

# AGENDA

## NAPA COUNTY PLANNING COMMISSION

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

**Wednesday, January 20, 2016**  
**9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

### COMMISSION MEMBERS

---

<i>CHAIR</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>VICE-CHAIR</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>COMMISSIONER</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>

---

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**

Clerk of the Commission requests approval of Minutes for the meetings held on:

December 16, 2015 (All Commissioners present)

December 17, 2014 (All Commissioners present)

**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****A. REYNOLDS FAMILY WINERY USE PERMIT MODIFICATION #P14-00334**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval to modify Use Permit #99386-UP for: a) an increase of the production capacity from 20,000 gallons to 40,000 gallons; b) the construction of a new  $\pm 2,266$  sq. ft. addition to the winery ( $\pm 1,534$  sq. ft. production;  $\pm 732$  sq. ft. accessory) for a total of  $\pm 12,975$  sq. ft.; c) an employment increase from one plus two during harvest for a total of seven employees (five full-time employees, 2 part-time employees), plus 2 part-time employees during harvest; d) an increase in visitation from 10 visitors to 40 visitors per day; e) an increase the days of operation from Monday – Saturday to 7 days per week; f) a change to the winery operating hours from 4:30 PM to 6:00 PM, with tours and tastings by appointment only to occur between 10:00 AM and 6:00 PM; g) a modification of the location of on-site wine consumption (“Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises,”) to include an outdoor patio area adjacent to the decorative pond, with the construction of a shade structure over said outdoor patio area; h) a modification of the Marketing Plan to increase the number of events from three to 54 events per year (2/month for 24 persons, 2/month for 40 persons, 4/year for 60 persons and 2/year for 125 persons) with the serving of light fare foods, evening events to cease before 10:00 PM; no amplified outdoor music, and on days of larger marketing events, the total daily wine tours/tasting visitation will be decreased in number by the size of the alternative event; i) the installation of a 100,000 gallon water tank; j) the establishment

of a transient community water company; k) the construction of an additional 16 parking spaces for a total of 22; l) the construction of a new well; and m) an expansion of the existing wastewater treatment system. The project will require the removal of 0.44 acres of vineyards at the site of the building addition. The project is located on a ±13.45-acre parcel on the east side of Silverado Trail, approximately 300 feet south of its intersection with Soda Canyon Road, within the Agricultural Watershed (AW) zoning district; 3266 Silverado Trail, Napa, CA 94558; APN: 039-610-002.

**Staff Recommendation:** Drop the item from the agenda and re-notice for a future hearing date.

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

**Contact:** Donna B. Oldford, Plans4Wine, 2620 Pinot Way, St. Helena (707)963-5832, [DBOldford@aol.com](mailto:DBOldford@aol.com)

**CONTINUED FROM THE NOVEMBER 18, 2015 AND THE DECEMBER 16, 2015 MEETINGS**

**TO BE DROPPED FROM THE AGENDA AND RE-NOTICED FOR A FUTURE DATE**

**B. FROG'S LEAP WINERY-DAVID W. FLANARY- USE PERMIT MAJOR MODIFICATION NO. P14-00054-MOD**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval to modify previous project approvals (Use Permit #U-93397, Use Permit #U-98501-MOD, Use Permit #P04-00427-MOD, and Use Permit #P10-00157-MOD) for an existing Winery to allow the following: 1) construct a 3,047 square foot agricultural processing facility to process fruit from the existing orchard on-site, including a 625 square foot tasting room, and an 845 square foot porch to replace an existing 2,290 square feet modular office building; 2) demolition of a 2,290 square foot modular office building; 3) increase the daily tours and tastings from 50 persons per day and 350 persons maximum per week for up to 125 persons Monday through Friday and 300 persons Saturday and Sunday, and a weekly maximum of 1,100 persons per week; 4) modify the existing Marketing Plan that allows for three monthly events for up to 25 persons to add 52 weekly events for up to 20 persons, 12 monthly events to allow up to 150 persons, four quarterly events to allow up to 500 persons, and participation in Auction Napa Valley; 5) upgrade the existing water system and wastewater treatment and disposal systems; 6) installation of four new water tanks totaling 35,000 gallons for fire suppression; and 7) increase of full time employees from four previously permitted to the existing 30 full-time employees and five part-time employees; and 8) the addition of 30 parking spaces for a total of 68 spaces. The project also includes a Napa County Road and Streets Standards Exception request to allow for an exception for the requirement to install a left turn lane on Conn Creek Road. In lieu of the left turn lane, the project will instead incorporate shoulder widening along Conn Creek Road, and use of the driveway along Rutherford Road for employee access. There are no changes to the gallons of wine produced as part of this proposal. The project is located at 8815 Conn Creek Road on a 38.92 acre parcel on the west side of Conn Creek Road between Silverado Trail and Rutherford Road, Rutherford, CA, within an AP (Agriculture Preserve) zoning district (Assessor's Parcel # 030-090-033-000).

