

# SPECIAL MEETING AGENDA

## NAPA COUNTY PLANNING COMMISSION

**Wednesday, October 15, 2014  
9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

**2741 Napa Valley Corporate  
Drive  
Building 2  
Napa**

### COMMISSION MEMBERS

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<i>VICE - 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>Terry Scott</i> <i>District # 4</i>	<i>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>David Morrison</i>		<i>COMMISSION CLERK</i> <i>Melissa Frost</i>

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The Commission welcomes you to its **SPECIAL MEETING** which is regularly scheduled the first and third Wednesday of the month. **The Commission will meet 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, 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 requests approval of Minutes for the meetings held on:  
February 19, 2014 (Commissioners Phillips & Pope excused)  
June 4, 2014 (Commissioner Phillips excused)  
August 20, 2014 (All Commissioners present)  
September 17, 2014 (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. DAVID AND ELIZABETH CARROLL / CARROLL FAMILY RESIDENCE REZONE - PROPOSED ORDINANCE P14-00111**

**CEQA Status:** Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas; Hydrology/Water Quality. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5

**Request:** Applicant-sponsored ordinance to rezone the Carroll Family Residence in southeastern Napa County, from RS (Residential Single) to RC (Residential Country) zoning. The rezoning of the property is requested to accommodate the planting of vineyards on the property. The project includes earthmoving, associated with the development of approximately two acres of new vineyard located on the subject property. Due to the minimal slopes on the property the vineyard planting will not require an Erosion Control Plan. Full-time employees of the vineyard are limited to property owners on site. The project is located on a 3.96 acre parcel at 1055 Monticello Road, approximately a quarter mile from its intersection with Silverado Trail, within a RS (Residential Single) zoning district. Assessor's Parcel No. 049-161-009, 1055 Monticello Road, Napa, Calif.

**Staff Recommendation:** Drop the item from the agenda for renoticing at a future date.

**Staff Contact:** Shaveta Sharma, 299-1358 or [shaveta.sharma@countyofnapa.org](mailto:shaveta.sharma@countyofnapa.org)

**TO BE DROPPED FROM THE AGENDA FOR FUTURE RENOTICING**

**9. PUBLIC HEARING ITEMS**

**A. NAPA PIPE PROJECT: CEQA FINDINGS AND RECOMMENDATION TO BOARD OF SUPERVISORS TO ADOPT THE DEVELOPMENT PLAN, DEVELOPMENT AGREEMENT, AND TENTATIVE MAP**

**CEQA Status:** A Final Environmental Impact Report (EIR) was prepared for the Napa Pipe Project and certified by the Board of Supervisors on January 14, 2013. An Initial Study/Addendum (Addendum) to the County's EIR was prepared by the City of Napa and adopted by the City of Napa City Council on July 22, 2014, concluding that the County's EIR for the Napa Pipe Project adequately identified and analyzed the potential environmental effects of the City providing municipal services to and potential annexation of the Napa Pipe Project site. Prior to taking action to recommend Board of Supervisors adoption of ordinances and resolutions regarding the actions requested below, the Planning Commission will make recommended CEQA findings to document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed actions and that additional environmental review, in the form of a subsequent or supplemental EIR, is unnecessary prior to approval of the Development Agreement, Development Plan, Design Guidelines, and Tentative Map.

**Request:** That the Planning Commission recommend to the Board of Supervisors approval a Development Agreement, a Development Plan, Design Guidelines and a Tentative Map associated with development of the following ("the Napa Pipe Project"): (1) 700 dwelling units (up to 945 units with State required density bonus); (2) a 150-unit continuing care retirement center for seniors; (3) 40,000 square feet of neighborhood serving retail uses; (4) 10,000 square feet of office; (5) a 150-room hotel with supporting uses, (6) a 154,000 square foot membership warehouse store (such as a Costco) with a gas station; (7) publicly accessible and privately-maintained parks and open space; (8) community facilities/farm; (9) publicly accessible and privately-maintained roads; and (10) infrastructure. The Tentative Map would subdivide the site into 70 lots. The Development Agreement also vests development rights on portions of the site east of the railroad tracks zoned I:AC for 90,000 sf. ft. of office and 75,000 sf. ft. of light industrial, R&D and warehouse uses, but provides that development shall be subject to subsequent discretionary approvals, if applicable, by the local agency including all applicable laws and regulations that are in effect at the time of issuance of applicable building permits. The Napa Pipe Project is proposed on a 154 acre site located at 1025 Kaiser Road, Napa, approximately ¼ mile west of State Highway 121 and ¼ mile north of State Highway 29 (APN's: 046-400-030 & 046-412-005). The Napa River adjoins the west side of the site. The site is bisected by railroad tracks running north-south.

