

AGENDA

NAPA COUNTY PLANNING COMMISSION

Wednesday
October 02, 2013
9:00 AM



A Tradition of Stewardship
A Commitment to Service

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 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, 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****A. PETER KITCHAK / KITCHAK WINERY - USE PERMIT MODIFICATION (P13-00062-MOD).**

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to the California Environmental Quality Act State CEQA Guidelines, Section 15301, Class 1, Existing Facilities – Existing Roads; Section 15303, Class 3, New Construction or Conversion of Small Structures; and Section 15304, Class 4, Minor Alterations to Lands. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of Use Permit Modification (P13-00062) to modify prior Use Permits (P09-00148-UP; P10-00151-VMM) to allow the following: (a) increase in annual production from 5,000 to 15,000 gallons per year; (b) construction of a winery barrel storage building of approximately 2,701 square feet including 759 square feet of conference/tasting room, balcony area, and storage; (c) Increase the size of the 640 square foot covered crush pad to 711 square feet. No other changes are proposed to the existing winery building or use of hospitality patio; (d) increase tours and tastings visitations with catered food by appointment from twelve (12) per day to a maximum of 20 visitors per day (with no more than 12 persons per tasting tour); (e) increase in marketing plan from six (6) 20-person promotional events with catered meals per year; four (4) 30-person release event per year with No Tours & Tasting Appointments or Marketing Events to be held on the same day to twelve (12) promotional wine tastings per year with catered food per year with a maximum of twenty (20) guests and four (4) wine release events per year with catered food with a maximum of fifty (50) guests (No Tours & Tastings and other marketing event will be held on the same day); (f) increase hours of operation from 10 am to 4 pm to 10 am to 6:00 pm seven days a week for visitation. No changes proposed for winery operations; (g) increase the number of parking spaces from 6 to 8; (h) increase full-time employees from one (1) to two (2) (the number of part-time employees will remain at 2); and (i) increase the Hold-and-Haul winery process wastewater treatment system to

accommodate the increased production capacity. The application also includes a Napa County Road and Street Standards Exception request. The 20.01-acre project site is located on north side of Hardman Avenue, approximately 1,500 feet east of its intersection with Silverado Trail within the Agricultural Preserve (AP) and Agricultural Watershed (AW) Zoning Districts at 1094 Hardman Avenue, Napa (APN: 039-190-055)

Staff Recommendation: Find the project Categorical Exempt and approve the requested Road Exception and Use Permit as conditioned.

Staff Contact: Charlene Gallina, (707) 299-1355; charlene.gallina@countyofnapa.org

Applicant Contact: Peter Kitchak, (707) 226-1668

THIS ITEM WAS CONTINUED FROM SEPTEMBER 4, 2013.

9. PUBLIC HEARING ITEMS

- A. **SYAR NAPA QUARRY EXPANSION AND SURFACE MINING PERMIT PROJECT (P08-00337-SMP)
PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT REPORT
APNs: 045-360-005, 046-370-012, -013, -015, -022, -025, 046-390-002, -003, and 045-450-071.**

CEQA Status:

Napa County has completed a Draft Environmental Impact Report (DEIR) analyzing the potential environmental impacts of the Syar Napa Quarry Expansion Project. The DEIR was released for public review and agency review and comment beginning September 6, 2013. The public comment period is scheduled to end at the close of business (4:45 p.m.) on October 21, 2013. Interested agencies, organizations, and members of the public are encouraged to submit written comments to planning staff prior to that date. Oral or written comments may also be submitted to the Planning Commission during this agenda hearing or at another hearing scheduled for this purpose on October 2, 2013 (tonight) at 5:30 p.m. at the Napa County Main Library (580 Coombs Street) in the Community Meeting Room.

Request:

This is a public hearing to receive comments regarding the DEIR that has been prepared to analyze potential direct, indirect, and cumulative impacts as a result of the proposed project. The purpose of the project is to provide for an approximate 124-acre expansion of the surface mining operation and associated mining and reclamation plan associated with aggregate processing, production and sales currently permitted by UP-128182, UP-27374, and the approved reclamation plan (Napa County Agreement 2225).

The project would expand the existing 497-acre surface mine and allow mining to continue for a 35 year term, including an increase in depth from approximately 300 feet and 150 feet above mean sea level (msl) to no greater than 50 feet above msl, and an increase in production from approximately 1 million tons per year to 2 million tons per year. Other activities associated with the proposed project include the relocation and improvement of portions of Skyline Trail, that were originally constructed on the quarry property, back onto Skyline Wilderness Park lands.

Staff Recommendation: Receive public comments on the DEIR. No action is requested.

