



A Tradition of Stewardship  
A Commitment to Service

## AGENDA

### NAPA COUNTY PLANNING COMMISSION

**Wednesday February 20, 2013**  
**9:00 AM**

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#### COMMISSION MEMBERS

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<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>CHAIR</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-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>Hillary Gitelman</i>	<i>COMMISSION CLERK</i> <i>Melissa Gray</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, Suite 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

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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. 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 5, 2012 (Commissioners Heather Phillips & Matt Pope excused)  
January 16, 2013 ( 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****9. PUBLIC HEARING ITEMS****A. BULLER TRUST / WHETSTONE WINE BAR USE PERMIT APPLICATION NO. P12-00008**

**CEQA Status:** A Mitigated Negative Declaration was prepared. According to the proposed Mitigated Negative Declaration, if mitigation measures are not included, the project would have potentially significant effects on the environment in the following areas: Cultural Resources and Hydrology. 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** to establish a new wine bar with the following: 1) convert an existing 2,924 square foot residence to a wine bar; 2) convert a 120 square foot existing garden shed to a stand alone accessible restroom; 3) employ two full-time and one part-time employees; 4) conduct hours of operation - 11:00 AM-4:00 PM, seven days per week with a maximum of 40 people per day; 5) retail sales, tastings and catered meals for a maximum of 24 persons per day, by appointment; 6) ten food and wine events per year with a maximum of 24 persons per event and two events per year for a maximum of 50 persons per event. Catered food will be included; 7) installation of a new septic system; 8) Install a 12,000 gallon fire protection water tank and pump house building; 9) Install a fire hydrant near Atlas Peak Road with access through the historic stone wall; and 10) nine parking spaces.

Approval of an **Exception** to the Napa County Road and Street Standards: a) to allow use of an existing historic entrance with 15 foot clearance; and, b) to allow a greater than required 50 foot

distance for fire truck access.

The 6.65 acre project site is located on Atlas Peak Road 0.21 miles northwest of its intersection with Monticello Road, within a CL (Commercial Limited) zoning district. (Assessor's Parcel No. 039-320-008). 1075 Atlas Peak Rd, Napa.

**Staff Recommendation:** Adopt the Mitigated Negative Declaration and approve the Use Permit and Exception to the Napa County Road and Street Standards as conditioned.

**Staff Contact:** Linda St. Claire (707) 299-1348, [linda.stclaire@countyofnapa.org](mailto:linda.stclaire@countyofnapa.org)

**B. ROOSTER KEEPING ORDINANCE - ZONING ORDINANCE TEXT AMENDMENT P13-00025-ORD**

**CEQA Status:** 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 Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

**Request:** County-sponsored ordinance to revise requirements for the keeping of roosters on properties allowed for agricultural land use. The proposed ordinance would limit rooster keeping to a maximum of four mature birds per parcel except for commercial poultry ranches, public or private schools, Future Farmers of America (FFA) or 4-H sponsored projects, or to legitimate poultry hobbyist as approved by the Agricultural Commissioner.

**Ordinance Title:** AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, ADDING A NEW CHAPTER 6.18 (KEEPING OF ROOSTERS) AND AMENDING SECTIONS 18.08.040 (AGRICULTURE), 18.126.030 (ISSUANCE), 18.126.060 (PERMIT - ISSUANCE PREREQUISITES), AND 18.132.070 (AMORTIZATION OF CERTAIN NONCONFORMITIES) OF THE NAPA COUNTY CODE REGULATING THE KEEPING OF ROOSTERS

**Staff Recommendation:** That the Planning Commission conduct a public hearing and forward a recommendation of approval to the Board of Supervisors.

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

## 10. ADMINISTRATIVE ITEMS

**A. 75% RULE (WINERY DEFINITION ORDINANCE) INFORMATIONAL ITEM**

**CEQA Status:** Not applicable; no action is requested.

**Staff Recommendation:** Receive an informational presentation about winery production in Napa County and the grape source requirement that applies to (a) wineries approved in agricultural areas since adoption of the Winery Definition Ordinance (WDO) in 1990 and (b) increases in production at pre-WDO wineries where the winery development area is expanded. The Commission may accept public comments, engage in discussion, and provide direction to staff as desired. No action is requested.

**Staff Contact:** Hillary Gitelman, Director of Planning, Building and Environmental Services at 253-4805 [hillary.gitelman@countyofnapa.org](mailto:hillary.gitelman@countyofnapa.org).

## 11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **MARCH 6, 2013 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

## 12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

## 13. FUTURE AGENDA ITEMS

- #03457-UP, 1 year after occupancy - Kendall Jackson (formerly Pecota) Winery
- #P09-00185, 1 year after occupancy - Ca' Nani Winery
- #P10-00123 - MOD, 1 year after occupancy - MJA Vineyards
- #P10-00206-UP, 1 year after occupancy for visitation - Caravan Serai
- #P10-00177 -MOD, 1 year after occupancy - Kelham Winery
- #P11-00464 - MOD, 1 year after occupancy - Oakville Grocery
- #P12-00436 - ORD, April 2014 - Status Review

## 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 FEBRUARY 14, 2013 BY 1:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

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