

AGENDA

NAPA COUNTY PLANNING COMMISSION

1195 Third Street, Ste. 305
Napa, Ca. 945589

Wednesday, June 17, 2015
9:00 AM



A Tradition of Stewardship
A Commitment to Service

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 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, 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 meeting held on:
June 3, 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 - None****9. PUBLIC HEARING ITEMS****A. MARKHAM VINEYARDS-DAVID W. FLANARY- USE PERMIT MAJOR MODIFICATION NO. P14-00100-MOD**

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

Request: Approval to modify previous project approvals (Use Permit #U-157879, Use Permit #U-28889, Use Permit #U-89-33, and Use Permit #96075-MOD) for an existing Winery to allow the following: 1) Increase production from 300,000 gallons per year up to 429,000 gallons per year; and (project description update) request for on premise consumption of wines produced on site within the outdoor patio consistent with Business and Professions Code §§23356, 23390, and 23396.5 (also known as AB 2004 (Evans 2008 or the Picnic Bill) **[Updated based upon applicant request]**. No expansion or increase in floor area, visitation, number of employees, parking spaces, or marketing is proposed. The project is located on an 9.97 acre site at 2812 St. Helena Highway, St. Helena, approximately 300 feet north of its intersection with Deer Park Road, within the Agriculture Preserve (AP) zoning district, designated Assessor's Parcel Number: 022-200-008.

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

Staff Contact: Shaveta Sharma, (707) 299-1358 or shaveta.sharma@countyofnapa.org

Applicant Contact: Jeff Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375

CONTINUED FROM THE MAY 20, 2015 AND JUNE 3, 2015 REGULAR MEETING.

B. REVERIE ON DIAMOND MOUNTAIN WINERY / REVERIE ON DIAMOND MOUNTAIN, LLC. - USE PERMIT MAJOR MODIFICATION NO. P13-00027 and USE PERMIT EXCEPTION TO THE CONSERVATION REGULATIONS NO. P15-00141

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 Permit #94254-UP, a Use Permit Exception to the Conservation Regulations (P15-00141) and an Exception to the Napa County Roads & Street Standards to allow the following: A) Recognize and authorize an increase the approved production capacity from 5,000 to 9,200 gallons per year; B) Recognize and authorize the 1,460 sq.ft. (Second Floor) of the winery building allocated to accessory use; C) Recognize and authorize the use of the 4,710 +/-sq.ft. cave for wine production, case storage and wine barrel storage and once fire sprinklers are installed use of the cave for tours , tastings and some events (Cave spoils were kept on the property and used to improve the vineyard roads); D) Recognize and authorize an increase in the approved "by appointment visitation" of 20 persons per day with an average of 20 per week to a maximum of 40 persons per day with an average of 200 persons per week; E) Recognize and authorize expansion of the existing marketing plan from the following: 1) tours and tastings for wine trade personnel at 10 persons per year with 5 to 10 (average 6) persons per event; 2) private promotional dinners at 4 per year with 6 to 18 (average 12) persons per event; and 3) wine auction related events such as barrel tastings and auctions at 2 per year with an average attendance of 25 persons to allow 1) 4 events per year with up to 60 persons; 2) 2 events per year with up to 40 persons; 3) 12 events per year with up to 10 guests; and 4) participation in the wine auction; F) Recognize and authorize an increase in the approved number of employees from 2 employees plus 1 temporary employee during harvest to a maximum of 5 employees; G) Recognize and authorize 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) within the winery building and improved lawn areas, and under the mature redwood grove; H) Recognize and authorize catered food pairings; I) Abandonment of an existing septic system and the installation of a new code compliant domestic and winery waste system. Both hold and haul and rapid aerobic treatment with storage are proposed; J) Installation of a new well; K) Installation of a new automatic storm water diversion valve and a temporary crush pad cover; and L) Installation of a new ADA compliant parking space.

The proposal also includes a Use Permit Exception (#P15-00141) to the Conservation Regulations with regards to retention of the following 1) the portal for the existing wine cave encroaches into the 45 ft. creek setback for the small tributary creek on the property; and 2) the minor landscaping improvements along a portion of Teale Creek that are within the required setback of that creek. The proposal also includes an Exception to the Napa County Road & Street Standards (RSS) to allow for a reduction in the required 20 foot roadway width to preserve unique features of the natural environment.

The project is located on a 39.83 acre parcel approximately 1,000 feet west of Diamond Mountain Road and approximately 4,000 feet from its intersection with State Highway 29/128, within the AW (Agricultural Watershed) Zoning District; 1530 Diamond Mountain Road, Calistoga, CA, APN: 020-440-005.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit Modification, Use Permit Conservation Regulation Exception, and Road & Street Standard Exception request as modified and conditioned.

Staff Contact: John McDowell, (707) 299-1354, john.mcdowell@countyofnapa.org, or Charlene Gallina, (707) 299-1355, charlene.gallina@countyofnapa.org

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

CONTINUED FROM THE JUNE 3, 2015 REGULAR MEETING.

10. ADMINISTRATIVE ITEMS

A. PROPOSED METHOD FOR EVALUATING FUTURE WINERY VISITATION PROPOSALS

CEQA Status: Procedures by definition do not change the law, but provide for its implementation. Therefore the proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and CEQA is not applicable. 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: Continued study session discussion and possible action item to review staff proposed guidelines for evaluating the levels of visitation and marketing events for winery use permit proposals. The Planning Commission has previously requested that staff provide a framework that would allow a more informed and detailed discussion of comparing applications for winery visitation.

Staff Recommendation: Take public comment on and provide direction regarding the preparation of draft guidelines that would do the following:

- | Create a baseline for total annual visitation (including both tasting room and marketing events), based on the median of all post-WDO wineries that are within ten percent of the application's proposed production
- | Establish a list of modifying factors that the Commission may use in their discretion to adjust the visitation baseline, taking into account any unique locational and/or operational characteristics of the application.

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

CONTINUED DISCUSSION FROM THE MAY 15, 2015 REGULAR MEETING.

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE ***JULY 1, 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 6-15-15 BY 2:00 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