

AGENDA

NAPA COUNTY PLANNING COMMISSION



A Tradition of Stewardship
A Commitment to Service

2741 Napa Valley Corporate Drive, Building 2
Large Conference Room
Napa, Ca. 94558

Wednesday, April 01, 2015
9:00 AM

COMMISSION MEMBERS

<i>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>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE - CHAIR</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 meeting which is regularly scheduled the first and third Wednesday of the month. The Commission meets 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, 2741 Napa Valley Corporate Drive, Building 2, 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 meetings held on:

- February 18, 2015 (All Commissioners present)

- March 18, 2015 (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****A. SYAR NAPA QUARRY EXPANSION PROJECT - SURFACE MINING PERMIT (P08-00337-SMP)**

California Environmental Quality Act (CEQA) Status: Consideration of the Final Environmental Impact Report (EIR) that has been prepared for the proposed project (State Clearinghouse #2009062054). Prior to consideration of the associated Surface Mining Permit, the Planning Commission is required to review and consider the Final EIR and to certify that the Final EIR has been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, Local Procedures for implementing CEQA, and that the Final EIR reflects the County's independent judgment and analysis. The project site is not on any of the list of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a request for a Surface Mining Permit (SMP) to modify the mining and reclamation plan and associated aggregate processing, production and sales as currently permitted under UP-128182, UP-27374, and County Agreement 2225 to allow: a) an approximate 124-acre expansion of the current surfacing mining and reclamation plan for a 35 year term; b) an increase in mining depth from approximately 300 feet and 150 feet above mean sea level (msl) to no greater than 50 feet above msl; c) an increase in production of aggregate materials from approximately 1 million tons per year to 2 million tons per year; d) add Reclaimed Asphalt Pavement (RAP) handling

equipment to the existing asphalt batch plant; and e) relocate and improve portions of Skyline Trail that are located on the quarry property back onto Skyline Wilderness Park lands.

This SMP is intended to replace UP-128182, UP-27374, and County Agreement 2225, and bring existing and expanded mining and reclamation areas and associated aggregate processing, production and sales under one permit.

The project site is located on the east side of State Highway 221 (Napa-Vallejo Highway) at its intersection with Basalt Road east of 2301 Napa-Vallejo Highway, within the unincorporated portion of Napa County (AW - Agricultural Watershed and I - Industrial Zoning Districts). Assessor's Parcel Numbers (APNs) 045-360-005, 046-370-012, -013, -015, -022, -025, 046-390-002, -003, and 046-450-071.

Staff Recommendation: Drop item from the agenda and renote for a future hearing date.

Staff Contact: Donald Barrella, 707-299-1338 or donald.barrella@countyofnapa.org

Applicant Contact: Jennifer Gomez, 707-259-5728 or jgomez@syar.com

CONTINUED FROM THE JANUARY 7 AND FEBRUARY 18, 2015 COMMISSION MEETINGS.

TO BE DROPPED FROM THE AGENDA AND RENOTICED FOR A FUTURE SPECIAL MEETING

B. THE WRIGHT CORNER / THE WRIGHT CORNER INC. - USE PERMIT MINOR MODIFICATION (#P14-00022-MOD)

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, which exempts minor alterations to existing buildings; and Appendix B, Class 1 (existing facilities), of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. 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 Modification to existing Use Permit U-348283 to allow conversion of a 1,448 square foot existing antique furniture store to allow: (a) 340 square foot Art Gallery (display and for sale of art); (b) 788 square foot Bike Rental/Guided Tour Business and Luxury Car Excursion; (c) 331 square foot shared storage area for all three businesses; (d) sale of riding gear, pre-packaged food and convenience items; (e) employee bathrooms located in an adjacent existing structure; (f) construction of a 24± square foot trash enclosure; (g) recognize 4 pre-existing legal non-conforming parking spaces; (h) upgrade 4 additional existing parking spaces to meet current Napa County Road and Street Standards; (i) amend prior Public Works approval requiring on-site parking improvements; (j) remove prior Public Works requirement for public road widening, with concrete curb, gutters and sidewalks. The 2.35 acre project parcel is located on the corner of Old Sonoma Highway and Old Sonoma Road, 0.19 miles east of its intersection of Old Sonoma Road and State Highway 12/121 within a CL (Commercial Limited) zoning district: 4370 Old Sonoma Highway, Napa, (APN: 047-110-017)

Staff Recommendation: Continue the item to the next regular Planning Commission meeting of April 15, 2015