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

B. PD PROPERTIES LLC / FLYNNVILLE WINE COMPANY / USE PERMIT P12-00222 & VARIANCE P12-00223

CEQA Status: A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) was prepared. According to the proposed Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact on the following area: Biological Resources. This 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 for a 300,000 gallon per year winery as follows: 1) construct 14 individual wineries in four phases for a total buildout of 82,236 square feet of winery buildings to include a welcome center (2,477 sq ft) and a hospitality building (4,015 sq ft), and 5,730 square feet of crushpad area; 2) allow phased by-appointment tours and tastings visitation divided equally amongst the 14 wineries for a total at buildout of a maximum of 500 visitors per day; 3) allow for a phased marketing plan, divided equally among the 14 wineries for a total maximum each of: one (1) 500 person event per year, five (5) 250 person events per year, eight (8) 100 person events per year, eight (8) 50 person events per year, and two (2) 25 person events per year; 4)construct 109 parking spaces (to include four ADA accessible spaces); 5) install a new on-site winery process and domestic wastewater treatment 6) employ 30 Full-time employees; 7) on-premise consumption adjacent to the existing winery structures consistent with AB2004; and, 8) approve a variance to construct the winery 136 feet within the 600 foot setback from State Highway 29, 124 feet within the 300 foot setback from Maple Lane and 94 feet within the 300 foot setback from Drew Lane and to allow winery coverage of 32.9%. The 11.44 acre project site is located on the northeast side of State Highway 29, bordered by Maple Lane on the south and Drew Lane on the north, 0.87 mile northwest of its intersection with Larkmead Lane within the Agricultural Watershed (AW) and Agricultural Preserve (AP) Zoning Districts at 1184 Maple Lane, Calistoga, CA. (APNs: 020-320-003, 004,005,006,009,015,016, and 020-170-012).

Staff Recommendation: Staff is recommending to continue this item after discussion and seeks direction from the Planning Commission on an appropriate project scope.

Staff Contact: Linda St. Claire, Planner linda.stclaire@countyofnapa.org (707) 299-1348

Applicant Contact: Dan Pina (707) 967-4805

C. SUSAN AND DUANE HOFF / FANTESCA WINERY / USE PERMIT MODIFICATION P13-00080

CEQA Status: Consideration and possible adoption of a Categorical Exception. Pursuant to the California Environmental Quality Act, Section 15301 - Existing Facilities and 15303 - New Construction or Conversion of Small Structures This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a Modification to a Use Permit as follows: 1) modify the visitation to include tours and tastings by appointment (18 maximum per day); 2) modify the marketing plan from two events per year with a maximum of 15 persons, one wine and food event per year with a maximum of 80 persons, and one harvest event per year with a maximum of 50 persons, to a marketing plan with four food and wine pairings per month for a maximum of 20 persons, six wine club release events per year with a maximum of 60 persons per event, and two wine auctions per year with a maximum of 125 persons per event; 3) change hours of operation from 7:00am-5:00pm to 6:00am - 6:00pm; 4) recognize an existing 1,188 square foot crush pad; 5) increase employees from two full-time and one part-time to six full-time and three part-time; 6) utilize a 600 square foot existing outdoor space adjacent to the front of the cave portal, as indicated in the plans, for marketing events; 7) addition of Evans Bill (AB2004) on-premise consumption, adjacent to the existing winery structures; 8) realign the access road and construct an entry structure and gate; and, 9) approval of an exception to the

County road and street standards to allow for a reduced driveway width at two locations and allow a slope of 24.8% at one location of the existing driveway. The 52.56 acre project site is located on the north side of Spring Mountain Road approximately 370 feet northwest of its intersection with Spring Mountain Road and approximately 0.52 miles from the City of St. Helena limits within the Agricultural Watershed (AW) at 2600 Spring Mountain Road, St Helena CA. (APN: 022-250-008-000).

Staff Recommendation: Find the project Categorically Exempt and approve the requested use permit as conditioned.

Staff Contact: Linda St. Claire, Planner linda.stclaire@countyofnapa.org (707) 299-1348

Applicant Contact: Donna Oldford (707) 963-5832

D. OUTPOST WINERY- USE PERMIT MAJOR MODIFICATION No. P13-00141

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

Request: Major Modification to Use Permit P04-0180-MOD, to further modify the approved and operating 30,000 gallon per year winery as : 1.) an increase in annual maximum production from 30,000 gallons per year to 50,000 gallons per year; 2.) to expand the wastewater system on-site; 3) an increase in daily visitation from a maximum of four (4) visitors per day to (20) visitors per day; 4.) addition of two marketing events for up to 50 guests; and 5.) an increase in two full-time employees to three full-time and one part-time employees. The 42.30 acre project parcel is located adjacent to Summit Lake Drive, just north of White Cottage Road North, within the AW (Agricultural Watershed) zoning district. APN: 018-200-026. 2075 Summit Lake Drive, Angwin Calif.

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: Jon Webb, (707) 963-1217 or jwebb@albionsurveys.com

10. ADMINISTRATIVE ITEMS - None

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **OCTOBER 16TH 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
- #P10-00206-UP, 1 year after occupancy for visitation - Caravan Serai
- #P10-00123-MOD, 1 year after occupancy - MJA Vineyards
- #P11-00464-MOD, 1 year after occupancy - Oakville Grocery
- #P12000436 - Cottage Food Ordinance, April 2014 - Status Review

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 9-26-13 BY 6:00 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