 1) removal of decorative additions known or believed to be non-historic (window shutters, molded railings, decorative corner brackets); and 2) retention of the building's original character-defining exterior architectural features so as to maintain the exterior appearance of the building as a residence, despite its commercial use. The applicant proposes to add a new, wrap-around porch to the southern (rear) and eastern (interior side) elevations of the building; consistent with the Standards, this addition would be architecturally differentiated from the original front porch (through changes in railing, picket and support post details) so as not to appear falsely as original to the structure. The porch addition has also been designed so as not to negatively impact the integrity of the original historic structure if that addition were to be removed at a future date. Other changes, including a wheelchair lift at the proposed rear porch, are also proposed to meet accessibility requirements. The applicant is also considering installation of Tesla photovoltaic roof tiles to enhance the energy efficiency of the building.

Proposed modifications to the site include construction of a three-foot tall stone wall at the front (northern) property line; the wall would include a four-foot tall pedestrian entry gate and approximately 12 square foot business identification sign. The proposed project also includes removal of 19 existing ornamental and fruit trees, including two trees located off the property on Grape Lane. New landscaping and outdoor amenities would be installed on-site and would include 20 new trees, a decorative water feature, bocce court, low-lying shrubs, lighting and decomposed granite paths. New utility infrastructure proposed to serve the business would include an on-site engineered wastewater treatment system, inclusive of a 2,500-

gallon septic/recirculation tank and a 400 square foot drip dispersal field; and a new paved surface for seven new on-site parking stalls adjacent to Grape Lane. With potable water provided by the city of St. Helena, the existing irrigation well on-site would be demolished.

Off-site, the applicant proposes to widen the paved surface of the northern, approximately 150 feet of Grape Lane adjacent to the project site, from its existing 10-12 feet to 20 feet with two feet of shoulders consistent with Napa County Road and Street Standards (RSS) for common drives. On Rutherford Road/State Route 128, where the standard is currently met for providing a left turn lane for vehicular access onto Grape Lane, the applicant has requested that the County Public Works Director grant a public road exception to requirement under the RSS to install the left turn lane in the right-of-way. As part of the request, in lieu of the vehicular left turn lane, the applicant has proposed to install a mid-block crossing with flashing beacons for pedestrian access across Rutherford Road.

10. **Describe the environmental setting and surrounding land uses.**

The property at 1151 Rutherford Road is approximately three miles south of the city of St. Helena. The site is currently developed with a single-family residential building and landscaping. Properties surrounding the proposed project site are developed with residential, agricultural and commercial uses, as described in further detail, below:

North: California State Route (SR) 128, also known as Rutherford Road, adjoins the northern property line of the parcel. Across the highway are surface parking lots for the Rutherford Grill restaurant and 26-room Rancho Caymus Inn, as well as, an access driveway to the surface parking lot for Beaulieu Vineyards winery and tasting room. The restaurant, inn and winery are also located across the highway, further to the northwest, northeast and north (respectively) of the subject parcel. The restaurant and inn are, like the subject site, zoned CL District; the winery parcel is zoned AP (Agricultural Preserve) District. All of the parcels across the highway have a Napa County General Plan land use designation of Agricultural Resource.

West: Grape Lane adjoins the western property line of the subject parcel. Grape Lane is a private, 50-foot wide by 350-foot long parcel providing access to seven single-family residential properties located to the south of the subject site. Across Grape Lane from the site is the Elizabeth Spencer Winery and tasting room, and further to the west of the winery is the right-of-way of St. Helena Highway/SR 29. Each of the properties between the proposed project site and SR 29 is zoned CL District and has a General Plan land use designation of Agricultural Resource.

South: A 14-acre parcel fully developed with vineyards adjoins the southern property line of the proposed project site. The parcel is zoned AP District and has a General Plan land use designation of Agricultural Resource. Southwest of the subject parcel is a row of seven single-family residential properties that are accessed via Grape Lane. These residential properties range in size from 0.16 to 0.63 acres, are zoned RS:B-1 (Residential Single, Building Site Combination Overlay, One Acre Minimum Lot Size) District, and have a General Plan land use designation of Agricultural Resource.

East: La Luna Market and Taqueria property adjoins the eastern property line of the subject parcel. Further to the east of the market are vineyards and several single-family residential parcels, ranging in size from 0.17 to 0.61 acres, on both sides of SR 128. The market parcel is zoned CL District, and the residential parcels are zoned RS:B-1 District. All of the parcels to the east of the subject site have a General Plan land use designation of Agricultural Resource.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).

Construction of the proposed mid-block crossing and flashing beacons in the Rutherford Road right-of-way will require an encroachment permit from the California Department of Transportation (Caltrans).

12. **Tribal Cultural Resources. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?**

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

On January 29, 2019, Napa County staff sent invitations to consult on the proposed project to three Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. County staff did not receive a response within the 30-day period of request for response from the Mishewal Wappo Tribe of Alexander Valley. Members of the Middletown Rancheria and the Yocha Dehe Wintun Nation, by letters dated February 1 and February 5, 2019, respectively, responded to the County's letter but did not request formal consultation on the proposed project.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared by:

Dana Ayers, Planning Consultant

Reviewed by:

Charlene Gallina
Signature

October 31, 2019
Date

Name: Charlene Gallina
Napa County
Planning, Building and Environmental Services Department

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. **AESTHETICS.** Except as provided in Public Resources Code Section 21099, would the project:

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| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The proposed project, if approved, would not have a substantial adverse effect on a scenic vista nor substantially damage scenic resources or the existing visual character of the site and its surroundings. Rather, restoration of the historic structure and redesign of site landscaping to enhance site visibility would have the effect of improving the appearance of the property.

- a-c. The approximately 0.38-acre subject parcel is located on the Napa Valley floor and is not within any view corridor. Based on County Planning staff observation during December 2017 site visits, there are no rock outcroppings on the site, and slope on the property is flat, in no places exceeding five percent as indicated in the Napa County Geographical Information System (GIS) mapping database. With no portion of the property having a slope in excess of 15 percent, the proposed project and improvements to the site and building are not subject to the requirements of Napa County Code Chapter 18.106 (Viewshed Protection Program.)

The property has its primary frontage on Rutherford Road, a California State Highway (SR 128) designated by Caltrans as a scenic highway. The existing building on the property would be restored in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (see discussion under Section V. Cultural Resources of this initial study), including removal of non-historic elements of the building and restoration of original historic elements of the structure to their 19th-century appearance. There are no other accessory structures on the site that would be demolished or restored with the project. An existing, century-old camphor tree in front of the residence, possibly planted at the time of construction of the residence, is proposed to be removed with the project. However, based on reports submitted by the applicant's architectural historian and arborist, removal of the tree would not affect the historic integrity of the building to be rehabilitated (Page & Turnbull, "1151 Rutherford Road Historic Resource Assessment," 41). Additionally, based on the arborist's report and County Planning staff observations of the tree, the tree has endured stress as a result of aggressive pruning and drought and is currently in poor health (29, 61).

An additional 16 younger olive, magnolia and edible fruit trees are also proposed to be removed from the property, plus two redwood trees off of the property on Grape Lane, in conjunction with the project. To offset the loss of established trees, the applicant proposes to plant up to 20 new trees on the property in a more symmetrical and structured landscaping plan. Thus, while the current appearance of the property would change, the number of trees on the property and alongside Grape Lane would remain roughly constant compared to the existing condition. It is further noted that the apparently oldest tree on the property (the camphor tree) is in poor health, and its removal would benefit the historic structure, as the arborist's report provides evidence suggesting that the proximity of the tree and its root system to the residence may be causing cracks in the foundation of the building. Removal of the camphor tree would also improve visibility of the rehabilitated structure from the Rutherford Road right-of-way and would eliminate the potential for structural damage to the building as a result of falling limbs from the unhealthy tree.

- d. Hours of operation of the wine bar are proposed to be 9:00 a.m. until 7:00 p.m. daily, including set-up and clean-up, with guest wine tasting occurring daily between 10:00 a.m. and 6:00 p.m. The smaller, 30-person marketing events are proposed to occur after tasting room hours; thus, nighttime lighting after 7:00 p.m. could occur up to two times per month with the project. If the use permit modification is approved, the permittee would be subject to the County's standard conditions of approval that limit outdoor

lighting to the minimum necessary for operational and security needs. Up-lighting of buildings and landscaping is prohibited. The permittee must keep outdoor lighting fixtures as low to the ground as possible and include shields to deflect their light downward. Avoidance of highly reflective surfaces would be required, as well, by the standard County conditions. These conditions would apply to all business activities, including any events that would occur outdoors, and the permittee would be required to demonstrate compliance with the condition in his or her submittal of a building permit application:

6.3 *LIGHTING – PLAN SUBMITTAL*

- a. *Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.*
- b. *All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.*

6.5 *COLORS*

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

Ongoing operations of the wine bar would also be subject to compliance with the following standard condition of approval:

4.16 *GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS*

- a. *All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.*
- b. *All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.*
- c. *The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.*
- d. *Designated trash enclosure areas shall be made available and properly maintained for intended use.*

Mitigation Measures: None required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES.¹ Would the project:

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| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

a-e. As described in Background, above, the subject parcel is currently developed with a single-family residential structure with a currently commercial use. The California Department of Conservation maps the proposed project site as Urban and Built-up Land, a designation that includes lands that are currently developed with structures utilized for commercial, residential, recreational, institutional, utility and other non-agricultural uses. There are existing ornamental and edible fruit trees that have been planted by prior owners of the property, although agriculture is not the primary use of the small site, and the property is not subject to a Williamson Act contract. The CL District zoning of the property allows the commercial use (wine bar) proposed with this request, subject to Planning Commission approval of a use permit. There are no forest resources on the site, nor are there any on other proximate sites that would be converted from forest use as a consequence of approval of the proposed project. The proposed wine bar and related activities would not directly impact any existing agricultural resources but would indirectly support existing agricultural development within the County by providing a support use (wine service and sales) to agricultural product processing activities (winemaking).

Mitigation Measures: None required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹ "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District (BAAQMD) Board of Directors unanimously adopted Thresholds of Significance (Thresholds) to assist local agencies in the nine-county San Francisco Bay Area in the review of projects' potential environmental impacts pursuant to the California Environmental Quality Act (CEQA). The Thresholds were designed to establish the level at which the BAAQMD believed air pollution emissions would cause significant air quality and climate impacts in the region; were posted on the BAAQMD website; and were incorporated into the BAAQMD's updated CEQA Guidelines (updated May 2012). The Thresholds are advisory, and local agencies may follow them at the agencies' discretion.

The Thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the Thresholds are not mandatory, and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Threshold Options and Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

The requested entitlement would allow operation of a wine bar with wine tasting and related wine retail sales and storage, in a re-purposed residential structure. No new conditioned spaces are proposed, although on-site grading would occur for installation of new parking stalls, footings for a new wraparound porch, a new wastewater treatment system including leachfield, and new decorative landscaping.

a-d. Over the long term, sources of emissions from the project would consist primarily of mobile sources, including customer vehicles, employee vehicles, and delivery vehicles, with secondary stationary sources that include emissions from energy use and wastewater treatment. As the building currently has office commercial tenancy, this initial study considers the requested change from the current condition to the proposed use, including building rehabilitation, site and utility improvements, and the net change in vehicle trips and associated emissions.

The BAAQMD's screening criteria (2017) includes a variety of land uses and corresponding square footages for which a project would be anticipated to have a significant impact, based on the BAAQMD's thresholds. While there is not a land use in the BAAQMD's guidance that directly correlates to a wine bar, "quality restaurant," wherein visitor stays are typically an hour or longer and guests typically reserve tables at the establishment, is a comparable land use to the proposed project. The Guidelines suggest a screening criteria of 47,000 square feet for "quality restaurant" uses. Below this size of building, the Guidelines indicate that the project would have a less than significant air quality impact; at 47,000 or more square feet of building area, the Guidelines suggest additional study be done to analyze whether the project would have a potentially significant environmental impact. (BAAQMD CEQA Guidelines, May 2017, pages 3-2 & 3-3). The area requested to be used for the wine bar and tasting consists of indoor and outdoor (porch) areas with a combined area of fewer than 2,500 square feet (excluding storage areas in the basement and on the second

floor of the building). Comparing this building area to the BAAQMD's screening criterion of 47,000 square feet, the requested use permit modification and its associated ongoing operations and customer and employee vehicle trips, would not contribute a significant amount of air pollution to the region and thus, would not have a significant air quality impact. It is further noted that the building is currently in use as an office, and that some of the existing vehicle trips to the site that would occur with the wine bar are now occurring with the commercial office tenancy, so that the net increase in vehicle trips and emissions would be lower than that of a newly-constructed establishment. It is also noted that with an existing tenant, the energy use of the building is an existing condition that would likely be improved, as renovation of the building would include installation of energy-efficient light fixtures, an electric vehicle charging station and an EnergySTAR roof (Napa County Greenhouse Gas Checklist, Best Management Practices [BMP] Checklist Measures BMP-9, BMP-10 and BMP-21).

In 2017, the BAAQMD adopted an updated Clean Air Plan that outlines a regional program and a set of measures to reduce the transmission of ozone and ozone precursors, particulate matter, toxic air contaminants, greenhouse gases, and other sources of air pollution. As noted in the Clean Air Plan, the nine-county San Francisco Bay Area as a region is in non-attainment status for achievement of state and federal standards for ozone. Primary sources of ozone in the Bay Area are motor vehicles and industrial land uses.

The project proponent identified in the use permit application measures listed in the 2017 Clean Air Plan with which the proposed wine bar are consistent, including planting of trees (20 new trees to replace the 19 existing trees proposed to be removed on and off of the property) to help moderate hot and cold ambient temperatures on the property and sequester carbon; installation of an EnergySTAR roof and light emitting diode (LED) light fixtures to reduce energy demands associated with emissions resulting from heating, cooling and illuminating the building; and installation of an electric vehicle charging station to reduce air emissions from customer and/or employee vehicles (Napa County Greenhouse Gas Checklist, BMP Checklist Measures BMP-20, BMP-10 and BMP-21). These voluntary BMPs are consistent with the Clean Air Plan's Natural and Working Lands measure NW2 (Urban Tree Planting), Building Sector measure BL-1 (Green Buildings), and Energy Sector measure EN2 (Decrease Energy Use). In the Greenhouse Gas Checklist, the applicant also expressed an intent to recycle 75 percent of all of the business' waste, consistent with Waste Sector measure WA4 (Recycling and Waste Reduction). Further, the location of the proposed wine bar in a relatively more dense neighborhood in the unincorporated County area provides an opportunity for patrons and guests of the nearby restaurants and hotel to walk to the property rather than drive an automobile, consistent with the intent of Transportation Sector measure TR10 (Land Use Strategies). While certain components of the winery's current operations are consistent with elements of the Clean Air Plan, other measures would not be implemented as they are more generally applicable to heavy industrial rather than hospitality and beverage service uses. As such, the proposed modification would not obstruct implementation of the applicable Clean Air Plan for the San Francisco region.

The shallow depth of disturbance on the less than half-acre site, temporary nature of work and compliance with standard conditions would not cause a substantial increase in particulate matter and therefore, would result in a less than significant construction impact related to particulate matter. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for installation of the parking stalls, porch footings, wastewater treatment system components, and landscaping and irrigation associated with the proposed project. Although there are no schools or healthcare facilities within one mile of the proposed project site, there are existing residences proximate to the site, with the closest residence approximately 150 feet to the southwest. Earthmoving and construction emissions would be short-term, consisting mainly of dust generated during grading activities and exhaust emissions from construction-related equipment and vehicles during construction.

With the exception of the building footprint, much of the 0.38-acre property would have ground disturbance for purposes of installation of surface parking stalls, porch footings, landscaping and irrigation, and utilities (wastewater treatment) equipment. Assuming excavation to roughly three feet below grade for this site work, the project is estimated to involve disturbance of approximately 2,000 cubic yards of soil. Applying the heavy- and light-duty construction equipment exhaust emission factors of the BAAQMD (see 1999 CEQA Guidelines, table 7) to this area and duration of ground disturbance, the emissions from vehicles used in construction related to the project are as follows. For information and comparison, the table includes the thresholds of significance for construction and operations emissions from a project (see 2017 BAAQMD CEQA Guidelines, table 2-1) in the summary below. Average daily emissions in pounds are converted to kilograms (where one pound equals 0.45 kilograms), for consistency in the units across the table; based on the construction schedule of a similar commercial building renovation project recently completed in the County, construction of the proposed project is estimated to occur over eight months (240 days):

Contaminant	Emission Factor (grams/yard ³)	Total Estimated Project Emissions (kilograms, kg)	Estimated Project Emissions per Day of Construction (kg)	Daily Emissions, Threshold of Significance
Reactive Organic Gases (ROG)	9.2	18.4	0.1	24.5 kg (54 pounds)
Oxides of Nitrogen (NOx)	42.4	84.8	0.4	24.5 kg (54 pounds)
Coarse Particulate Matter (PM ₁₀)	2.2	4.4	0.02	37.2 kg (82 pounds)

In addition to the PM₁₀ estimated to be generated from construction vehicle emissions, dust would be generated from site grading activities. With fewer than 2,000 cubic yards of estimated earthwork, however, the project falls below the screening criteria (10,000 cubic yards) for construction projects, as explained in section 3.5.1 of the 2017 BAAQMD CEQA Guidelines. As noted above, no demolition of structures is associated with the project.

The BAAQMD recommends incorporating feasible control measures as a means of addressing construction-related air quality impacts, and with application of these measures, indicates that air pollutant emissions from construction activities would be considered a less than significant impact. These measures are incorporated into the County's standard conditions of project approval and include the following:

7.1.c AIR QUALITY

During all construction activities, the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

- A. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
- B. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
- C. Cover all haul trucks transporting soil, sand, or other loose material off-site.*
- D. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- E. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.*
- F. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- G. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.*
- H. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

Furthermore, while earthmoving and construction on the site would generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

7.1.b DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 miles per hour.

With the small area of work, temporary duration of construction, and the project proponent's adherence to these relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related air quality impacts of the project are considered to be less than significant.

The BAAQMD defines public exposure to offensive odors as a potentially significant impact. However, land uses that are more commonly known generators of offensive odors typically include landfills and transfer stations, wastewater treatment plants, refineries, and heavy industrial and manufacturing plants. Storage, retail sales and service of wine are not land uses that are typically associated with generation of offensive odors comparable to these types of industrial uses. Consistent with General Plan Policy AG/LU-15, odors that are associated with production of wine and other agricultural product processing facilities are considered acceptable elements of the County and its agricultural development goals.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e. The subject area of the property is generally flat, having a slope of less than five percent. The site is substantially disturbed, with the existing residential structure covering just over 10 percent of the approximately 16,600 square foot parcel, and a gravel parking lot covering another, approximately 10 percent of the site. The remainder of the parcel, though not covered with buildings or surface parking, is landscaped with ornamental and edible trees and shrubs planted in previous years, such that there is little evidence of native landscape or habitat on the site.

As the property has been developed and used for residential or commercial uses for over 100 years, native vegetation and the native species habitat that would have been fostered by that vegetation has long been removed from the property, and there is little evidence of native landscape or plantings on the site. The site is a small parcel, bound on two sides by public or private roads (Rutherford Road and Grape Lane), and on a third side by a market, such that it does not support uninterrupted movement or migration of any terrestrial species along a habitat corridor. There are also no native wildlife nurseries near the parcel.

As noted in the Aesthetics section of this initial study, an existing, century-old camphor tree in front of the residence, possibly planted at the time of construction of the residence, is proposed to be removed with the project; however, the tree currently shows evidence of stress and poor health, and retention of the tree could negatively affect the historic structure as a result of root intrusion into the building foundation or structural damage from falling limbs. As also noted in the discussion of Aesthetics in this initial study, two existing redwood trees on Grape Lane and an additional 16 olive, magnolia and edible fruit trees on the property (a total of 19 on and off the property) are proposed to be removed as a result of the project. To offset the loss of established trees, the applicant proposes to plant up to 20 new trees on the property in a more symmetrical and structured landscaping plan. Thus, while the current appearance of the property would change, the number of trees on the property and along Grape Lane would remain roughly constant compared to the existing condition.

There are no wetlands on the property. Bale Slough, a tributary to the Napa River, is in the general vicinity of the property but is over 2,400 feet northeast of the parcel, such that no ground disturbance associated with the proposed project would directly impact the stream, and all proposed construction would be located well outside of the minimum setbacks established under the water quality and riparian area conservation regulations identified in Napa County Code Chapter 18.108. The proposed project includes stormwater quality preservation measures that include landscaping and biofiltration areas that are incorporated into the project improvements in order to treat runoff from the property and reduce pollution of storm drainage facilities.

