

# AGENDA

## NAPA COUNTY PLANNING COMMISSION

1195 Third Street, Ste. 305  
Napa, Ca. 94558

**Wednesday, January 18, 2017**  
**9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

### COMMISSION MEMBERS

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<i>COMMISSIONER</i> <i>Vacant</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>VICE CHAIR</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>CHAIR</i> <i>Jeri Gill</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>		<i>SECRETARY-DIRECTOR</i> <i>David Morrison</i>		<i>COMMISSION CLERK</i> <i>Melissa Frost</i>

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The Commission welcomes you to its meeting which is regularly scheduled the first and third Wednesday of the month. The Commission meets at 1195 Third Street, Ste. 305 Napa. The following information is provided to ensure your understanding and participation in the Commission's meeting and decision making process. Your comments and participation in the meeting are invited and would be welcomed. It is our desire to give everyone an opportunity to speak and be heard in a timely manner and within an atmosphere of respect and diplomacy. These procedures are meant to foster an atmosphere of respect. Assistive listening devices are available for the hearing impaired from the office of the Clerk of the Board. If an ASL interpreter or any other special arrangement is required, please provide the Clerk of the Commission with 24-hour notice by calling 253-4417.

### ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY:

Items listed under this section on the agenda are regular items which are recommended for approval or continuance by staff with the applicant's consent concerning conditions of approval, when the applicant has signed any required project revision statement and when no member of the Commission or public indicates a desire to comment or ask questions about the item. These items regardless of their agenda assigned number will be acted upon by the Commission in one motion at the beginning of the meeting. Applicants having items so listed need not speak unless they disagree with the staff recommendation or wish to comment. If an Item requires discussion, it will be heard in the numerical order listed on the agenda.

### PERSONS WISHING TO SPEAK CONCERNING AN AGENDA ITEM:

If you wish to speak on an item on the Agenda and under discussion by the Commission, you may do so upon receiving recognition from the Chairperson. After being recognized by the Chairperson, please step to one of the microphones and state your name and address and make your presentation. No comment or testimony shall be shouted from the audience. All comments are to be directed to the Commission, including inquiries requiring staff response. Time limitations shall be at the discretion of the Chair or Commission.

### APPEAL PROCEDURE:

If you do not agree with the Commission's decision or the conditions that may have been imposed by the

Commission in approving an agenda item, you may appeal the Commission's action to the Napa County Board of Supervisors. Appeals may be limited to those issues raised at the public hearing relating to the agenda item or to written correspondence delivered to the Planning Commission at or prior to the public hearing. For additional information concerning the County's Ordinance requirements for filing an appeal or to obtain the required forms to file an appeal, please stop at the front counter in the County Executive Office/Clerk of the Board, 1195 Third Street, Suite 305 in Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580 and request assistance.

All materials relating to an agenda item for an open session of a regular meeting of the Planning Commission which are provided to a majority or all of the members of the Commission by Commissioners, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Planning Commission, 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Commission at the meeting will be available for public inspection at the public meeting if prepared by the members of the Commission or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

**Agenda available on line at [www.countyofnapa.org](http://www.countyofnapa.org)**

**1. CALL TO ORDER / ROLL CALL****2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS**

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

**4. APPROVAL OF MINUTES - None****5. DIRECTOR'S REPORT**

- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES

**6. AGENDA REVIEW****7. DISCLOSURES****8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY - None****9. PUBLIC HEARING ITEMS****A. RAYMOND VINEYARD AND CELLAR, INC. / RAYMOND – TICEN RANCH WINERY / MAJOR MODIFICATION TO USE PERMIT, APPLICATION #P15-00307 – MOD**

