

# SPECIAL MEETING AGENDA

## NAPA COUNTY PLANNING COMMISSION



A Tradition of Stewardship  
A Commitment to Service

**Wednesday, November 05, 2014  
9:00 AM**

**2741 Napa Valley  
Corporate Drive  
Building 2, Napa**

### COMMISSION MEMBERS

---

<i>VICE - CHAIR</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>CHAIR</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Matt Pope</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 SPECIAL MEETING which is regularly scheduled the first and third Wednesday of the month. **The Commission will meet at 2741 Napa Valley Corporate Drive, Building 2, 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 310 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. 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.

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

- BOARD OF SUPERVISORS ACTIONS

- OTHER DEPARTMENT ACTIVITIES

**5. AGENDA REVIEW****6. DISCLOSURES****7. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY****A. RAYMOND VINEYARDS AND CELLAR / RAYMOND VINEYARDS WINERY USE PERMIT MAJOR MODIFICATION APPLICATION NO. P11-00156**

**CEQA Status:** Mitigated Negative Declaration Prepared. According to the proposed Mitigated Negative Declaration, the project would have potentially significant effects on Hydrology/Water Quality and Transportation/Traffic. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code sec. 65962.5.

**Request:** Approval of Use Permit Major Modification #P11-00156 requesting the following changes to the existing Raymond Vineyard Winery Use Permit, File No. U-89-46: ~~1) Increase daily tours and tastings from 400 to 500 visitors (400 public and 100 by-appointment-only visitors);~~ 2) Adoption of a revised marketing plan to allow 50 total events, not to exceed 8 events per month: (a) 2 events per year for up to 500-people; (b) 4 events per year for up to 250-people; (c) 6 events per year for up to 150-people; (c) 12 events per year for up to 100-people; (d) 26 events per year for up to 50-people; and (e) One weekend per month in May through October to not include an event exceeding 100 persons; 3) No change in annual wine production of 750,000 gallons per year (averaged over 3 years not to exceed 900,000 gals in any one year); 4) Expansion of the domestic wastewater treatment system; 5) Construction of 50 additional parking spaces for a total of 130 parking spaces; 6) Inclusion of food pairing as part of wine tastings and tours; 7) Construction and use of an outdoor demonstration kitchen as part of the tours and tastings experience; 8) Construction of a left-hand turn lane on Zinfandel Lane; 9) Recognition and remodeling of an existing 855 sq. ft. pool house used for private tastings; 10) Construction of a vineyard viewing platform; 11) Increase daily tours and tastings hours of operation from 10 am to 4 pm to 10 am to 6:30 pm; 12) Increase wine production hours of operation from 6 am to 6 pm to 6 am to 11 pm; 13) Increase the number of employees by 66 from 24 to 90; 14) Interior modifications, including the conversion of 10,670 sq. ft. of production space to accessory space, including relocating an entitled commercial kitchen from building "C" to building "A"; 15) Modify the existing conditions of approval to allow for outdoor events; 16) Conversion of the

existing residential swimming pool to landscaping; 17) Recognition of an existing dog run and structures for use by visitor's pets; 18) Allowance of outdoor consumption of wine produced and purchased on-site within the outdoor visitation area between Building A and the existing residence, consistent with AB 2004 (Evans), and 19) Display of public art within one-acre of landscape. The project is located on a 60.72 acre lot located on the south side of Zinfandel Lane approximately 0.3 miles east of its intersection SR 29, within Agricultural Preserve (AP) zoning district. (Assessor's Parcel Number 030-270-013 &-031). 849 Zinfandel Lane, St. Helena, California, 94574

**Staff Recommendation:** Continue the item to the December 17, 2014 regular Commission meeting.

**Staff Contact:** John McDowell, Deputy Planning Director, (707) 299-1354 or [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org)