- f. There is no HCP or NCCP that has been adopted for or is being implemented in unincorporated Napa County.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Based on County Planning staff observation and lack of records for building permits for the original construction of the building, staff estimated the age of the building to exceed 50 years. Consistent with General Plan Community Character Policy 26.5, the applicant commissioned a historic resource assessment for the building. The final report (“1151 Rutherford Road Historic Resource Assessment”) prepared by the architectural historian firm of Page & Turnbull was submitted to the County in July 2018. The findings of that report are summarized below.

a-c. Records research of the property indicate that the 0.38-acre parcel was once part of a larger tract of land owned by Eli Van Vleet, a grapegrower in the Napa Valley in the late 19th century. Evidence suggests that the residential structure currently on-site was built for miller and grocery David R. Richie in 1892, after a fire destroyed the original home built in the late 1880s. Samuel Mignacco, a farmer and saloon proprietor, purchased the property from members of the Richie family in 1913. In 1954, the Mignacco family sold the property to Doris and Cyril Jensen, both employees of local healthcare facilities, who retained ownership of the site until 1992. The Jensens sold the property to Reginald Oliver in 1992, and it was at this time that the use of the structure changed from residential to commercial occupancy. The Olivers sold the property to the project proponents in September 2017.

The building is not currently on the National Register of Historic Places, nor on the California Register of Historic Places. However, the Page & Turnbull assessment evaluated the potential for the structure to be considered eligible for listing in either register. The four criteria (Events, Persons, Design/Construction/Architecture, Information Potential) for both registers are similar, with evaluation centered on whether the property:

- A. is associated with events that have made a significant contribution to the broad patterns of history (local, regional or national) or the cultural heritage of California (Events);
- B. is associated with the lives of persons significant to local, state or national history (Persons);
- C. embodies distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or, for federal listing, that represent a significant distinguishable entity whose components lack individual distinction (Design/Construction or Architecture); or
- D. have yielded, or may be likely to yield, information important to local, state or national prehistory or history (Information Potential).

While the building does not appear to meet the criteria for eligibility due to association with significant events or persons prominent in local, state or national history, the authors of the assessment did conclude that the building appears to be eligible for both registers

under criteria C (Design/Construction or Architecture) due to its “distinctive characteristics of a type, period, region, or method of construction at the local level” (Page & Turnbull, 40). More specifically, the report notes that:

The building provides a rare example of a vernacular residential building with Queen Anne style influences constructed during the late 1800s in the Town of Rutherford. 1151 Rutherford Road was constructed ca. 1892 by an unknown builder in a vernacular cottage typology with the heavy influence of the Queen Anne architectural style. The building’s massing, irregular rooflines, projecting bays, wood channel siding, and molded wood elements, along with its original wood-sash windows are highly representative of construction materials and methods from the late 1800s. Although the building’s original designer is not known, the building’s overall architectural form remains associated with its original design, and is thus indicative of small-scale, single-family residences of the late-nineteenth century. The period of significance for this criterion is ca. 1892, the estimated year of construction of the building. (40)

In addition to concluding that the building meets one of the criteria for listing on a state or national register of historic places, the report concluded that the structure, despite some minor changes over the years, has retained its historic integrity. The structure has not been relocated from its circa 1892 location of construction and retains its residential character in the rural Rutherford community despite its current commercial use. The building’s design, including its massing and form, are also substantially the same as its original construction, as are its materials of construction.

Because the proposed project building meets eligibility criteria for listing as a historic property, and it retains historic integrity, it is evaluated in the Page & Turnbull report and this initial study as a historic resource. Any renovation or remodeling of the structure must therefore comply with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (Standards), in order for the historic resource impacts of the proposed project to be less than significant.

As described in further detail in Section VIII of the Page & Turnbull report, the proposed project building improvements would comply with the Standards. The building location would not change, and decorative additions known or believed to be non-historic (window shutters, molded railings, decorative corner brackets) would be removed with the project. The change of the building’s use from its original residential purpose to a commercial wine bar would result in interior floor plan changes; however, it would not significantly affect the building’s original character-defining exterior architectural features so as to make the building appear as something other than a residence from the outside. A new, wrap-around porch proposed to be added with the project to the southern (rear) and eastern (interior side) elevations would not significantly impact the historic siding and projecting bay roofs of the structure; would be architecturally differentiated from the original front porch (through changes in railing, picket and support post details) so as not to appear falsely as original to the structure; and has been designed so as not to negatively impact the integrity of the original historic structure if that addition were to be removed at a future date. Other changes, including Tesla photovoltaic roof tiles and a wheelchair lift at the proposed rear porch, have been proposed by the applicant to meet accessibility requirements and enhance the energy efficiency of the building. These additions, while meeting modern standards and greenhouse gas reduction goals, would not have negative consequences, as they would not result in changes to the roof plan (including projections and gables), exterior siding materials, or other character-defining features of the building.

Based on the thorough assessment by Page & Turnbull, the proposed project building is historic, and rehabilitation and re-purposing of the building would maintain the historic integrity of the structure if the present use permit request were to be approved. During two visits to the site, Planning staff observed that the site has been significantly disturbed from its native state, through past construction and grading activities associated with the existing building, landscaping, and agricultural uses and accessory structures that were previously developed on and have since been removed from the property. There are no known archaeological resources on the property; however, if resources are found during any earth-disturbing activities associated with the wastewater treatment system, porch footings, landscaping, or parking improvements proposed with the project, construction is required to cease, and a qualified archaeologist must be retained to investigate the site in accordance with the following Napa County standard condition of approval:

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. Re-use and re-purposing of the existing structure is inherently conserving of energy and natural resources, as rehabilitation of existing buildings has fewer construction-related energy and resource demands compared to demolition and new construction on a property. As noted in the Use Permit Application, Voluntary Best Management Practices Checklist for Development Projects, rehabilitation of the century old structure is proposed to include installation of new energy-efficient light fixtures, an EnergySTAR roof, new water-efficient plumbing fixtures, and a pedestal for charging of electric automobiles. These installations would have the effect of improving the energy-efficiency of the existing building compared to current conditions, while simultaneously incorporating restoration of an existing historic structure. These fixtures and installations would also comply with current building code and are consistent with adopted General Plan Policy CON-67 encouraging the County and permittees to utilize "green building" design principles as a means to reduce greenhouse gas emissions from energy and water treatment demands.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-b-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a-d. The property is approximately four miles northwest of the West Napa fault and is outside of any Alquist-Priolo Earthquake Fault Zone designated by the California Department of Conservation, Division of Mines and Geology. Although no fault zone underlies the property, the site is generally located within a region of active fault zones, with the nearest unnamed fault trace located approximately one mile west of the parcel. Named faults within the region include the Berryessa, Calaveras, Concord-Southern Green Valley, Great Valley, Hayward, Mayacamas, Rodgers Creek and San Andreas. Movement along any of these faults is anticipated to result in intensities of VI to VIII on the Modified Mercalli Scale at the project site; these “moderate” to “very strong” to “severe” intensities would be felt by most people and are likely to result in some damage to well-built structures. Due to the requirement for new structures to comply with the seismic standards of the California Building Code, damage to any new building additions (specifically, the side porch) on the property is anticipated to be minor and would not expose people to substantial hazards related to ground shaking during an earthquake. With location of the property in a seismically-active region and on soils considered to have “moderate susceptibility” to liquefaction (based on regional mapping), some structural damage to the existing building on-site could also occur, though it is noted that the building does not appear to have experienced any significant damage as a result of the recent 2014 West Napa earthquake, and the existing residential structure has withstood several major and minor earthquakes in the region since its construction in the late 19th century.

The property is underlain by Bale clay loam, 0 to 2 percent slopes. As described in the *Soil Survey of Napa County, California* (1978), this soil series generally has moderate shrink-swell potential at shallower depths (up to two feet below grade) where the soil composition is that of a clay loam; it has low shrink-swell potential at increased depths. Runoff from this soil type is generally slow, and erosion hazard is slight; thus, the potential for substantial adverse soil movement effects resulting from the proposed project is considered to be less than significant.

- e. The Bale clay loam that underlies the property has moderate limitations for septic systems, due primarily to slow percolation; however, such limitations can be overcome with proper design such as expansion of the leachfield or pre-treatment of wastewater prior to dispersal into a leachfield. The application materials, plans and wastewater feasibility study indicate that the proposed project includes: 1) demolition of the existing, standard gravity system; and 2) installation of a new wastewater treatment system that includes a pre-treatment system component, along with a new, 400 square foot on-site leachfield in the garden area to the east of the building on-site. Consistent with County standards, a reserve area of 800 square feet is proposed near the southern property line of the site. The proposed new system would treat sanitary wastewater generated from the wine bar operation. The sizes of the primary and reserve fields are based on a percolation rate of 0.6 gallons per square foot per day, with a peak demand of 210 gallons of wastewater generated from the proposed project’s employees and daily visitors. During the two larger marketing events each year, portable restrooms would be brought to the property and placed on the west side of the building and north of the on-site parking stalls.

The proposed new wastewater treatment system would include a 2,500-gallon septic tank, with a primary chamber in which primary treatment (separation of solids from liquid) would occur. Liquid effluent from the septic tank would then be treated to a secondary level in an Orenco® AdvanTex® AX-20 pod or similar system, after which the secondarily treated effluent would be pumped back into a second chamber in the larger septic tank, and subsequently pumped into the on-site, subsurface drip field system with drip tubing for disposal of flows under landscaped area.

County regulations require a minimum of three feet of vertical clearance between leachlines and the limiting layer (such as heavy clay, rock, groundwater, or soil with more than 50 percent rock in its composition) in a septic system. This distance has been determined to be the minimum necessary to treat water that has received only primary treatment in a septic tank. However, lesser vertical clearance of two feet is permitted when the wastewater is pre-treated to a higher quality effluent, prior to discharge to the leachfield, as is proposed with the project. A site evaluation report submitted with the Wastewater Feasibility Study of the proposed project indicated acceptable soil composition to a depth of three feet below ground surface; with drip lines typically placed six to eight inches below grade, the soil composition in the location of the proposed leachfield would provide adequate depth for treatment of wastewater generated by the proposed project.