**Staff Recommendation:** Continue item to a future hearing date or drop the item from agenda and re-notice for a future hearing date.

**Staff Contact:** Shaveta Sharma, (707) 299-1358 or [shaveta.sharma@countyofnapa.org](mailto:shaveta.sharma@countyofnapa.org)

**Applicant Contact:** Jeff Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375

**CONTINUED FROM THE DECEMBER 2, 2015 AND JANUARY 6, 2016 MEETINGS**

**TO BE CONTINUED TO A FUTURE REGULAR COMMISSION MEETING OR DROPPED FROM THE AGENDA AND RE-NOTICED FOR A FUTURE DATE**

## 9. PUBLIC HEARING ITEMS

### A. STAG'S LEAP WINE CELLARS - USE PERMIT MAJOR MODIFICATION NO. P13-00356-MOD AND VARIANCE NO. P13-00357-VAR

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The Project site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval to modify the previous project approvals (Use Permit #U487273, Use Permit #867576, Use Permit #U517980, #U438384, #U-4684885, Use Permit #487273-MOD, Use Permit #97046-MOD, Use Permit #00055-MOD, and Use Permit #03469-MOD #03468-VAR) for an existing Winery to allow the following: 1) demolition of two existing production buildings totaling 8,514 square feet to be replaced by two new production buildings totaling 10,966 square feet in size; 2) modification of the existing Marketing Plan of 150 annual events to be replaced with the proposed 10 annual tastings with lunch for up to 80 persons, 40 annual tastings with lunch for up to 40 persons, 6 annual tastings with dinner for up to 100 persons, 20 annual tastings with dinner for up to 80 persons, 25 annual tastings with dinner for up to 35 persons; 50 food and wine pairing seminars for up to 25 persons; two large private events with 250 persons, and participation in Auction Napa Valley; 4) a new access driveway to the two new production buildings; 5) restriping of the existing parking area and addition of 13 parking spaces for a total of 118 spaces; 6) upgrades to existing wastewater systems including reserve area; 7) a new 738 square foot covered fruit sorting and loading and staging area; 8) a new 682 square foot covered deck; and 9) grading resulting in removal of approximately 500 cubic yards of soil to be deposited off-site. The proposal also includes a Variance request for the two new production buildings to encroach 474 feet into the required 600 foot setback from Silverado Trail and  $\pm 264$  and  $\pm 288$  feet, respectively from a private driveway. There are no changes to production, daily visitation, or the number of employees. The project is located on a 40.22 acre site at 5766 Silverado Trail, Napa, approximately 3.2 miles south of Yountville Cross Road, Assessor's Parcel Number: 039-030-040.

**Staff Recommendation:** Adopt the Negative Declaration and approve the Variance and Use Permit Major Modification request as conditioned.

**Staff Contact:** Shaveta Sharma; (707) 299-1358; [shaveta.sharma@countyofnapa.org](mailto:shaveta.sharma@countyofnapa.org)

**Applicant Contact:** Jeffrey Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375; [jreddingaicp@comcast.net](mailto:jreddingaicp@comcast.net)