Staff Contact: John McDowell; (707) 299-1354; john.mcdowell@countyofnapa.org

Applicant Contact: Kerry Smith; (707) 812-5006; TheWrightCorner@earthlink.net

REQUEST TO BE CONTINUED TO APRIL 15, 2015

9. PUBLIC HEARING ITEMS

A. BELL WINE CELLARS - USE PERMIT MAJOR MODIFICATION NO. P13-00055

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 lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Request for approval of a modification to Use Permits #U-90-42 and #03315-MOD to allow the following: 1) Increase in the approved production capacity from 40,000 to 60,000 gallons; 2) Increase the approved visitation from 24-76 persons per week to a maximum of 100 persons per day with a maximum of 420 persons per week; 3) Interior remodeling of the 8,911± sq. ft. winery to allocate a new 628 sq.ft. tasting room area; a new 150 sq.ft. commercial kitchen for on-site marketing event meals and food pairings at tastings; a 210 sq.ft. meeting room; and to construct a 1,048 sq.ft. storage mezzanine, resulting in a total of 9,959± sq.ft. winery floor area with a 1,450 sq. ft. exterior covered crush pad; 4) On-premise consumption of the wines produced on-site, consistent with Business and Professions Code §§23356, 23390, and 23396.5 (also known as AB 2004 (Evans 2008 or the Picnic Bill) outside on the adjacent patio or lawns; 5) Employ 11-24 persons; maximum 15 persons; 6) Modify the existing Marketing Event Program to remove the following events: a) Lunch or dinner for trade, press, VIP's, a maximum 6/year with maximum 8 persons; b) Educational lunch for club or non-profit group, maximum 4/year, maximum 40 people; c) Harvest Festival, Grape Picking, Grape Stomp, etc., maximum 2/year, maximum 60 people; and d) Open House by invitation (i.e. Napa Valley Wine Auction), maximum 2/year, with maximum 200 people, but no more than maximum 30 at any given time to replace with the following new Marketing Event Program: a) Events for wine club members, wine education seminars and trade events with appetizers or full lunch or dinner, up to four (4) per week (no more than 1 per day) with a maximum 40 guests; b) Wine Auction-related and other major events such as the Napa Film Festival, accompanied by food and wine, sometimes with non-amplified musical program, four (4) per year for a maximum 200 guests. All marketing events will continue to be held in all of the various winery facilities, including the winery structure and patio area. The events will last approximately 4-5 hours between 10:00 AM and 9:00 PM depending on morning or evening schedule. Up to 80 overflow parking spaces in the vineyard along the side of the access road are available during large events; five spaces are available on the grass-crete hard surface adjacent to the winery (near lawn area adjacent to the winery and driveway entrance); and nine spaces available in the center area of the circular driveway near the residence; 7) Revise the annual limit condition on the number of buses (maximum 3 per year) permitted to visit the winery (Condition #7, Use Permit #U90—42) to exclude for-hire cars, vans and public transit; 8) Installation of a new subsurface drip wastewater system; and 9) Installation of a Transient Non-Community Water system and a water backflow prevention system.

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

Staff Contact: Wyntriss Balcher, Planner II, (707) 299-1351, or wyntriss.balcher@countyofnapa.org

Applicant Contact: Scott Greenwood-Meinert, (707)252-7122, or ScottGM@dpf-law.com

B. CUSTOM CRUSH WINERY / NAPA CUSTOMER CRUSH LLC - USE PERMIT MINOR MODIFICATION (#P14-00288-MOD)

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, which exempts minor alterations to existing buildings; Section 15303, Class 3, which exempts construction and operation of small wineries; and Appendix B, Class 1 (modifications to existing use permits), of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. 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 Minor Modification to the existing Use Permit No. P08-00527 to: (a) Recognize an already constructed 4th portal concealed by existing vegetation to the valley floor; (b) Allow a 700 square foot tasting area outside of the 4th portal; (c) Allow 3-100 square foot outdoor tasting areas; (d) Allow for an access path traveling from the 4th portal tasting area to two tasting areas at the top of the hill; and (e) Allow for on premise consumption within the tasting area of the cave and all four outdoor tasting areas of wines produced on site in accordance with Business & Professions Code Sections 223396.5 (also known as the AB 2004 [Evans 2008] or the Picnic Bill). There are no proposed changes to the winery production level - 30,000 gallons per year, visitation (maximum 20 daily visitors; maximum 70 visitors per week); marketing plan: six (6) private wine and food events for wine trade personnel – maximum 20 guests; 10 private wine and food events – maximum 100 guests; 1 private harvest event-maximum 200 guests: 1 open house during the Napa Valley Wine Auction for wine auction ticket holders, or number of employees (maximum 3 FT and 1 PT). The 41.35 acre project parcel is located 1,300 feet west of Soda Canyon Road, east of Silverado Trail, approximately 4 miles north of the intersection of Silverado Trail and Soda Canyon Road within an AW (Agricultural Watershed) zoning district: at 2275 Soda Canyon Road, Napa, (APN: 039-640-012).

Staff Recommendation: Find the project Categorically Exempt and approve the Use Permit Minor Modification as conditioned.

Staff Contact: John McDowell; (707) 299-1354; john.mcdowell@countyofnapa.org

Applicant Contact: Ryan Waugh, (707) 738-6446; ryan@thecavesatsodacanyon.com

10. ADMINISTRATIVE ITEMS**A. PROPOSED REVISIONS TO THE WATER AVAILABILITY ANALYSIS POLICY**

CEQA Status: Consideration and possible adoption of Categorical Exemptions Class 7 and Class 8. 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 7 ("Actions by Regulatory Agencies for Protection of Natural Resources") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15307 and see Class 8 ("Actions by Regulatory Agencies for Protection of the Environment") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15308.]

Request: Consideration of staff's proposal to revise the Water Availability Analysis (WAA) Policy, which is used in environmental evaluation documents prepared for new discretionary development proposals that rely on groundwater resources. The WAA is a technical document prepared by a project applicant or their professional representative that quantifies the estimated amount of

available groundwater and relates it to the amount of groundwater required to serve the proposed development. Proposed changes consist of replacing the past Phase I and Phase II theoretical analysis, with a two-tier approach based on best available technical documentation.

Staff Recommendation: Recommend to the Board of Supervisors that they adopt the proposed WAA revisions and find that they are Categorically Exempt from CEQA.

Staff Contact: Patrick Lowe, Natural Resources Conservation Manager, (707) 259-5937, patrick.lowe@countyofnapa.org

CONTINUED FROM JANUARY 7, 2015, FEBRUARY 18, 2015 & MARCH 18, 2015 MEETINGS.

(THIS ITEM SET TO BE DISCUSSED AT 1:30 PM)

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **APRIL 15, 2015 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
- #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 3-26-15 BY 5:00 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