

**Town of Yountville**  
**Resolution Number 24-4314**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE APPROVING A USE PERMIT FOR A TASTING ROOM WITH DAILY WINE TASTINGS, OCCASIONAL EVENING EVENTS, AND RETAIL SALES OF WINE AND RELATED MERCHANDISE AT 6795 WASHINGTON STREET.**

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**Recitals**

**WHEREAS**, On April 4, 2006, the Town Council adopted Resolution No. 2456-06, approving a Use Permit to authorize hope and grace Wines to operate a wine tasting room with retail sale of wine and related merchandise at 6540 Washington Street, Suite 13.

**WHEREAS**, Hope and grace Wines wishes to relocate their establishment to 6795 Washington Street, Building E, which was formerly occupied by Girard Winery, which operated a wine tasting room and offered retail sales of wine and related merchandise at said location from 2007 until 2022.

**WHEREAS**, The Use Permit for a wine tasting room at 6795 Washington Street expired on June 30, 2023, in accordance with Yountville Municipal Code (“YMC”) section 17.200.080(C).

**WHEREAS**, YMC section 17.60.050 subsections (E) and (G) require a use permit to operate a wine tasting room and perform alcoholic beverage retail sales in the Old Town Commercial Zoning District. General retail sales are a permitted use pursuant to YMC section 17.60.040(A).

**WHEREAS**, YMC section 17.200.090 provides that any request for a use requiring a use permit require the filing of an application for a use permit.

**WHEREAS**, YMC section 17.200.040(B) authorizes the Town Council to approve, conditionally approve, or deny applications for use permits based on the findings required by YMC section 17.200.060.

**WHEREAS**, YMC Section 17.200.070 authorizes the Town’s reviewing authority to impose conditions of approval deemed reasonable and necessary to ensure commercial use permits will be in compliance with the findings required by YMC Section 17.200.060.

**WHEREAS**, On August 8, 2024, the Planning and Building Department received a complete application for a Use Permit from hope and grace Wines (the “Applicant” or “hope and grace Wines”) to operate a wine tasting room with retail sale of wine and related merchandise at 6795 Washington Street, Building E, including use of the associated patio area (the “Application”).

**WHEREAS**, on September 10, 2024, the ZDRB held a public hearing in accordance with Government Code section 65091 and Yountville Municipal Code (YMC) section 17.200.050 in which it received comments and input from the public on the proposed Use Permit and recommended the Town Council approve the requested Use Permit, subject to conditions of approval.

**WHEREAS**, YMC sections 17.200.040 and 17.200.060 authorize the Town Council, upon receipt of the recommendation of the ZDRB, to approve or approve in modified form a Use Permit based on specified findings.

**WHEREAS**, on October 1, 2024, the Town Council conducted a duly noticed public hearing in accordance with Government Code section 65091 and YMC section 17.200.050 to receive comments and input from the public on the Application.

**Now therefore, the Town Council of the Town of Yountville does ordain as follows:**

SECTION 1. RECITALS: The foregoing recitals are true and correct and incorporated into the findings herein.

SECTION 2. RECORD: The Record of Proceedings ("Record") upon which the Town Council bases its decision includes, but is not limited to: (1) the staff reports, Town files and records and other documents prepared for and/or submitted to the Town relating to the Application, (2) the evidence, facts, findings and other determinations set forth in this Resolution, (3) the Town of Yountville General Plan and its certified final EIR and the Yountville Municipal Code, (4) all designs, plans, studies, data and correspondence submitted to the Town in connection with the Application, (5) all documentary and oral evidence received at public workshops, meetings, and hearings or submitted to the Town relating to the Application, and (6) all other matters of common knowledge to the Town Council including, but not limited to, Town, state, and federal laws, policies, rules, regulations, reports, records and projections related to development within the Town of Yountville and its surrounding areas.