As an additional precaution for septic systems with pre-treatment facilities, the County requires: 1) the permittee or the permittee's contractor to install monitoring wells within a 25-foot perimeter around the leachfield (due to the small size of the property, these wells would be installed at fewer than 25-foot distances from the leachfield, a more conservative distance); and 2) the permittee's certified service provider to monitor, maintain/clean, repair and submit twice a year to the County Environmental Health Division a report on the system's performance. County staff also accompanies the service provider on the system inspection at least once every two years. These monitoring and reporting requirements are intended to detect issues of effluent quality in the soil, prevent contamination of groundwater, and effect repair of potential system damage or problems to ensure its ongoing functionality.

- f. During two visits to the site in December 2017, Planning staff observed no unique geological features on the property, which has been significantly disturbed through past construction and grading activities associated with the existing building, landscaping, and agricultural uses and accessory structures that were previously developed on and have since been removed from the property. There are no known archaeological or paleontological resources on the property; however, if resources are found during any earth-disturbing activities associated with the wastewater treatment system, landscaping, porch construction or parking improvements proposed with the project, work is required to cease, and a qualified archaeologist must be retained to investigate the site in accordance with Napa County standard condition of approval 7.2, as referenced in Section V (Cultural Resources) of this initial study.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Greenhouse gases (GHGs) are the atmospheric gases, including carbon dioxide, methane, nitrous oxide, and synthetic fluorinated gases, whose absorption of solar radiation is responsible for global warming and that contribute to climate change, a widely accepted explanation of the anthropogenic acceleration of global warming. Carbon dioxide (CO₂) is the principal GHG being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity. Agricultural sources of carbon emissions include forest clearing, land use changes, and burning of fossil fuels related to goods movement and gas and diesel-powered vehicles and farm equipment (<https://www3.epa.gov/climatechange/science/causes.html>). CO₂ also serves as the reference gas against which other greenhouse gases are compared. The effect that each unit of the other GHGs (methane, nitrous oxide and synthetic fluorinated gases) has on causing the global warming effect is exponentially greater than the impact of a unit of CO₂, to the degrees of tens to tens of thousands of times. Thus, GHG emissions are measured in "carbon dioxide equivalents." Carbon dioxide equivalent (CO₂e) is a unit of measurement of GHG emissions that uses carbon dioxide as a common denominator, and is a way to get one number that approximates the effects from all the different gases that contribute to GHG emissions (BAAQMD CEQA Air Quality Guidelines, May 2012). CO₂e are measured in units of metric tons, equal to approximately 2,204 pounds.

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP² (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential GHG emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan's objectives, the BOS requested that the CAP be revised to better address transportation-related GHG, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local

² County of Napa, March 2012, Napa County Draft Climate Action Plan, Prepared by ICF International. Sacramento, CA

offset program. The Board also requested that best management practices be applied and considered when reviewing projects until a revised CAP was adopted to ensure that projects address the County's policy goal related to reducing GHG emissions.

In July 2015, the County re-commenced preparation of the CAP to: 1) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources); 2) address the concerns with the previous CAP effort as outlined above; 3) meet applicable State requirements; and 4) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum No. 1: *2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016*³. This initial phase included updating the unincorporated County's community-wide GHG emissions inventory to 2014 and preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizon years. Table 1 of the Technical Memorandum indicates that two percent of the County's GHG emissions in 2014 were a result of land use change.

The final draft of the CAP was released on June 5, 2017, for public review and for considerations of recommendation by the Planning Commission and adoption by the Board of Supervisors. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or online at <https://www.countyofnapa.org/592/Climate-Action-Plan>.

- a. Overall increases in GHG emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified by the Napa County Board of Supervisors in June 2008. GHG emissions were found in that document to be significant and unavoidable, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

Consistent with these General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

As referenced in the Air Quality section of this Initial Study, the BAAQMD incorporated into its 2017 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions. The BAAQMD's threshold of significance for proposed projects' potential GHG emissions was set at 1,100 metric tons of CO₂e (MTCO₂e) per year. Agencies may choose to use the threshold or other available data source as best available information. For the analysis of this proposed project, the GHG threshold of 1,100 MTCO₂e, based on the analysis in the BAAQMD's "Threshold Options and Justifications Report," is considered the best available information and is considered an appropriate threshold against which to measure the potential GHG impacts of the proposed project.

During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.)

For the purposes of this analysis, potential GHG emissions associated with the bar's "construction" and "operational" activities are discussed. One-time construction emissions associated with the project's development project include: i) the carbon stocks that are lost (or released) when soil is disturbed in preparation for new parking, porch footings, landscaping and wastewater treatment system equipment; and ii) emissions associated with the energy used to develop and prepare the project area for the proposed improvements, including construction equipment and worker vehicle trips (hereinafter referred to as "equipment emissions"). In addition to the one-time construction emissions, operational emissions of the wine bar are also considered and include ongoing emissions from the energy used to maintain and operate the business, including vehicle trips associated with employee and customer trips. (See Section XVI, Transportation/Traffic, for anticipated number of operational trips.) Operational emissions from the proposed wine bar would be the primary source of emissions over the long-term when compared to one-time construction emissions.

As described above, the proposed project consists of re-purposing an existing residential building, currently used as a business office, for new use as a wine bar. Although project construction includes addition of porches on the eastern and southern elevations of the structure, no new conditioned spaces would be created with the project, as primary customer service areas are identified inside of the existing building presently occupied as administrative space. Other site construction would include installation of a new wastewater treatment system, parking and landscaping, though these improvements would be outdoors and also would not result in

³ Supersedes February 2, 2016, version.

any new conditioned spaces on the property. Thus, the primary sources of operational GHG emissions that would result from approval of the request are attributed to vehicle use of the proposed business' customers and employees.

Applying the "quality restaurant" land use as a best fit category, as explained in additional detail in the Air Quality discussion of this initial study, a project with 9,000 square feet of area would potentially generate more than 1,100 MTCO_{2e} annually from operations and associated vehicle trips, and would be considered to have a potentially significant impact on the environment. The combined, approximately 2,500 square feet of indoor and outdoor wine bar and tasting spaces (excluding storage areas in the basement and on the second floor of the building) falls below this screening criterion, and thus, no significant GHG impact is anticipated from the proposed project, even without accounting for existing office employee vehicle trips to the property. It is further noted that the proposed project consists of re-purposing of and improvements to an existing structure, which would generate fewer emissions than new construction requiring more extensive grading in a less dense location, and the applicant intends to install energy-efficient lighting fixtures and roofing materials that would lower operational GHG emissions generated by the energy demands of the building.

During construction and renovation for the project, the combustion process of engines in heavy duty vehicles would be a source of air pollutants, including particulate matter, carbon dioxide and nitrogen dioxide. Emissions from heavy duty off-road vehicles (e.g., construction equipment) would increase as a result of those vehicles' use in earthwork associated with the construction. Although the use of these vehicles would increase emissions in the vicinity of the site, the 2010 Bay Area Clean Air Plan notes that emissions from heavy duty and industrial vehicles are regulated by standards of the U.S. Environmental Protection Agency and California Air Resources Board, and that as those standards have intensified, emissions (particularly nitrogen oxides and particulate matter) from these types of vehicles have and will continue to decrease (3-29, 3-30). U.S. Department of Transportation, Bureau of Transportation Statistics data demonstrates this downward trend in heavy duty vehicle emissions since 1990. It is again noted that use of these vehicles would be temporary, generating GHG in the property vicinity for the estimated six to eight months but not thereafter.

- b. The County of Napa does not have an adopted climate action plan. As indicated on the "Voluntary Best Management Practices Checklist for Development Projects" attached to the use permit application, other measures that the applicant intends to implement, and that have the effect of reducing the winery's emissions of GHGs, include implementation of a recycling program and installation of water-efficient plumbing fixtures, an electric vehicle charging station, an ENERGY STAR roof and energy-efficient lighting fixtures as part of the building renovations.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-b. The proposed project involves food service and service and retail sales of wine. These types of uses might utilize chemicals for purposes of cleaning and property maintenance activities but are not typically generators or users of significant quantities of hazardous materials. During construction of the improvements associated with the project, some hazardous materials, such as building coatings and adhesives would be utilized. However, given the quantities of hazardous materials and the limited duration of construction, their use on-site would result in a less than significant impact.
- c. The proposed project would not affect schools within one-quarter mile. St. Helena High School, the school closest to the property, is over 3.5 miles northwest of the proposed project site, and as noted above, significant quantities of hazardous chemicals are not anticipated to be used in the bar's operations.
- d. The subject property is not on the California Environmental Protection Agency's list of hazardous sites (Government Code Section 65962.5; <http://www.calepa.ca.gov/SiteCleanup/CorteseList/>).
- e. The proposed project would not cause an unsafe condition within two miles of a public airport or airstrip, as the subject parcel is not within two miles of any public airport or airstrip. There are two public use airports in the County: Angwin-Parrett Field and Napa County Airport. Angwin-Parrett Field is roughly eight miles north of the proposed project site, and the Napa County Airport is over 18 miles southeast of the site; the subject parcel is outside of the boundaries of the land use compatibility plan for both airports.

