



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY PLANNING COMMISSION

Wednesday January 16, 2013
9:00 AM

COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>CHAIR</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-CHAIR</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Matt Pope</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>	<i>SECRETARY-DIRECTOR</i> <i>Hillary Gitelman</i>	<i>COMMISSION CLERK</i> <i>Melissa Gray</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, 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 TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY - None****9. PUBLIC HEARING ITEMS****A. KATHY A. COREY / LANDS OF COREY - TENTATIVE PARCEL MAP APPLICATION No. P11-00045, VARIANCE APPLICATION No. P12-00235, and CONSERVATION REGULATIONS USE PERMIT EXCEPTION APPLICATION No. P12-00388**

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Biological Resources, Cultural Resources, Geology and Soils. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code §65962.5.

Requests: A **tentative parcel map** to divide an approximately 660 acre property, presently consisting of two parcels, into four parcels of 160.8, 161.9, 178.9, and 161.7 acres in size. Tentative parcel map approval includes waiver of the Napa County Code ("NCC") §17.34.020 (H) requirement for secondary parcel access. The proposed tentative map includes proposed road alignments and residential building envelopes for each resulting parcel, portions of which may ultimately be developable by-right. A **variance** to allow the creation of lots which do not strictly comply with the width to depth requirements of the County's parcel design standards (NCC §18.104.110{D}.) A **Conservation Regulations use permit exception** to allow the encroachment of access drives into required stream setbacks (45' to 85' required, 20' and up proposed). In their current configuration, the subject parcels are 622 acres (APN 033-210-016) and 41.6 acres (APN 033-210-014) in size. They are accessed from Scally Lane, a private road running east from Gordon Valley Road beginning approximately 1 ¼ miles north of its intersection with Wooden Valley Cross Road, within the AW (Agricultural Watershed) zoning district. No address is presently assigned, Scally Lane, Napa, Calif.,

94558.

Staff Recommendation: Adopt the mitigated negative declaration and approve the tentative parcel map, variance, and conservation regulations exception, all as conditioned.

Staff Contact: Chris Cahill, (707) 253-4847 or chris.cahill@countyofnapa.org

B. ARKENSTONE VINEYARDS WINERY / F. RON & SUSAN KRAUSZ – USE PERMIT MAJOR MODIFICATION # P12-00338-MOD

CEQA Status: Subsequent Negative Declaration Prepared. New environmental effects resulting from proposed changes, altered conditions or new information are addressed in the Initial Study; there are no changes proposed in this project which require major revisions to the previous environmental document. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval to modify Use Permit # P10-00092-MOD, Use Permit Major Modification #P06-01424-MOD and Use Permit # 02221-UP to: 1) Increase annual wine production from 48,000 gallons/year to 60,000 gallons/year; 2) Increase daily, appointment-only tours and tastings from 10-people/day to 30-people/day with pre-packaged or caterer-prepared food pairings; 3) Expand the winery marketing plan to increase the number of catered events from six 15-person events to 12 24-person events, two 80-person events to four 80-person events and from one 50-person harvest event to two 50-person events total; 4) Increase the days of operation from Wednesday-Sunday to Monday-Sunday; 5) Increase the number of employees up to 10 total; 6) Increase on-site parking from 11 to 17 spaces; 7) Remove the earlier permit condition limiting custom-crush; and 8) Allow on-site sale and consumption of wine pursuant to AB 2004. The project is located on an approximately 42.53 acre parcel at the west terminus of West Lane, approximately 0.2 mile (1,100 feet) from its intersection with South White Cottage Road within the AW (Agricultural Watershed) Zoning district; 323 West Lane, Angwin, APN 024-450-013.

Staff Recommendation: That the Planning Commission adopt the Subsequent Negative Declaration and approve the Use Permit Modification as conditioned.

Staff Contact: Ronald Gee, (707) 299-1351, ronald.gee@countyofnapa.org

C. COTTAGE FOOD OPERATIONS ZONING ORDINANCE TEXT AMENDMENT P12-00436-ORD

CEQA Status: The proposed ordinance would not have a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 - Existing Facilities, Section 15305, Class 5 - Minor Alteration in Land Use Limitations, and by the General Rule, Section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This proposed zoning ordinance text amendment would establish an administrative permitting process for cottage food operations to be conducted within a portion of existing dwelling units as an accessory use to the residence involving negligible or no expansion of the dwellings.

Request: County-sponsored Zoning Ordinance amendment to implement the requirements of State laws AB 1616 (cottage food operations) and AB 2297 (California retail food code) establishing an administrative permitting process and reasonable land use standards for cottage food operations to be conducted as an accessory use within existing dwelling units within unincorporated areas of Napa County, including compliance with the food safety standards of the County Environmental

Health Officer as set forth in the California retail food code.

Ordinance Title: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, ADDING NEW COUNTY CODE SECTION 18.08.195 AND 18.104.095, DEFINING AND ESTABLISHING REASONABLE STANDARDS FOR COTTAGE FOOD OPERATION PERMITS AND AMENDING COUNTY CODE SECTIONS 18.10.020, 18.126.030, AND 18.126.060 ENABLING ISSUANCE OF COTTAGE FOOD OPERATION ADMINISTRATIVE PERMITS

Staff Recommendation: Conduct public hearing and forward item to Board of Supervisors with recommendation for adoption.

Staff Contact: John McDowell, 299-1354 or john.mcdowell@countyofnapa.org

10. ADMINISTRATIVE ITEMS

A. STATUS REPORT ON THE PROPOSED CLIMATE ACTION PLAN (CAP) & DISCUSSION OF NEXT STEPS

CEQA: This is an informational item only and CEQA review is not required.

Request: Provide a status report on the Climate Action Plan, summarize the Board of Supervisors meeting on December 11, 2012, and discuss next steps.

Staff Recommendation: This is an information item only; no action is requested.

Staff Contact: Kirsty Shelton, Planner, 299-1377, Kirsty.shelton@countyofnapa.org

B. STANDING COMMITTEE APPOINTMENTS FOR THE CALENDAR YEAR 2013

Request: Annual appointments and reappointments of Commission members to standing committees.

Staff Contact: Melissa Gray 299-1380 or melissa.gray@countyofnapa.org

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **FEBRUARY 6, 2013 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
- #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
- #P10-00177- MOD, 1 year after occupancy - Kelham Winery
- #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 JANUARY 9, 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