



A Tradition of Stewardship  
A Commitment to Service

## AGENDA

### NAPA COUNTY PLANNING COMMISSION

**Wednesday March 06, 2013**  
**9:00 AM**

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#### COMMISSION MEMBERS

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*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*

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*COMMISSION COUNSEL  
Laura Anderson*

*SECRETARY-DIRECTOR  
Hillary Gitelman*

*COMMISSION CLERK  
Melissa Gray*

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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

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 request approval of Minutes for the meeting held on:  
February 20, 2013 (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****A. STAGS LEAP WINERY USE PERMIT / TREASURY WINE ESTATES WINERY MAJOR MODIFICATION APPLICATION NO. P12-00110**

**CEQA Status:** Categorically Exempt from the provisions of CEQA, pursuant to Section 15303, Class 3, New Construction or Conversion of Small Structures and Section 15304, Class 4, Minor Alterations in Land. 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 Modification #P12-00110 requesting approval of the following: 1) Converting an existing residence and bed and breakfast to allow a winery tasting and visitation space; 2) Increase visitation from 10 people per day to 40 people per day by-appointment only; 3) Inclusion of food and wine pairing as part of tours and tasting; 4) Allow on-site bottle consumption as per AB 2004; 5) Establishing the tours and tastings hours of operation from 10 am to 6 pm; 6) Construction of an ADA pathway connecting the parking with the tasting room; 7) Construction of an outdoor ADA accessible restroom; 8) Minor interior improvements to the doorway for compliance with ADA; 9) Increase the number of employees from two full time and one part time to three full time and one part time; 10) Installation of underground fire suppression pipes to connect to the neighboring system; and 11) Approval of a road modification to allow portions of the driveway to have a reduced width. The project is located on a 10.7 acre lot and connected to an adjacent 107.5 acre parcel for fire suppression located on the east side of Silverado Trail approximately 0.65 miles south of its intersection with Yountville Crossroad, within a split Agricultural Preserve (AP) and Agricultural Watershed (AW) zoning district (Assessor's Parcel No 032-530-034 & -024) 6150 Silverado Trail, Napa, California, 94558.

**Staff Recommendation:** Continue this project to the meeting of April 3, 2013.

**Contact :** Kirsty Shelton, (707) 299-1377, [Kirsty.Shelton@countyofnapa.org](mailto:Kirsty.Shelton@countyofnapa.org)

**TO BE CONTINUED TO APRIL 3, 2013 REGULAR MEETING.**

## 9. PUBLIC HEARING ITEMS

### A. B-CELLARS WINERY / 26 BRIX LLC - USE PERMIT MAJOR MODIFICATION #P12-00371-MOD.

**CEQA Status:** Negative Declaration Prepared. 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 materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval to modify previous project approval (Use Permit #04047 – formerly named Miller Winery) to allow the following for B-Cellars Winery (new owner): 1) increase annual production from 10,000 to 45,000 gallons per year; 2) the relocation and expansion of the approved 6,300 sq.ft. winery (conversion of an existing barn) of which 1,000 sq.ft. is covered crush pad winery to 9,937 sq.ft.+/- to be located within two (2) buildings (Hospitality Building – 5,328 sq/ft/ and Wine Production Building – 4,609 sq.ft.); 3) a 1,184 sq.ft.+/- covered crush pad; 4) construction of a 1,110 sq.ft. +/- Maintenance & Wine Equipment Barn with 9,321 sq.ft.+/- in enclosure areas designated for employee parking, mechanical equipment, water storage, trash/recycling, debris and other outdoor storage; 5) construction of a 22,946 sq.ft.+/- cave and four (4) associated portals for barrel storage and marketing events. An elevator to access the cave from the existing residence. All cave spoils to be disposed on site; 6) increase in employees from one (1) full-time and five (5) part-time to eight (8) full-time and five (5) part-time; 7) increase in the approved daily visitation from a maximum of ten (10) persons per day to a maximum of sixty (60) persons per day; 8) modification to the approved winery hours of operation from 8 am to 5 pm daily to 11:00 am to 6:00 pm, Monday-Sunday for visitation and 7:30 am to 5:30 pm, Monday-Friday for production. Marketing events are proposed to occur during the day, evening or weekend. Evening marketing events are required by the County to cease by 10:00 PM, including cleanup; 9) modification to the approved marketing plan from five (5) food and wine pairings per year for a maximum of ten (10) guests and one dinner per year for a maximum of 30 guests) limited 11:00 am to 10:00 pm with a four hour maximum to two (2) release events per year @ 100 persons maximum; two (2) events per year @ 150 persons maximum; twelve (12) events per year @ 30 person maximum; and participation in Wine Auction Week; 10) increase on-site parking from four (4) spaces to eighteen (18) visitor spaces including two (2) handicapped spaces and twelve (12) employee spaces including one (1) handicapped space for a total of thirty (30) spaces. Temporary event parking to be provided on-site via valet parking service; 11) installation of landscape improvements including water features, an herbal garden, a picnic area and an outdoor lawn adjacent to the cave portal. The lawn area to be available for some larger marketing events; 12) removal of 19 cultivated common walnut (*Juglans Regia* – a non-native English Walnut) mature trees ranging in size 10 to 26 inches (diameters at breast height, or dbh), and approximately 0.18 acres of vineyard to accommodate construction of the proposed cave entry portal #2/truck access area, cave entry portal #1/outdoor event area; 13) installation of appurtenant wastewater, water and fire protection systems and water tanks; 14) modification of existing access driveway to accommodate the relocated winery and construction of the cave/portals; 15) installation of a new well; 16) installation of a new winery process and domestic wastewater system. The existing septic system that serves the main residence and farm labor dwelling will be abandoned and relocated due to the proposed cave location; and 17) demolition and removal of a private equestrian facility. The 11.53 acre project site is located on the south side of the Oakville Cross Road approximately 3,200 feet west of its intersection with Silverado Trail within the Agricultural Preserve (AP) Zoning District at 701

Oakville Cross Road, Napa (APN: 031-070-026).

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

**Staff Contact:** Charlene Gallina (707) 299-1355 or [charlene.gallina@countyofnapa.org](mailto:charlene.gallina@countyofnapa.org)

## 10. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **MARCH 20, 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 occupancy - Kendall Jackson (formerly Pecota) Winery
- #P09-00185-UP, 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
- #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 FEBRUARY 27, 2013 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