River Meadow Farm, located at 1019 Rutherford Road and approximately one-third mile northeast of the proposed project site, has Napa County use permit approval for a private use heliport (Use Permit No. U-347778, approved June 7, 1978; U.S. Federal Aviation Administration Location Identification No. 7CA9). While the proposed project site is within two miles of a private heliport, the proposed project excludes any air travel component or on-site aircraft landing facilities that could contribute to increased air traffic in the immediate area. The proposed project also excludes any increase in the height of the existing, less than 30-foot tall building and would be conditioned to preclude any uplighting that could cause visual or physical interference with existing air traffic that may occur to or from that heliport. (Also see Aesthetics section of this initial study.)
- f. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. No component of the proposed project would result in permanent closure or obstruction of adjacent public rights-of-way (Rutherford Road, Grape Lane), and no component of the implementation of the EOP would otherwise be impaired by the requested use permit.
- g. The property is predominantly developed. The Napa County General Plan (Figure SAF-2) indicates that the property is considered to have low risk of damage from wildland fires. The property does not abut any natural forested or grassland areas; rather, lands in the general vicinity of the property are paved roadways (Rutherford Road, Grape Lane) or developed with vineyards, single-family residences or other commercial structures. In accordance with building code requirements, the renovated residence would be equipped with fire suppression sprinklers, with water provided via the city of St. Helena water system connection. The property is within emergency response area of Napa County fire protection services and is within one-quarter mile of the Rutherford Fire Station located near the intersection of SR 29 and Rutherford Road.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a, c, e. The proposed project includes re-purposing of the existing residential building, addition of a wraparound covered porch to the east and south sides of the building, and installation of asphalt paved parking stalls and compacted, decomposed granite-surfaced walkways; these areas represent existing and proposed new impervious surfaces on the property. The applicant's engineer prepared a stormwater control plan (SCP), in accordance with the Napa County/Bay Area Stormwater Management Agencies (BASMAA) stormwater quality permit. The SCP describes the proposed measures for preservation of stormwater quality on the property and identifies self-retaining areas to which runoff from impervious surfaces (rooftop, paved walkways and parking areas) would be directed for treatment of stormwater/filtration of pollutants. In accordance with BASMAA permit criteria, which require self-retaining areas to have at least 50 percent of the area in the related impervious surface, the project as proposed would have self-retaining areas with over 7,000 square feet of combined area for the proposed, approximately 8,200 square feet of impervious surface area associated with the project. Runoff from the parcel currently discharges to the storm drain system at the southeastern corner of the property, ultimately draining to the Napa River, and would continue to do so with the project.

As described in Section VII (Geology and Soils) of this initial study, the property is underlain by Bale clay loam, 0 to 2 percent slopes, which is characterized as having slow runoff and slight erosion hazards. Grading on the property in order to construct new parking and landscaping would, as noted above, introduce new areas of impervious surface to the site but would not substantially pave over nor alter the currently flat character of the property in such a way as to significantly increase runoff velocity and preclude opportunities for groundwater to be absorbed into the ground. Thus, the potential for substantial adverse soil movement effects resulting from the proposed project is considered to be less than significant. There are no streams or rivers on or immediately adjacent to the property that would be modified as a result of construction on the parcel; thus, no physical changes or new development would occur within any stream or river setback areas required by County Code Chapter 18.108.

During installation of impervious parking and landscaping surfaces, the applicant's contractors must comply with the County's stormwater pollution prevention plan (SWPPP) requirements to ensure that best management practices (BMPs) are adopted in order to minimize the amount of sediment and other pollutants leaving the site during construction activities. The following condition regarding stormwater control, which will require the incorporation of BMPs during development, is a standard site improvement and engineering services-specific condition that would apply to the project, if approved:

7.1.d The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board (SRWQCB).

During construction, the project would have a less than significant impact on water quality with the implementation of Best Management Practices required by the standard condition of approval. Post-construction, the stormwater quality preservation measures described in the paragraphs above, would facilitate on-site treatment and infiltration of stormwater runoff from proposed new impervious surfaces on the property.

- b. The property is not within any water-deficient basin of the County as defined in Napa County Code Chapter 13.15, map 13-1. Water to the property is provided from the city of St. Helena. The city has confirmed in an August 31, 2017, letter that it would continue to provide water service to the proposed wine bar use requested under this permit application. As noted in the city's letter, water demands of the proposed use would be less than the water demands of the existing office use and the previous residential use, and water use is anticipated to be further reduced with the planned installation of water-efficient plumbing fixtures (required by Building Code) associated with the renovation of the building. As noted above, the project would retain approximately 7,000 square feet in pervious surface areas into which stormwater could be absorbed into the ground.
- d. According to Napa County's environmental resource mapping (Floodplain and Dam Levee Inundation layers), the property is outside of the 100-year and 500-year floodplains, as well as, dam failure inundation areas of the Lake Hennessy and Bell Canyon reservoirs, both of which are located three or more miles away from the site. With the property's location outside of 100- and 500-year floodplains and dam inundation areas, the project is therefore not anticipated to impede, redirect or otherwise alter flooding potential in the general vicinity, nor to create a risk of discharge of significant quantities of pollutants during flooding. With its location well inland of the Pacific Ocean coast and the shores of the San Pablo Bay where risk of inundation by seiche or tsunami tends to occur, and with an elevation of approximately 170 above mean sea level, the property also has minimal risk for damages, injuries, or potential pollutant discharges related to seiches or tsunamis.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. As discussed under Cultural Resources, above, the residential building on the property was built toward the end of the 19th century, and there is some evidence that other, subordinate utility structures may have been built in subsequent years; thus, the property has been developed with some combination of structures and landscaping for over a century. Currently, the use of the property is commercial (office).

As described in the Project Description section of this initial study, land uses on surrounding parcels in the vicinity of the proposed project site include a food market immediately to the northeast; a wine tasting room across Grape Lane to the southwest; and a restaurant and hotel across Rutherford Road/SR 128 to the northwest and northeast. Each of the parcels on which these businesses operate is zoned CL (Commercial Limited) District, contributing to a small-scale commercial corridor for approximately 0.1 of a mile along Rutherford Road/SR 128 near its intersection with SR 29. A 14-acre vineyard parcel abuts the property to the

south. There are single-family residences in the more general vicinity of the property, including those on parcels across Grape Lane and south of the proposed project site, and additional parcels further east along Rutherford Road/SR 128.

None of the surrounding commercial or proximate residential uses off-site would be physically modified (as by demolition of an existing structure or residence or division of land). No existing neighborhoods or communities would be divided as a result of the proposed project. Use of the property for commercial purposes would be continued with the proposed project.

- b. The property is zoned CL (Commercial Limited) District and is located among other parcels also zoned CL District and developed with commercial uses. The proposed wine bar with fewer than 100 seats is a conditionally permitted use in the CL District (Napa County Code Section 18.28.030).

The property has a General Plan land use designation of Agriculture Resource. As written in adopted General Plan Agriculture and Land Use Policy AG/LU-45:

All existing commercial establishments that are currently located within a commercial zoning district shall be allowed to continue to operate and use the existing buildings and/or facilities. Additional commercial uses and mixed residential-commercial uses which are permitted by the existing commercial zoning of the parcel shall be permitted on that portion of the parcel zoned commercial. With respect to Policies AG/LU-44 and 45, due to the small numbers of such parcels, their limited capacity for commercially-viable agriculture due to pre-existing uses and/or size, location and lot configuration, and the minimal impact such commercial operations and expansions will have on adjacent agriculture or open space activities or the agricultural and open space character of the surrounding area, such limited development will not be detrimental to Agriculture, Watershed or Open Space policies of the General Plan. Therefore such development is consistent with all of the goals and policies of the General Plan.

Thus, given the commercial zoning classification of the subject property, introduction of a new commercial use (wine bar) on the site is consistent with the General Plan, despite the apparent inconsistency with the site's agricultural General Plan land use designation.

The request to establish a wine bar in an existing building that is potentially eligible for listing on a historic register, is consistent with Community Character Goal CC-5 encouraging reuse of historic structures. Water demand generated by the requested uses would be in line with General Plan goals supporting prioritization of groundwater for agricultural purposes (Goal CON-11), as the commercial, non-agricultural use would be served by municipal water from the city of St. Helena and would not extract groundwater directly from a well (see Hydrology and Water Quality section of this initial study). Although the requested use is non-agricultural, the operation of the wine bar with tasting and retail sales in the existing residential building would support the County's agricultural activities by providing a means to sell and promote wine as an agricultural processing product of the County, consistent with General Plan Economic Development Policy E-1. Lastly, as noted in the GHG checklist submitted by the applicant, the renovation of the existing structure is proposed to include installation of an electric vehicle charging station, an Energy Star roof, and energy-efficient lighting and water-efficient plumbing fixtures. These construction details comply with current building code and are consistent with adopted General Plan Policy CON-67 encouraging the County and permittees to utilize "green building" design principles as a means to reduce greenhouse gas emissions from energy and water treatment demands.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII.	MINERAL RESOURCES. Would the project:				
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. There are no impacts anticipated to occur with respect to mineral resources as a result of the proposed project. As described in Chapter 2 of the Napa County Baseline Data Report (BDR; 2005), mineral resources mostly occur in the southern and northern areas of the County, generally at higher elevations than the valley floor where the subject site is located. BDR Figure 2.2 identifies no mineral mining resources on the proposed, previously developed project site or in the Rutherford locality in general. Thus, the proposed project would have no impact on known mineral resources.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. During the estimated six- to eight-month timeframe for construction of the building additions and site modifications, the proposed project would cause a temporary increase in noise levels as a result of construction related to renovation of the residential building and installation of landscaping, parking stalls, and irrigation and wastewater treatment systems. Much of the construction consists of conversion of the existing office space into kitchen, restroom, and service areas and would occur inside of the existing residential building on the parcel, with the walls of the existing structure providing sound attenuation for those construction activities. However, other improvements including construction of the parking lot and septic system, would occur outside of existing structures.

Examples of construction equipment that might be associated with the ground and subsurface construction include graders and excavators; equipment related to construction of the porch and interior remodel would be smaller in scale, including handheld power tools such as nail guns, drills and saws. Noise levels generated from the heavier construction equipment has been measured as high as 90 decibels at 50 feet from the source (https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm). With a six-decibel reduction in noise levels per doubling of distance from the source, and with the County's residential noise threshold of 75 A-weighted decibels (dBA, a measurement of sound that mimics human hearing by de-emphasizing low- and very-high frequency sound) during daytime hours for construction noise effects on residential uses (County Code Section 8.16.080), a residence located within 400 feet of the location of construction activities could potentially be affected by construction noise generated by grading or construction activities associated with the project. The closest noise receptor is a single-family residence is approximately 150 feet southwest of where grading would occur for the proposed leachfield expansion. The project would be subject to standard conditions of development in Napa County that are intended to reduce to acceptable levels the potential impacts of construction-related noise on neighboring uses, by requiring mufflers on construction equipment, prohibiting operation of noise-disturbing construction tools or equipment between the hours of 7:00 p.m. and 7:00 a.m., and limiting construction noise levels measured at property lines to 75 dBA between the hours of 7:00 a.m. and 7:00 p.m.:

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction

equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8:00 a.m. to 5:00 p.m.

The application includes a request to allow marketing events of up to 250 people, up to two times per year. These larger (maximum 250-person) events are proposed to occur on a Saturday or Sunday, within the bar's regular business hours (10:00 a.m. to 6:00 p.m.) and outside of peak traffic hours. The events are proposed to last approximately two to four hours, allowing guests to come and go as they please. Based on an indoor seating capacity of up to 45 people (15 square feet per person in the 684 square feet in proposed Bar/Tasting Rooms 1 and 2 as labeled on the floor plans), as many as 200 people could be outdoors during this largest marketing event.