**CONTINUED FROM JULY 16, 2014 and AUGUST 20, 2014 MEETINGS**

**TO BE CONTINUED TO DECEMBER 17, 2014**

**B. ROBERT FOLEY VINEYARD WINERY- USE PERMIT MAJOR MODIFICATION NO. P14-00085**

**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 of a Use Permit Major Modification to Use Permit P06-01275 for: 1) increase production from 30,000 gallons per year up to 50,000 gallons per year; 2) addition of tours and tastings for up to ten (10) visitors maximum and sixty (60) visitors per week maximum; 3) addition of 12 wine/food events with a maximum of 12 guests; 4) addition of two (2) wine/food events with a maximum of 50 guests; 6) conversion of an existing 1,760 square feet agricultural barn to winery use as multipurpose space, an employee break room, and tool storage; 7) addition of four (4) parking spaces and six (6) parking spaces total; 8) increase in number of employees from one full-time and one part-time to ten or fewer; 9) request for on premise consumption of wines produced on site within the hospitality building in accordance with AB 2004; and 10) expansion of the on-site septic system. No physical improvements to the winery are proposed. The project is located on an 13.4 acre site at 1300 Summit Lake Drive, approximately 0.55 mile north of White Cottage Road, designated Assessor's Parcel Number: 018-230-004.

**Staff Recommendation:** Drop the item from the agenda for renoticing for the November 19, 2014 Planning Commission Meeting.

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

**Applicant Contact:** Thomas Carey, (707) 479-2856 or [tcarey.law@gmail.com](mailto:tcarey.law@gmail.com)

**TO BE DROPPED FROM THE AGENDA FOR FUTURE RENOTICING**

**8. PUBLIC HEARING ITEMS**

**A. NONRESIDENTIAL DEVELOPMENT PROJECT HOUSING IMPACT FEE**

**CEQA Status:** Consideration and possible acceptance that the project is intended to implement some of the programs in the 2009 Housing Element Update and falls within the scope of the 2009 Housing Element Updated adopted June 23, 2009. The program-level Environmental Impact Report

(EIR) prepared for the 2009 Housing Element Update certified on June 23, 2009 adequately describes the activities for the purposes of the California Environmental Quality Act (CEQA). [See CEQA Guidelines 15168(c)]. Further, under the General Rule, it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. (See CEQA Guidelines 15061(b)(3)). Additionally, the proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**Request:** Recommendation to the Board of Supervisors to adopt a resolution updating the nonresidential (commercial) impact fees per 2009 Housing Element Program H-2d and the Nexus Study prepared by Keyser Marston Associates dated April 2014.

**Staff Recommendation:** Hold a public hearing and make a recommendation to the Board of Supervisors to adopt a resolution recommending an increase in commercial impact fees to the level recommended by the Keyser Marston Associates Nexus Study (April 2014) to become effective 60 days after passage of the resolution.

**Staff Contact:** Nancy Johnson, Housing and Community Development Program Manager, (707) 299-1352 [nancy.johnson@countyofnapa.org](mailto:nancy.johnson@countyofnapa.org)

**CONTINUED FROM OCTOBER 15, 2014 PLANNING COMMISSION MEETING**

**9. ADMINISTRATIVE ITEMS**

**A. SET MATTER - 10:30 A.M.**

**WINE INDUSTRY ECONOMICS STUDY SESSION**

**Request:** Presentation and discussion on distribution trends and economic factors in the wine industry. In response to prior requests from the Commission for continuing education on winery economics, three presentations will be given from private practice wine industry subject matter experts followed by panelist questions and discussion. Presenters are Richard Mendelson, wine law expert, author and professor with Dickerson, Peatman and Fogarty; Craig Underhill, Certified Public Accountant with Brotemarkle, Davis and Company; and Rob McMillan, Executive Vice President and Founder of Silicon Valley Bank's Wine Division. This study session is for educational/informational purposes, and is not intended as a forum to discuss or debate existing or future winery-related land use regulations.

**Staff Recommendation:** Informational Item. No action necessary.

**Staff Contact:** John McDowell, 299-1354 or [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org)

**10. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **NOVEMBER 19, 2014 SPECIAL MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS

- OTHER PENDING PROJECTS' STATUS

#### 11. COMMISSIONER COMMENTS / COMMITTEE REPORTS

#### 12. FUTURE AGENDA ITEMS

- #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

#### 13. 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 10-30-14 BY 4:00. 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