**Staff Recommendation:** Conduct a public hearing and (1) recommend that the Board of Supervisors make findings pursuant to CEQA, including adoption of a mitigation monitoring and reporting program (2) recommend that the Board of Supervisors adopt an ordinance approving the Development Agreement (3) recommend that the Board of Supervisors adopt an ordinance approving the Development Plan ; and (4) recommend that the Board of Supervisors adopt a resolution approving the Tentative Map.

**Staff Contact:** Larry Florin, 253-4621 or [larry.florin@countyofnapa.org](mailto:larry.florin@countyofnapa.org) or Sean Trippi, 299-1353 or [sean.trippi@countyofnapa.org](mailto:sean.trippi@countyofnapa.org)

**Applicant Contact:** Keith Rogal, Napa Redevelopment Partners, (707) 252-7000

**B. NONRESIDENTIAL DEVELOPMENT PROJECT HOUSING IMPACT FEE**

**CEQA Status:** Consideration and possible acceptance that the project is intended to implement some of the programs in the 2009 Housing Element Update and falls within the scope of the 2009 Housing Element Updated adopted June 23, 2009. The program-level Environmental Impact Report (EIR) prepared for the 2009 Housing Element Update certified on June 23, 2009 adequately describes the activities for the purposes of the California Environmental Quality Act (CEQA). [See CEQA Guidelines 15168(c)]. Further, under the General Rule, 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. (See CEQA Guidelines 15061(b)(3)). Additionally, the proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**Request:** Recommendation to the Board of Supervisors to adopt a resolution updating the nonresidential (commercial) impact fees per Housing Element Program H-2d and the Nexus Study prepared by Keyser Marston Associates dated April 2014.

**Staff Recommendation:** Hold a public hearing and make a recommendation to the Board of Supervisors to adopt a resolution recommending an increase in commercial impact fees to the level recommended by the Keyser Marston Associates Nexus Study (April 2014) to become effective 60 days after passage of the resolution.

**Staff Contact:** Nancy Johnson, Housing and Community Development Program Manager, (707) 299-1352 [nancy.johnson@countyofnapa.org](mailto:nancy.johnson@countyofnapa.org)

**C. RELIC WINES – RELIC WINES/MIKE HIRBY & SCHATZI THROCKMORTON/USE PERMIT MINOR MODIFICATION #P14-00203**

**CEQA Status:** Consideration and possible adoption of a Categorical Exemption pursuant to pursuant to Section 15311 Class 11(b), Accessory Structures, Small Parking Lots, and pursuant to 15301, Appendix B, Class 1(3) (Minor modifications of existing use permits in conformance with Section 18.124.130 of the Napa County Code) of the Napa County's Local Procedures for implementing the California Environmental Quality Act. 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 Minor Modification of Use Permits #P10-00162-UP and #P14-00093-VMM and to allow for the relocation of the approved six parking spaces for the winery to a location directly adjacent to and westerly of the approved proposed crush pad. No other changes are being requested: no change in annual production; no change in hours of operation; no change in visitation; and no change in the marketing program. The project is located on a 10.30 acre parcel with access off a private driveway on the east side of Soda Canyon Road approximately four miles north of its intersection with Silverado Trail within the AW (Agricultural Watershed) zoning district; Assessor's Parcel Number: 032-090-024; 2400 Soda Canyon Road, Napa CA 94558.

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

**Staff Contact:** Wynntress Balcher; (707) 299-1351; [wynntress.balcher@countyofnapa.org](mailto:wynntress.balcher@countyofnapa.org)

**Applicant Contact:** Jon Webb; (707) 963-1217; [jwebb@albionsurveys.com](mailto:jwebb@albionsurveys.com)

**10. ADMINISTRATIVE ITEMS- None**

**11. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **NOVEMBER 5, 2014 SPECIAL 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 10-9-14 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