The proposed project involves changes to the winery's operation that have the potential to generate higher noise levels as a result of the proposed occurrence of winery accessory activities outdoors. Additional regulations contained within County Code chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in Project Setting, above, land uses that surround the proposed project site include residential, agricultural and commercial uses, on properties located in the RS:B-1, AP and CL zoning districts. Based on the standards in County Code Section 8.16.070, noise levels may not exceed 55 decibels during daytime hours (7:00 a.m. to 10:00 p.m.) or 45 decibels during nighttime hours (10:00 p.m. to 7:00 a.m.) at the exterior of a residential structure or residential use on a portion of a larger property. Noise thresholds for commercial properties are slightly higher, at 65 decibels during daytime hours and 60 decibels during nighttime hours. Given the presence of residential land uses proximate to the proposed project site, this analysis presumes that noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of increasing ambient noise levels so as to exceed 55 decibels more than 50 percent of the time (i.e., 30 minutes in any daytime hour; the wine bar is not proposed to operate during nighttime hours).

Noise sampling performed under County authority, as part of the analysis for the Bell Winery use permit modification (P13-00055), measured sound from an 85-person event with amplified music, using a meter placed 123 feet from the sound source (marketing event). Measurements taken from that sound meter indicated that noise levels from the event exceeded 56 decibels, 50 percent of the time, while equivalent (average) noise level was 60 decibels. It is noted that the size of the largest marketing event proposed to occur at the proposed wine bar is 250 people, and should the event reach its maximum attendance, it is possible that as many as 200 people (two and a half times as many as measured at the Bell Winery event) could be outdoors after the occupancy maximum of the bar's indoor seated space has been reached.

Applying: 1) a six-decibel reduction per doubling of distance from the noise source; and 2) a three-decibel increase per doubling of noise sources (number of marketing event guests) as described in that noise study, it is projected that exterior noise experienced at the nearest residence (approximately 150 feet southwest of the proposed project site) could be as high as 61 decibels for half of the event duration, and an average of 65 decibels for the duration of the event. It is noted, however, that the project building itself inhibits line of sight between the outdoor areas of the proposed project site and the nearest residence, providing some level of shielding between that residence and the eastern garden area on the property. Federal Highway Administration guidance on noise reduction measures suggests that a two-story building can reduce noise levels by as much as 13 percent (https://www.fhwa.dot.gov/ENVIRONMENT/noise/noise_compatible_planning/federal_approach/audible_landscape/al04.cfm#ftn22). While the residence is not continuous across the property line and not expected to reduce event noise by that level, it is reasonable to expect that the house would provide some level of acoustical shielding such that the code standard would not be exceeded at that nearest residence.

Beyond the closest residence, the next closest residence to the proposed project site is approximately 200 feet southwest of the center of the eastern garden area. Due to more direct line of sight between that residence and the outdoor garden area of subject site, the proposed project building would provide less acoustical screening than for the closest residence on Grape Lane.

While these estimated noise levels would not exceed the County Code standard of 65 decibels during daytime hours for the nearest commercial use (La Luna Market, immediately to the east), the estimated noise levels could potentially exceed the County Code standard of 55 decibels during 50 percent of daytime hours for the nearest residential use approximately 150 feet away and on the opposite side of Grape Lane, assuming a highly conservative scenario where almost all of the large marketing event guests are on the premises and outside at the same time. However, even applying this conservative scenario, these events would occur no more than two times per year, and with this infrequency, would not have the effect of increasing daytime ambient noise levels in the neighborhood above levels specified in the County Code. Events would not occur during nighttime hours (10:00 p.m. until 7:00 a.m.) Additionally, all events would be subject to the following standard condition with respect to amplified sound:

4.2 **AMPLIFIED MUSIC**

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed buildings.

- b. The proposed project would cause a temporary increase in noise levels during the estimated six- to eight-month timeframe for construction of the building additions and site modifications. Much of the construction consists of conversion of the existing office space into kitchen, restroom, and service areas and would occur inside of the existing residential building on the parcel, with the walls of the existing structure providing sound attenuation for those construction activities. However, other improvements including construction of the parking lot and septic system, would occur outside of existing structures. Standard conditions of development in Napa County are intended to reduce to acceptable levels the potential impacts of construction-related noise on neighboring uses by requiring mufflers on construction equipment, prohibiting operation of noise-disturbing construction tools or equipment between the hours of 7:00 p.m. and 7:00 a.m., and limiting construction noise levels measured at property lines to 75 A-weighted decibels (dBA, a measurement of sound that mimics human hearing by de-emphasizing low- and very-high frequency sound) between the hours of 7:00 a.m. and 7:00 p.m.:

7.3 **CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities only shall occur daily between the hours of 8:00 a.m. to 5:00 p.m.

- c. The proposed project would not expose people to excessive noise levels generated by air traffic. The subject parcel is not within two miles of any public airport or airstrip. There are two public use airports in the County: Angwin-Parrett Field and Napa County Airport. Angwin-Parrett Field is roughly eight miles north of the proposed project site, and the Napa County Airport is over 18 miles southeast of the site; the subject parcel is outside of the boundaries of the land use compatibility plan for both airports. River Meadow Farm, located at 1019 Rutherford Road and approximately one-third mile northeast of the proposed project site, has Napa County use permit approval for a private use heliport (Use Permit No. U-347778, approved June 7, 1978; U.S. Federal Aviation Administration Location Identification No. 7CA9). While the proposed project site is within two miles of a private heliport, the proposed project excludes any air travel component or on-site aircraft landing facilities that would have the effect of increasing the number of flights associated with that private facility and thereby increasing air traffic noise in the immediate area.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a-c. Other than on-site parking stalls and wastewater system improvements to serve exclusively the wine bar, no new infrastructure is proposed that might induce population growth by extending utilities and public services outside of the property boundaries. Potable water is and would continue to be provided to the property by the city of St. Helena. No additional off-site expansion of utilities infrastructure, that could induce growth, is necessary for the project.

With this use permit request, no additional residences or residential structures are proposed to be added to or removed from the site or surrounding properties. The structure that the applicant proposes to utilize for the wine bar and tasting is a residential building. However, as observed by Planning staff during a December 2017 visit to the property, residential occupancy of the site

and structure has been discontinued, and the site currently has a commercial office tenant. Thus, no existing residents would be displaced and no residences lost as a result of the proposed project.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV.	PUBLIC SERVICES. Would the project result in:				
	a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The property is located within the service areas of both the Napa County Sheriff's Department (Beat 4) as well as the Napa County Fire Department and is within 0.15 mile of Rutherford Volunteer Fire Station 15 located just north of the intersection of Rutherford Road with SR 29. Throughout the construction process, the proposed building and improvements, if approved, would be inspected by County building inspectors and fire officials in order to ensure the structures and vehicle access ways are built in accordance with current Building and Fire Codes.

If approved, the requested use permit would facilitate the continued use of the existing structure for commercial use, as a wine bar. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the area of the winery. No new parks or other public recreational amenities or institutions are proposed to be built with the proposed use permit. Also see discussion under Section XVI, Recreation, below.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI.	RECREATION. Would the project:				
	a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b. The proposed project would allow establishment of a wine bar on an existing, 0.38-acre property that is currently developed with a residential structure and commercial tenant. The proposed project includes no new residential units nor accompanying introduction of new residents that would utilize existing parks in the area, potentially accelerating those recreational facilities' deterioration. The proposal would increase the number of guests on the property, some of whom might visit recreational facilities in the area during their trip to the Napa Valley region. However, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of those park amenities. No new public parks or other off-site recreational amenities are proposed to be built with the proposed project.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-38, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project site fronts onto Rutherford Road/SR 128, and although there is a pedestrian pathway from the roadway to the property building, there is currently no driveway or vehicular access from Rutherford Road/SR 128 onto the property. In 2018, the property owner formalized through court action a previously informal vehicular access to the property from Rutherford Road/SR 128 via Grape Lane, the private parcel that adjoins the western property line of the proposed project site and provides access from SR 128 to seven single-family residences located southwest of the proposed project site. Rutherford Road/SR 128 is a two-lane roadway with parking lanes on both sides of the street; several of the commercial properties that front onto the roadway have curb, gutter and sidewalk at their frontages. The frontage of the proposed project site has a gravel pathway but site lacks sidewalk. The Grape Lane parcel includes a 10-12-foot wide, asphalt-paved surface with some landscaping and mature redwood trees and oleander shrubs where the parcel adjoins Rutherford Road/SR 128.

The application includes modifying the existing roadway on the Grape Lane parcel to meet Napa County RSS. As a "common drive" defined in the RSS, the required modifications include an increase in the width of the paved vehicular surface from 10-12 feet to 20 feet with two feet of shoulder (on one side of the street or divided between both sides of the pavement). Other off-site improvements proposed by the applicant include a lighted mid-block pedestrian crossing with rapid flashing beacons on Rutherford Road. On-site, the application indicates installation of seven vehicular parking stalls, which would enter from and back out onto Grape Lane.

As noted in the Project Description above, approval of the requested use permit would allow establishment of a wine bar with tasting, retail sales and storage on the property at 1151 Rutherford Road, with up to two employees, 56 daily visitors (for tasting

and/or marketing events), and up to two events per year for up to 250 guests per event. The proposed project would result in an increase in the number of vehicle trips to and from the property. Applying the trip generation factors on page 15 of the County's use permit application, the proposed project is estimated to generate 49 daily trips, with 18 of those daily trips occurring during the weekday PM peak hour (4:00 – 5:00 p.m.) and 25 of those daily trips on Saturday occurring during the midday peak hour (1:45 – 2:45 p.m.) Allowing for a deduction of existing office employee trips from the estimated project trips, the proposed project would generate an estimated 20 net new daily trips, with nine trips occurring during the weekday PM peak hour and 16 trips occurring during the Saturday midday peak hour.

Traffic impact analysis prepared by Omni-Means Engineering Solutions, the applicant's consultant, described existing roadway conditions within the vicinity of the project site and projected near-term and long-term impacts to the circulation system in the vicinity of the proposed wine bar, under scenarios both with and without traffic from the requested use permit.