SECTION 3. CEQA: This Resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines sections 15061(b)(3) (common sense exemption) which exempts a project where there is no possibility it may have a significant effect on the environment; 15301 (existing facilities) which exempts the permitting of existing facilities and minor alterations to existing private structure with negligible or no expansion of the existing use; and 15303 (conversion of small structures) which exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

SECTION 4. USE PERMIT FINDINGS: The Town Council makes the following findings as required by YMC Section 17.200.060 with respect to the Application at issue based on the evidence contained in the Record which is herein incorporated by reference:

A. The proposed use, at the intensity represented and at the proposed location, will provide a use that is compatible with the neighborhood and community;

*The proposed use is substantially similar to the tasting room that operated successfully at the site for over a decade. The use is compatible with other uses along Washington Street. It is generally of the same intensity as the restaurants, bars, and other commercial uses in the area.*

B. The proposed use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity;

*The proposed use will not generate harmful dusts, odors, glare or noises. As conditioned, the operational hours would be similar to surrounding uses.*

C. The proposed use would not conflict with the Town's goal of achieving economic sustainability with a mix of varied commercial services;

*The proposed use and operators are an existing small business in Yountville who are relocating their business to the new proposed location, where a wine tasting room had been previously operated. The use will add to the mix of uses in the surrounding area, which has a variety of commercial uses including lodging, restaurants, markets, and retail establishments.*

D. The proposed use will not impair accessibility or traffic patterns for persons and vehicles based on the type and volume of anticipated traffic, will provide safe and adequate ingress and egress, and will furnish adequate off-street parking and loading for both customers and employees to the extent deemed feasible by the decision-making body;

*The proposed use would not alter traffic patterns, nor is it anticipated to increase the volume of traffic over the prior use in the space.*

E. The proposed use provides sufficient safeguards to prevent noxious or offensive emissions such as glare, dust and odors, or levels of noise which may exceed the Town's noise regulations;

*The proposed use is not anticipated to produce noxious or offensive emissions, glare, dust, odors. Condition of approval requires all construction and demolition activities, as well as operations, conform to the Town's noise regulations.*

F. The proposed use does not require excessive amounts of water or generate excessive amounts of waste;

*The proposed use does not include any on-site food preparation, and the use will not require excessive amounts of water or generate excessive amounts of waste. No change in water demand or waste amount is anticipated for this use.*

G. The existing or proposed utility, police and fire services are adequate to serve the proposed use;

*The proposed use would not require additional utilities nor would it create a significant impact on the number of persons in the Town at one time. The proposed use has been reviewed fire and found to be adequately served by emergency services. As conditioned, the Project will meet the requirements for adequate service for utilities, police, and fire services.*

H. The proposed use will comply with all applicable provisions of Title 17 and will be consistent with the policies and standards of the General Plan; and

*The proposed use is allowed, with the approval of a use permit, in the Old Town Commercial district.*

*The use is consistent with the General Plan in that the use is a currently a small local business that is relocated to a new site in Town. This supports Goal ES-1.1 Tourism, as the approval would 'support the development of responsible businesses and events that enhance the Town's reputation as a world-class destination while preserving the livability of the Town for its residents, in that the approval of the use permit would allow an existing small business to relocate and remain in business. The use is also consistent with ES-1.2 Diversity of Businesses "Encourage a diverse mix of uses that avoids an over-representation of any particular use", in that the use will not change the diversity of businesses in town, as it is an existing business, not a new wine tasting room, and will be located in the space of a former wine tasting room.*

I. For properties in the Retail Overlay District, the proposed use enhances retail opportunities within the commercial code of the Town and the proposed use maximizes active uses along the Washington Street core business area and in doing so enhances pedestrian activity and interest.

*The use is not located in the Retail Overlay District.*

**SECTION 5. CONDITIONS OF APPROVAL** When approving a Use Permit, the reviewing authority may impose conditions deemed reasonable and necessary to ensure that the approval will be in compliance with the findings required by Section 17.200.060.

The Town Council finds the conditions of approval set forth in Exhibit A, attached hereto and incorporated herein by reference, are reasonable and necessary to ensure the approvals contained herein comply with the applicable Title 17 requirements. The Town Council hereby imposes the conditions set forth in Exhibit A of this Resolution.

**SECTION 6. CERTIFICATION:** The Town Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

PASSED AND ADOPTED by the Town Council at a regular meeting held on the 1<sup>st</sup> day of October 2024, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Margie Mohler, Mayor

ATTEST:

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Hilary Gaede, Communications Director/Town Clerk

APPROVED AS TO FORM:

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Gary Bell, Town Attorney

Attachment: Exhibit A – Conditions of Approval