**CONTINUED FROM THE MAY 6, 2015, MAY 20, 2015, JUNE 3, 2015, OCTOBER 7, 2015, AND NOVEMBER 4, 2015 REGULAR MEETINGS.**

**B. SUMMERS WINERY - USE PERMIT MAJOR MODIFICATION P14-00232 & VARIANCE P14-00233**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed negative declaration, the project would not have any potentially significant environmental impacts. The project site is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval to modify the previous approvals for an existing winery (#U-238384, #U-108586, #96408-UP, #03075-MOD) to allow the following activities: 1) Recognize and approve the conversion of the existing 2,350 square foot residence to a tasting room; 2) Recognize and approve the conversion of the existing 530 square foot tasting room within the winery into a storage room; 3) Expand the visitation program from maximum tours and tastings by appointment only for 12 person per day to 20 persons per day; 4) Increase wine production from 50,000 to 100,000 gallons; 5) Construct a new 5,400 square foot covered tank farm; 6) On-premises consumption of the wines produced on-site, consistent with Business and Professionals Code Sections 23356, 23390, and 23396.5 in the tasting room and on the adjacent patio; 7) Deletion of condition #10 of Use Permit #96408-UP that prohibits outside social activities; 8) Allow the sale of wine-related merchandise in compliance with Napa County Code Section 18.16.030(H)(4); 9) Update fire suppression facilities and install two additional 21,000 gallon water storage tanks and a pump; 10) Install new domestic and process wastewater treatment and disposal with authorization for the use of a hold and haul system during the construction transition period and very extended wet weather periods; 11) Install storm water detention and conveyance facilities; 12) Decrease the number of on-site parking spaces from 16 to 15 spaces; 13) Realign the existing parking and landscaped areas; 14) Add one loading dock; and 15) Architectural modifications to the existing residential structure. The project also includes an application for a variance to allow construction of the covered tank farm within the required 600 foot winery setback from Tubbs Lane. The covered tank farm is proposed approximately 327 feet from the centerline of Tubbs Lane. The proposed project site is located at 1171 Tubbs Lane, Calistoga, on a 25.3-acre site, in the Agricultural Preserve (AP) Zoning District. Assessor's Parcel No. 017-160-015.

**Staff Recommendation:** Adopt the Negative Declaration, approve the Use Permit and deny the Variance.

**Staff Contact:** Emily Hedge, Planner II, (707) 259-8226, or emily.hedge@countyofnapa.org

**Applicant Contact:** Jim and Beth Summers, Property Owners, (707) 942-5508

**Applicant's Representative:** Jeff Redding, Land Use Planning Services, (707) 255-7375 or jreddingaicp@comcast.net

**CONTINUED FROM THE NOVEMBER 18, 2015 REGULAR MEETING.**

**C. DAKOTA SHY WINERY-DS PROPERTIES, LLC- USE PERMIT MAJOR MODIFICATION NO. P14-00335-MOD AND VARIANCE NO. P14-00336-VAR**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval to modify an existing 1,000 gallons per year Winery Use Permit (#U298788) to allow the following: 1) increase production from 1,000 gallons per year to 14,000 gallons per year; 2)

add tours and tastings by appointment only up to a maximum of 20 visitors per day and a weekly maximum of 112 visitors; 3) add Marketing events of up to two per year with a maximum of 40 guests; 4) increase the number of employees from two full-time to a maximum of 10 employees; 5) construction of a new winery building totaling 6,060 s.f., including a 397 s.f. tasting room, and a 2,370 s.f. uncovered event pad; 6) construction of a wastewater treatment system; 7) construction of an on-site detention basin to capture stormwater; 8) construction of eight additional parking spaces for a total of 14 parking spaces; 9) construction of a one way loop access driveway to the proposed winery building; 10) installation of two 10,500 gallon water tanks; 11) installation of a mechanical and fire pump house; 12) removal of an approximately 6,720 s.f. tennis court; 13) removal of an existing 1.69 acre orchard; 14) planting of 0.8 acres of vineyard; 15) conversion of the existing winery structure to winery storage; and 16) landscaping improvements. The project also includes a Variance request to encroach 503 feet into the required 600 feet setback from Silverado Trail. The project is located on a 6.0 acre parcel, within the AW (Agricultural Watershed) zoning district, on the south side of Sage Canyon Road/SR- 128, approximately a ¼ mile from its intersection with Silverado Trail; 771 Sage Canyon Road, Napa CA 94574; APN: 030-120-024.

**Staff Recommendation:** Adopt the Negative Declaration and approve the Variance and Use Permit Major Modification request, as conditioned.

**Staff Contact:** Shaveta Sharma, (707) 299-1358 or [shaveta.sharma@countyofnapa.org](mailto:shaveta.sharma@countyofnapa.org)

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

**CONTINUED FROM THE DECEMBER 16, 2015 REGULAR MEETING**

**10. ADMINISTRATIVE ITEMS**

**11. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **FEBRUARY 3, 2016 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

**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 1-13-16 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