The traffic study evaluated the "project" impacts to the intersections of Rutherford Road/SR128 with SR 29, Grape Lane and Conn Creek Road. Each intersection is unsignalized, with traffic controlled by a stop sign on the minor approach (Rutherford Road at SR 29; Grape Lane at Rutherford Road; and Conn Creek Road at Rutherford Road). Additionally, the study evaluated impacts to the segment of SR 29 and Rutherford Road/SR 128 in the vicinity of the proposed project site.

Level of service standards for roads in the unincorporated areas have been established by the County in its General Plan Circulation Element, last updated in February 2019. As described on page 5 of the project traffic study, "Level of Service (LOS)...applies a letter ranking to successive levels of intersection performance. LOS 'A' represents optimum conditions with free-flow travel and no congestion. LOS 'F' represents severe congestion with long delays at the approaches. For intersections with minor street stop control, the LOS reflects the delays experienced by the minor street approach." General Plan policy CIR-38 establishes the County's desired LOS on all County roadways as LOS D, with some exclusions, including SR 29 between Yountville and Calistoga where LOS F is acceptable. LOS D represents the level where traffic nears an unstable flow; intersections still function, but short queues develop and cars at signalized intersections may have to wait through one cycle during short peaks.

Trip counts used for the analysis were taken on Thursday, Saturday and Monday (February 8, 10 and 12) in early 2018 and were adjusted upward to reflect peak month activity based on data from the Caltrans. Existing peak hour intersection volumes to and from Grape Lane were also increased by seven daily trips to reflect summer peak flow volumes for the single-family residences along that roadway.

The segment and intersection impacts, with and without the project, are summarized below. For the intersections, the number indicates the seconds that a driver would have to wait on the minor approach before entering the intersection.

Weekday PM Peak Hour Level of Service

Facility	Existing Condition		Near Term Horizon (2020)		Cumulative Condition (2030)	
	Without Project	With Project	Without Project	With Project	Without Project	With Project
Rutherford Rd/ State Route 29	F (>300)	F (>300)	F (>300)	F (>300)	F (>300)	F (>300)
Rutherford Rd/ Grape Ln	B (10.7)	B (10.7)	B (11.1)	B (11.1)	B (11.1)	B (11.1)
Rutherford Rd/ Conn Creek Rd	B (10.8)	B (10.8)	B (11.0)	B (11.1)	B (11.2)	B (11.3)

Saturday PM Peak Hour Level of Service

Facility	Existing Condition		Near Term Horizon (2020)		Cumulative Condition (2030)	
	Without Project	With Project	Without Project	With Project	Without Project	With Project
Rutherford Rd/ State Route 29	F (>300)	F (>300)	F (>300)	F (>300)	F (>300)	F (>300)
Rutherford Rd/ Grape Ln	B (10.9)	B (11.0)	B (11.4)	B (11.5)	B (11.4)	B (11.5)
Rutherford Rd/ Conn Creek Rd	B (10.6)	B (10.7)	B (10.9)	B (10.9)	B (11.1)	B (11.1)

For the Rutherford Road and SR 29 segments, the traffic study evaluated potential impacts to the eastbound lane of Rutherford Road, the southbound lane of SR 29 during the weekday evening peak hour, and the northbound lane of SR 29 during the Saturday

midday peak hour. Existing conditions on eastbound Rutherford Road are at LOS C (215 vehicles during the weekday evening peak hour); volumes in the long-term (2030) horizon year with the project operational would increase to an estimated 250 vehicles, which also corresponds to an acceptable LOS C. On SR 29, the southbound lane of traffic currently experiences LOS F (1,613 vehicles during the weekday evening peak hour), and with the project in the long-term horizon, volumes would remain LOS F, increasing to 1,886 vehicles. Volumes on the northbound lane during the Saturday midday peak hour are also LOS F (1,591 vehicles) in the existing condition and would remain LOS F in the long-term horizon with the project, increasing to 1,830 vehicles during the Saturday peak hour.

As summarized above, the traffic study indicates that the Rutherford Road/Grape Lane intersection, the Rutherford Road/Conn Creek intersection, and the Rutherford Road segment in the vicinity of the project site operate would continue to operate at acceptable levels of service (LOS B or C) during peak hours in the near-term (2020) and long-term (2030) horizons, both with and without the project. The Rutherford Road/SR 29 intersection and the SR 29 road segment in the vicinity of Rutherford operate and would continue to operate at LOS F with or without the project. Of the intersections analyzed, Rutherford Road at SR 29 would meet warrants for installation of a traffic signal.

According to the County's guidelines for traffic impact analysis, intersections or road segments that operate at acceptable levels (LOS A, B, C or D) during peak hours under existing conditions, project proponents would be required to mitigate with lane or signal installations if their projects' impacts would have the effect of deteriorating the LOS of the intersection or road segment to an unacceptable level (LOS E or F). Under these guidelines, no mitigation for level of service is necessary for the road segments and intersections that would continue to operate acceptably with the project (Rutherford Road/Grape Lane intersection, Rutherford Road/Conn Creek intersection, and Rutherford Road in the vicinity of the project site).

For unsignalized intersections or segments that operate at LOS E or F during peak hours under existing conditions, the applicant would be required to implement mitigation measures if the proposed project would have the effect of contributing one or more percent of the total entering traffic to that intersection or facility. Mitigation would also be required if the intersection or facility operates at LOS E or F during peak hours under near-term or cumulative conditions, and the addition of project trips would constitute five or more percent of the total traffic growth to that intersection or facility.

As noted above, SR 29 and SR 29 at Rutherford Road currently operate at LOS F during weekday and Saturday peak hours. The proposed project would add six trips to the intersection during the weekday PM peak hour and 10 trips during the Saturday midday peak hour. Based on existing peak hour volumes of 2,874 and 2,775 vehicles at the intersection during these PM and midday peak hours, proposed project contribution would be less than one percent, and impact of the project on the existing conditions is considered to be less than significant.

Similarly, the proposed project would contribute less than five percent of the increase in future traffic volumes on SR 29 and SR 29 at Rutherford Road and would have a less than significant impact for the near term and cumulative horizons. With near-term plus proposed project traffic, the project would contribute six weekday PM peak hour trips to the intersection, or a 3.4 percent increase based on a total growth in volume of 178 vehicles. During the weekend midday peak hour, the project would contribute 10 trips to the intersection; based on a total growth in volume of 220 vehicles, this would equate to a 4.5 percent increase. With segment volumes increasing from 1,613 (existing) to 1,706 vehicles (near term) during the weekday PM peak hour, and from 1,591 (existing) to 1,697 (near term) during the Saturday midday peak hour with the project, the proposed project's proportion (one weekday southbound and four Saturday northbound) of the increases in segment volumes also represent less than five percent during the specified time periods.

In the cumulative scenario, the proposed project's six weekday PM peak hour trips and 10 Saturday midday peak hour trips would also represent less than five percent of the growth in peak hour traffic volumes at the Rutherford Road/SR 29 intersection (increases of 432 vehicles weekday and 413 vehicles on the weekend). The Rutherford Road/SR 29 intersection would continue to meet the peak hour signal warrant with or without proposed project. During the weekday PM and Saturday mid-day peak hours, cumulative plus project arterial volumes on SR 29 would increase from 1,706 to 1,886 vehicles (southbound) during the weekday PM peak hour and from 1,697 to 1,830 vehicles (northbound) during the Saturday mid-day peak hour. The proposed project trips (one weekday southbound and four Saturday northbound) during these time periods would represent less than five percent of the cumulative increase, and therefore, the proposed project's cumulative impacts to arterial operations on SR 29 would be considered less than significant.

Although no mitigation is required of the project, it is noted that the applicant intends to implement transportation demand reduction programs at the business and has agreed to contribute funding toward the Countywide transportation impact fee, which the County is currently in the process of establishing. Operational improvements along SR 29 are among the preliminary list of projects that the

fee would fund. As noted in the traffic study, potential improvements could include speed feedback signage and striping for exclusive right and left turn lanes at the intersection.

The proposed project site is within a quarter mile of Vine Transit Route 10 bus stops currently located on the southbound and northbound lanes of SR 29, just south and north of the intersection of Rutherford Road at SR 29. No component of the project would negatively affect the existing transit facilities. There are no bicycle lanes striped on Rutherford Road, and sidewalks are present in the Rutherford neighborhood, though not at the proposed project frontage. The proposed project would not result in removal of any bicycle or pedestrian facility currently existing in the site vicinity.

b/c. The proposed project site is located in Rutherford, where other proximate commercial uses include a food market, wine bar and tasting rooms, a restaurant and an inn. Location of the proposed project on a site zoned for commercial use and among other visitor-serving commercial uses is consistent with General Plan transportation policies that encourage placement of complementary uses within walking distance of each other, to encourage walking as a transportation alternative to driving to multiple destinations (Policies CIR-5 and CIR-12). The applicant's traffic study indicates the applicant's intent to partner with neighboring businesses to implement a customer referral program to facilitate joint use of existing parking spaces in the Rutherford area and encourage pedestrian movement among the businesses. The applicant also intends to implement a shuttle program for transportation of guests to and from the business' proposed marketing events, in an effort to reduce on-site parking needs and reduce the vehicle miles traveled in low-occupancy vehicles associated with the business (Policies CIR-14 and CIR-23). As noted above, the property is currently less than one-quarter mile walk to Vine Transit Route 10 bus stops on SR 29 just north and south of Rutherford Road, making the bus a reasonable transportation option for employees of the proposed business, and the applicant intends to provide bus passes or other incentives to its employees to use transit.

d/e/f. The traffic study submitted with the use permit application evaluated vehicle sight distance at the intersection of Rutherford Road and Grape Lane, which customers of the proposed project would use to access the business' on-site parking stalls. With posted vehicle speed limits of 30 miles per hour on Rutherford Road in the vicinity of the project site, a driver on Rutherford Road would need a minimum stopping sight distance of 250 feet on either side of Grape Lane to accommodate an exiting vehicle from the private road. The traffic study notes that based on field measurements, sight distance from Grape Lane is 350 feet to the east and west and exceeds the minimum distance for the posted speed limit, as well as, the higher observed vehicle speeds of up to 35 miles per hour.