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration (MND). According to the proposed MND, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures related to potential impacts to Biological Resources and Tribal Cultural Resources. This proposed project site is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a Major Modification (P15-00307 – MOD) in order to amend the existing entitlements allowing the operation of Raymond Vineyard and Cellars' Winery with visitation and marketing events at 849 Zinfandel Lane, south of the City of St. Helena. The request consists of operational changes that generally include: 1) addition of the Ticen Ranch property, located at 1584 St. Helena Highway, into Raymond Winery operations, with conversion of the Ticen Ranch residence and barn into winery visitation and administration space; 2) extension of winery operating hours until 11:00 p.m. during harvest (August through November) and visitation hours until 6:30 p.m. year round; 3) allowance for on-site consumption of wine in specified areas on the properties (Business & Professions Code 23358, 23390 and 23396.5); and 4) allowance for up to half of Raymond Winery's currently permitted, annual marketing events to be held outdoors. The request includes modifications to the development of the Raymond Winery and Ticen Ranch parcels that include a new access driveway to the Raymond Winery from St. Helena Highway and across the Ticen Ranch parcel, as well as construction of a vineyard viewing platform, 61 new parking stalls between the two

existing parcels, improvements to the existing sanitary wastewater treatment system, and installation of two, 10,000-gallon tanks for storage of water for fire suppression purposes. The application also includes requests to legitimize an existing, noncompliant number of employees (90 full-time, part-time and seasonal) and additional site modifications and conversions of building use that are already in place but that were completed without benefit of County permit approvals. The properties at 849 Zinfandel Lane and 1584 St. Helena Highway (Assessor's Parcel Nos. 030-270-013 and 030-270-012, respectively) have a General Plan land use designation of Agricultural Resource and are located in the AP (Agricultural Preserve) Zoning District.

**Staff Recommendation:** Extend the public comment period on the project's environmental analysis/proposed MND, to January 23, 2017. Continue the public hearing on the Use Permit Modification request, to the Commission's Regular Meeting of February 1, 2017.

**Staff Contact:** Dana Ayers, Planner III; (707) 253-4388 or email address [dana.ayers@countyofnapa.org](mailto:dana.ayers@countyofnapa.org)

**Applicant Contact:** Donna Oldford, Plans4Wine; 2620 Pinot Way, St. Helena, CA 94574; (707) 963-5832 or email address [DBOldford@aol.com](mailto:DBOldford@aol.com)

**HEARING ON THE MERITS OF THE PROJECT TO BE CONTINUED TO FEBRUARY 1, 2017, REGULAR MEETING.**

**B. SAN BERNABE, LLC / SAM JASPER WINERY - USE PERMIT APPLICATION #P15-00077-UP**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration (ND). According to the proposed ND, construction and operation of the proposed winery would not have a significant impact on the environment. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a Use Permit to construct and operate a winery with an annual production capacity of 20,000 gallons of wine. The site is currently developed with a single-family residence and 7.25 acres of vineyards. As proposed, the winery would include: 1) an approximately 17,400 square foot new structure housing tasting rooms, administrative offices, barrel storage and fermentation rooms, and including partially enclosed and covered work and hospitality areas, plus approximately 200 additional square feet of detached trash/recycling enclosures; 2) two full-time and two part-time employees, plus two part-time seasonal employees during the harvest season; 3) daily operation between the hours of 6:00 a.m. and 6:00 p.m., with an appointment-only tasting room open between the hours of 10:00 a.m. and 6:00 p.m.; 4) scheduled tours and tastings for up to 25 people per day, up to a maximum of 160 people per week; 5) up to 23 marketing events annually, with 10 events annually for up to 15 guests, 10 events annually for up to 25 guests and three events annually for up to 50 guests with food; and 6) on-premise consumption of wine purchased on the property. The 10.23-acre property is located at 4059 Silverado Trail, Napa, in the AP (Agricultural Preserve) Zoning District; Assessor's Parcel No 039-390-023.

