



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY PLANNING COMMISSION

Wednesday March 20, 2013
9:00 AM

COMMISSION MEMBERS

COMMISSIONER

*Heather Phillips
District # 1*

COMMISSIONER

*Michael Basayne
District # 2*

CHAIR

*Terry Scott
District # 4*

VICE-CHAIR

*Bob Fiddaman
District # 3*

COMMISSIONER

*Matt Pope
District # 5*

*COMMISSION COUNSEL
Laura Anderson*

*SECRETARY-DIRECTOR
Hillary Gitelman*

*COMMISSION CLERK
Melissa Gray*

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

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

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****A. BARRY WAITTE/ TAMBER BEY VINEYARDS WINERY - USE PERMIT # P12-00233 & VARIANCE # P13-00001**

CEQA Status: Negative Declaration prepared. According to the proposed negative declaration the proposed project would not have potentially significant environmental impacts. 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 use permit and variance to establish a new winery with an annual production capacity of 60,000 gallons with: (1) the conversion approximately $\pm 6,679$ sq. ft. of an existing $\pm 14,027$ sq. ft. equestrian facility to provide $\pm 1,729$ sq. ft. of enclosed floor area for hospitality, office and accessory storage uses including a commercial kitchen, ± 346 sq. ft. of enclosed floor area for winery production related storage and $\pm 4,604$ sq. ft. of covered unenclosed area; (2) the conversion an existing $\pm 14,400$ sq. ft. covered unenclosed horse arena for winery production uses including $\pm 9,812$ sq. ft. of barrel storage and extend the roof to provide $\pm 5,978$ sq. ft. covered but unenclosed crush and fermentation tank area; (3) a $\pm 1,443$ sq. ft. partially covered unenclosed bottling area adjoining the covered crush and fermentation tank area; (4) use of an existing $\pm 1,925$ sq. ft. barn for winery equipment storage; (5) on-site parking for 6 vehicles (striped) with an additional 28 unstriped spaces; (6) an annual marketing plan with one (1) event per month for a maximum of 30 guests at each event, one (1) event per month for a maximum of 75 guests at each event, two (2) events per year for a maximum of 100 guests, and participation in the wine auction; (7) tours and tastings with food pairing(s) by appointment only for a maximum of 20 visitors per day, with a maximum of 140 visitors per week; (8) on-premise consumption pursuant to the Evans Bill (AB2004); (9) hours of operation from 10 AM to 6:30 PM (tasting) and 7 AM to 5 PM (production), 7 days a week; (10) up to 5 employees (3 full-time and 2 part-time); (11) a new winery process and domestic wastewater

system; and, (12) an on-site soils disposal area for approximately 2,060 cubic yards of excess soil. The proposal also includes a variance to allow use of an existing 1,925 sq. ft. barn for winery equipment storage which is approximately 425-feet from the centerline of Tubbs Lane where a 600-foot setback is required and to allow conversion of the existing covered but unenclosed horse arena to a predominantly enclosed building for barrel storage, one corner of which is approximately 19-feet from the side property line where a 20-foot setback is required. The 22.41 acre project site is located on the west side of the Tubbs Lane approximately ½-mile north of the Tubbs Lane / State Route 128 intersection. APN: 0017-160-010. 1251 Tubbs Lane, Calistoga.

Staff Recommendation: Adopt the negative declaration and approve the requested variance and use permit with the proposed conditions of approval.

Staff Contact: Sean Trippi, 707-299-1353 or sean.trippi@countyofnapa.org

Applicant Contact: Jeffrey Redding 707-255-7375

9. ADMINISTRATIVE ITEMS

A. GENERAL PLAN IMPLEMENTATION ANNUAL REPORT - INFORMATIONAL ITEM

CEQA Status: Not applicable; no action is requested.

Staff Recommendation: Receive an informational presentation about the status of General Plan implementation and the annual report required by State law. The report will be presented to the Board of Supervisors on March 19, 2013 and is due to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) on April 1, 2013. 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 & Environmental Services at 253-4805 hillary.gitelman@countyofnapa.org.

10. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **APRIL 3, 2013 REGULAR 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 opening - Kendall Jackson (Formerly Pecota) Winery
- #P09-00185-UP, 1 year after occupancy - Ca' Nani Winery
- #P10-00206, UP, 1 year after occupancy for visitation - Caravan Serai
- #P10-00123-MOD, 1 year after occupancy - MJA Vineyards
- #P11-00464-MOD, 1 year after occupancy - Oakville Grocery
- #P12-00436 - Cottage Food Ordinance, April 2014 - Status Review

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 3-12-13 BY 4:00 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