

SPECIAL MEETING AGENDA

NAPA COUNTY

PLANNING COMMISSION

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

Wednesday, March 23, 2016
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

COMMISSIONER

Heather Phillips
District # 1

COMMISSION COUNSEL
Laura Anderson

CHAIR

Michael Basayne
District # 2

COMMISSIONER

Anne Cottrell
District # 3

SECRETARY-DIRECTOR
David Morrison

COMMISSIONER

Terry Scott
District # 4

COMMISSION CLERK
Melissa Frost

VICE-CHAIR

Jeri Gill
District # 5

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

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 meeting held on:
February 17, 2016 (Commissioner Phillips was excused)

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. CAYMUS VINEYARDS - USE PERMIT MAJOR MODIFICATION NO. P12-00221 & DEVELOPMENT AGREEMENT**

CEQA Status: Consideration and possible adoption of a Categorical Exemption Class 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

Consideration and possible adoption of a Categorical Exemption. Class 2: It has been determined project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 2 ("Replacement or Reconstruction") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15302.

Request: The Applicant requests:

(1) Approval of a Use Permit Modification P12-00221-UP to stagger project implementation occurring in two phases. In Phase One, the applicant requests (a) a decrease in production to 110,000 gallons, (b) demolition of 6,695 square feet from existing Buildings B2, B6, B7, and B8, (c) remodeling of Buildings B3 and B5, (d) installation of fire suppression sprinkler systems within the

existing Building B5 and associated outdoor water storage tanks within an already developed area; (e) remodeling of the existing Building B3 to reduce its size, and remodeling of the interior of the existing Building B5; (f) removal of concrete and structures within the creek setback and restoration of the creek bank; (g) improvement of an existing access road, relocation of interior vehicle access roads, and relocation of parking; (h) on-premises consumption of wine for customers in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004 -Evans Bill also known as the Picnic Bill) in the areas located on the patio area located between Building B5 and the proposed greenhouse, the grass areas located direction east and west of the greenhouse, and the garden located outside the tasting/sales area on the west side of Building B5 as specified in the application; and (i) food and wine pairing.

In Phase Two, the Applicant proposes (a) to increase production by 550,000 gallons for a total of 660,000 gallons of wine per year, (b) demolition of Building B9, (c) to construct an 8,205 square foot agricultural greenhouse, and (d) to upgrade to the existing Lyve equipment process wastewater system. No increase in the existing number of employees, number of parking spaces, number of visitors, or marketing events is requested. The proposed Use Permit Modification would result in a reduction in environmental impacts through the reduction in wine production and the demolition of certain structures and overall reduction in the size of the facility.

(2) Adoption of an ordinance approving a Development Agreement between the Applicant and the County whereby the Applicant agrees to terms that would address the impacts of the project which could not have been otherwise required under applicable law.

The project is located on a 69.5 acre parcel at 8700 Conn Creek Road, approximately at the intersection with Rutherford Road/State Route 128, within the Agricultural Preserve zoning district, designated Assessor's Parcel Number: 030-200-066.

Staff Recommendation: Recommend the Board of Supervisors find the project Categorically Exempt from CEQA, and approve the Use Permit Major Modification as conditioned and the Development Agreement as proposed.

Staff Contact: Kelli Cahill, Planner III, (707) 265-2325 or kelli.cahill@countyofnapa.org

Applicant Contact: Michael Carlson. Vice President and General Counsel, Wagner Family Wines, (707) 967-3000 x262

Owner Representative: Katherine Philippakis, Farella, Braun and Martel, LLP; 899 Adams Street, Suite G, St. Helena CA 94574; (707) 967-4000

10. ADMINISTRATIVE ITEMS

A. AGRICULTURAL PROTECTION MEASURES STUDY SESSION

CEQA Status: Feasibility and planning studies for possible future actions are Statutorily Exempt under 14 California Code of Regulations 15262 (State CEQA Guidelines) and CEQA is not applicable. These recommendations, in and of themselves, do not have a potential for resulting in a direct, physical change in the environment or a reasonably foreseeable indirect physical change, and therefore are not considered to be a project under 14 California Code of Regulations 15378 (State CEQA Guidelines). Also, 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 pursuant to the General Rule contained in the Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).

Request: In their meeting of March 2, 2016, the Planning Commission requested a review of the agricultural protection measures as directed by the Board of Supervisors.

Staff Recommendation: Ask any clarifying questions, take public comment, discuss the Board of Supervisors direction, and provide direction to staff regarding any implementations as they relate to the work of the Commission.

Staff Contact: David Morrison, Director; (707) 253-4805; david.morrison@countyofnapa.org

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **APRIL 6, 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 3-18-16 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 Frost (By e-signature)
Melissa Frost, Clerk of the Commission