**Staff Recommendation:** Adopt the Negative Declaration and approve the requested Use Permit, as conditioned.

**Staff Contact:** Dana Ayers, Planner III; phone number (707) 253-4388 or email address [dana.ayers@countyofnapa.org](mailto:dana.ayers@countyofnapa.org)

**Applicant's Representative:** Rob Anglin, Holman Teague, LLP, 1455 First Street, Suite 217, Napa, CA 94559; phone number (707) 927-4274 or email address [anglin@htralaw.com](mailto:anglin@htralaw.com)

**C. LAURA & MICHAEL SWANTON / LAURA MICHAEL WINES / USE PERMIT MAJOR MODIFICATION NO. P16-00033-MOD & VARIANCE NO. P16-00288-VAR**

**CEQA Status:** Consideration and possible adoption of a Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA) Section 15301, Class 1: Existing Facilities; Section 15303 Class 3: New Construction or Conversion of Small Structures; Section 13504 Class 4: Minor Alterations to Land; and, Appendix B, Class 3 #10 of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a Major Modification to an existing 5,000 gallon winery (Use Permit #U-467980) to expand the existing winery and operations to: 1) construct a 50 sq. ft. free-standing ADA accessible restroom; 2) construct one (1) ADA accessible parking space; 3) allow one (1) part-time employee; 4) allow wine tasting by appointment only for 12 visitors per day and a maximum of 84 visitors per week; 5) allow a marketing program for 6 marketing events per year for 30 guests and one (1) event per year for a maximum of 75 guests; 6) relocate the existing parking spaces to the opposite side of the existing parking lot; 7) add visitation hours of 10:00 AM to 4:30 PM; and, 8) to allow on- premises consumption of wine in the tasting room, lawn, deck area, and in the existing seating area outside the tasting room accordance with Business and Professions Code Sections 23358, 23390 and 2.3396.5 (AB 2004- Evans Bill). The proposal also includes Variance request #P16-00288, pursuant to Napa County Code Section 18.104.230 (B), to allow construction of the new free-standing accessory restroom building ±94 feet from Lake County Highway (State Highway 29), in lieu of the required minimum 600-ft winery setback. The project is located on a ±3.23 acre parcel on the east side of Lake County Highway (State Highway 29), approximately 800 feet north of its intersection with Silverado Trail in the Calistoga area. The General Plan Land Use designation is Agriculture, Watershed and Open Space, and the property is zoned Agricultural Watershed (AW); 2250 Lake County Highway, Calistoga, APN: 017-230-009.

**Staff Recommendation:** Find the project Categorical Exempt from CEQA, approve the Variance request, and approve the Use Permit Modification, as conditioned.

**Staff Contact:** Wyntriss Balcher, Planner II, (707) 299-1351 or [wyntriss.balcher@countyofnapa.org](mailto:wyntriss.balcher@countyofnapa.org)

**Applicant Contact:** Jeremy Sill; R.S.A, 1515 Fourth St. Napa; (707) 252-4966; [jsill@RSACivil.com](mailto:jsill@RSACivil.com)

**10. ADMINISTRATIVE ITEMS - None**

**11. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **FEBRUARY 1, 2017 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

**12. COMMISSIONER COMMENTS / COMMITTEE REPORTS**

**13. FUTURE AGENDA ITEMS**

ITEMS REQUIRED TO RETURN TO THE PLANNING COMMISSION FOR DISCUSSION BASED ON  
FUTURE PRIVATE CONSTRUCTION SCHEDULE

- #03457-UP, 1 year after occupancy - Kendall Jackson (formerly Pecota) Winery
- #P12-00347-UP, 1 year after occupancy - Diogenes Ridge Winery
- #P09-00185-UP, 1 year after occupancy - Ca' Nani Winery
- #P10-00206-UP, 1 year after occupancy for visitation - Caravan Serai Winery
- #P10-00123-MOD, 1 year after occupancy - MJA Vineyards
- #P11-00464-MOD, 1 year after occupancy - Oakville Grocery
- #P13-00055-UP, 3 years after approval date for reporting on visitation and marketing - Bell Wine Cellars

**14. ADJOURNMENT**

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 1-11-17 BY 5:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Melissa Frost (By e-signature)  
Melissa Frost, Clerk of the Commission