As proposed, the project would provide seven off-street parking spaces southwest of the wine bar building and perpendicular to Grape Lane. The off-street parking spaces proposed provide the minimum number of parking stalls required for the proposed combination of beverage service, administrative and storage square footage of the project pursuant to Napa County Code Section 18.110.030. Project parking spaces on Grape Lane would be in-set towards the building approximately 14-feet from the edge of the paved surface of Grape Lane, allowing vehicles additional depth to begin to turn when backing out of a stall and reducing the intrusion into through-traffic on the Grape Lane driveway. Racks for parking of at least two bicycles would also be provided near the northeastern corner of the building, in compliance with Napa County Code Section 18.110.040. On-street parallel parking on Rutherford Road would also be available to customers of the proposed business, including adequate space for approximately five vehicles at the project site frontage, though these on-street stalls would not be exclusive to customers of the proposed wine bar.

In 1971, Napa County adopted its initial iteration of the Napa County Road and Street Standards (RSS). The intent of the RSS was to establish a uniform set of standards for public and private roads that strive to preserve the natural landscape and water quality, minimize impacts to environmentally sensitive areas and native habitats, and provide adequate safety and service in the interest of protecting public health and welfare. As further described in the RSS Objectives, the RSS "attempt to meet the related interests of several other agencies, including the Resource Conservation District, Cal Fire, the Federal Emergency Management Agency, the Napa County Planning, Building and Environmental Services Department, and the California Department of Fish and Wildlife" (5). The RSS has since been amended to reflect changes in the best practices and regulations of the respective agencies, with the most recent amendment occurring in April 2019.

The proposed project includes a request for a public road exception to the RSS to install a left turn lane (warranted under existing conditions) on Rutherford Road at Grape Lane, due to constraint of the existing right-of-way width created by two mature trees on the north side of Rutherford Road and existing development on either side of Rutherford Road. With the exception, no existing lane widths would be reduced so as to constrain travel on the roads by emergency vehicles. Emergency responders would continue to have the option stage on Rutherford Road to respond to an emergency at the proposed project site. Proposed project improvements to widen the paved surface of Grape Lane to 20 feet to meet the minimum standards for a "common drive" as defined in the RSS would also allow emergency response vehicles sufficient width to use Grape Lane to respond to emergencies at the project site or at other residences also accessed via the private driveway.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b. As described in section V, Cultural Resources, of this initial study, the building that is proposed to be re-purposed for wine bar use is a residential structure dating from the end of the 19th century. The building is not currently on the National Register of Historic Places, nor on the California Register of Historic Places. However, the Page & Turnbull assessment (discussed above) evaluated the potential for the structure to be considered eligible for listing in either register. While the building does not appear to meet the criteria for eligibility due to association with significant events or persons prominent in local, state or national history, the authors of the assessment did conclude that the building appears to be eligible for both registers under criteria C (Design/Construction or Architecture) due to its "distinctive characteristics of a type, period, region, or method of construction at the local level" (Page & Turnbull, 40; Public Resources Code section 5024.1[c][3]). Any renovation or remodeling of the structure must therefore comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), in order for the historic resource impacts of the proposed project to be less than significant, and as summarized in Section V, above, and described in further detail in Section VIII of the Page & Turnbull report, the proposed project building improvements would comply with the Standards.

During two visits to the site, Planning staff observed that the site has been significantly disturbed from its native state, through past construction and grading activities associated with the existing building, landscaping, and agricultural uses and accessory structures that were previously developed on and have since been removed from the property. There are no known archaeological resources on the property, and an archaeological investigation of a proximate property did not result in identification of any significant Native American resources; however, proximity of the site to the Napa River, a significant water source, does not fully preclude the possibility of significant cultural resources on the property. If resources are found during any earth-disturbing activities associated with the wastewater treatment system, landscaping, porch footings or parking improvements proposed with the project, construction is required to cease, and a qualified archaeologist must be retained to investigate the site in accordance with the standard condition of approval referenced in Section V, above.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. As described in the Hydrology and Water Quality section of this initial study, the existing storm drainage pattern of the site, with ultimate discharge of runoff toward the Napa River, is proposed to be kept with the proposed project. New storm drainage improvements include installation of landscaped self-retaining areas for capture and treatment of stormwater runoff from impervious areas (buildings and paved surfaces) on the property, prior to discharge of the runoff to the storm drain system; each of these landscaped areas can be accommodated within the property boundaries. Because new storm drain facilities would occur in disturbed areas and would ultimately preserve stormwater quality during ongoing operation of the use, the installation of these landscaped self-retaining areas would not have significant negative effects.

Similarly, proposed wastewater treatment site improvements include installation of a new septic system tank and leachfield but would occur within the boundaries of the already disturbed parcel and would require fewer than 500 square feet of ground disturbance. Power and communications facilities currently serve the existing office tenant, and while some equipment may be upgraded or replaced with more efficient systems as the wastewater treatment system would, the proposed project would not require expansion of these utilities' facilities beyond the property lines. With no necessary expansion of services off of the currently developed and disturbed site, the proposed project would have less than significant impacts with respect to utilities infrastructure associated with the project.

- b. Potable water to the property is provided from the city of St. Helena. The city has confirmed in an August 31, 2017, letter that it would continue to provide water service to the proposed wine bar use requested under this permit application. As noted in the city's letter, water demands of the proposed use would be less than the water demands of the existing office use and the previous residential use, and water use is anticipated to be further reduced with the planned installation of water-efficient plumbing fixtures (required by Building Code) associated with the renovation of the building. As the property currently has water service from a public provider, and water demand is expected to decrease with the proposed bar, no increase in the size of the water line nor off-site expansion of water infrastructure is needed for the project.
- c. Because the property utilizes an existing on-site septic system for wastewater treatment, and the property owner proposes to install an upgraded system for continued, on-site treatment of wastewater generated from the proposed wine bar operation, no determination of service or will-serve letters from the wastewater treatment provider is necessary for the proposed project. (See also section VII, Geology and Soils, of this initial study.) Permitting of the new system would be conducted by the Napa County Environmental Health Division. The volume of wastewater generated by the requested uses would not exceed limits that would trigger permitting of the wastewater treatment system by the State Regional Water Quality Control Board.
- d/e. The Greenhouse Gas Best Management Practices checklist that the applicant submitted with the use permit modification indicated that the wine bar operator intends to recycle 75 percent of waste generated from the business (Best Management Practice BMP-17). Non-recyclable and non-organic waste is collected by Upper Valley Disposal and Recycling; service to businesses includes collection of recyclable material and green waste with refuse collection (<http://www.uvds.com/Home/Commercial>). Non-recyclable and non-organic waste is ultimately deposited at the Clover Flat Landfill (located in unincorporated Napa County, east of Calistoga). Having reached roughly one-third of its 4.56 million cubic yard capacity by 2012, and with an estimated 30 more years of operation until the landfill reaches its capacity (<https://www2.calrecycle.ca.gov/swfacilities/Directory/28-AA-0002/Index>), the landfill has adequate capacity remaining to accommodate any non-recyclable and non-organic waste generated from the proposed small business.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
	a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. No component of the proposed project would result in permanent closure or obstruction of adjacent public rights-of-way (Rutherford Road, Grape Lane), and no component of the implementation of the EOP would otherwise be impaired by the requested use permit.
- b-d. The property is not located in a State Responsibility Area. The site is flat, with no areas on-site or in the immediate vicinity having a slope in excess of five percent, and it is not located in an area of wildland interface nor in an area of high or moderate fire risk. Surrounding development includes residences and commercial structures (visitor accommodations, food service) and irrigated vineyards immediately to the south. The nearest areas of moderate fire risk are approximately one-half mile from the proposed project site.

Utility infrastructure providing power to the property is currently in place and serves the existing commercial occupants of the building. Due to the small size of the parcel (approximately 0.38-acres) substantial new grading or infrastructure—such as roads, water lines or other installations necessary to support fire suppression efforts—is not needed for the project.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XXI.	MANDATORY FINDINGS OF SIGNIFICANCE				
	a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion:

- a. The proposed project consists of re-purposing of an existing residential structure with a wine bar and tasting, retail sales and storage on commercially-zoned property in Rutherford. The property has been previously disturbed and developed for over 100 years with a residential structure and associated ornamental landscaping. Proposed modifications to the site include installation of a new surface parking lot, subsurface wastewater infrastructure, landscaping and porch additions to the existing historic residential building. Proposed site improvements would also include stormwater filtration areas that would serve to treat and improve quality of water runoff from existing and proposed new impervious surfaces, including the parking lot and building additions. None of the proposed site modifications would occur within immediate vicinity of any water body nor within any sensitive riparian setbacks; likewise, none of the proposed modifications would occur within vineyard or wildland areas, as the property itself is located in a setting of other low-density development, including single-family houses and commercial operations.
- b. The requested use permit would result in a net increase in traffic in the area, by an estimated 20 vehicle trips per day compared to the existing condition (office). However, the project's traffic contributions to the studied road segments and intersections would not exceed five percent of projected traffic volumes in the near term and long term horizons and so, would be cumulatively less than significant. It is further noted that the applicant has voluntarily agreed, ahead of the program's adoption, to contribute toward the transportation impact fee program, currently under development by the County as a means to establish a funding source for roadway network improvements, including operational improvements along SR 29. Noise and air quality impacts associated with construction of the project are anticipated to be less than significant due to the limited scope (renovation of an existing developed property) and duration (approximately six to eight months) of construction. Operational noise and air quality impacts are also anticipated to be less than significant due to the small size of the building and with the majority of business activities occurring indoors. The wine bar's largest marketing events could potentially increase noise levels for a short period of time, two times each year, though the infrequency of these events would not have the effect of substantially increasing the ambient noise levels in the area. The property would continue to receive water from the city of St. Helena and would not require groundwater for operations.
- c. Noise from construction that would occur with the proposed project would be temporary, lasting approximately six to eight months; would be limited to day time hours, in accordance with standard County conditions of approval, when ambient noise levels are higher and people's noise sensitivity is lower; and would be subject to best management practices intended to limit fugitive dust and protect stormwater quality, also in accordance with standard conditions. On- an off-site modifications associated with the proposed project are intended to enhance public safety by improving handicapped accessibility on the property; enhancing pedestrian access at the crossing of Rutherford Road through installation of a mid-block crossing with flashing beacons; and providing emergency vehicle access to the subject and adjoining properties in accordance with County standards. The location of the proposed project site among other visitor-oriented businesses allows opportunities for pedestrian movement between the properties and potentially reducing visitor automobile trips to multiple Napa destinations.

Mitigation Measures: None required.
