

# AGENDA

## NAPA COUNTY PLANNING COMMISSION

1195 Third Street, Ste. 305  
Napa, Ca. 94558

**Wednesday, October 21, 2015**  
**9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

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### COMMISSION MEMBERS

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*CHAIR*

*Heather Phillips*  
*District # 1*

*VICE CHAIR*

*Michael Basayne*  
*District # 2*

*COMMISSIONER*

*Anne Cottrell*  
*District # 3*

*COMMISSIONER*

*Terry Scott*  
*District # 4*

*COMMISSIONER*

*Jeri Gill*  
*District # 5*

*COMMISSION COUNSEL*

*Laura Anderson*

*SECRETARY-DIRECTOR*

*David Morrison*

*COMMISSION CLERK*

*Melissa Frost*

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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, 1195 Third Street, Suite 305 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 - 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****9. PUBLIC HEARING ITEMS****A. GIRARD WINERY USE PERMIT #P14-00053-UP**

**CEQA Status:** Consideration and possible adoption of a Revised Negative Declaration. According to the proposed Revised Negative Declaration, the proposed project would not have any potentially significant environmental impacts. 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 to establish a new winery with an annual production capacity of 200,000 gallons as follows: 1) A new winery building, totaling 32,771 sq. ft. in area to include: 28,955 sq. ft. production area (crush area, fermentation and barrel storage, restrooms); ±3,816 sq. ft. of accessory use area (offices, tasting rooms, retail storage, catered food prep area, and visitor restrooms), maximum building height 33.5 ft. with 15 ft. tall decorative cupolas to 45 ft. In addition a ±2,560 sq. ft. covered veranda; and a ±2,871 sq. ft. covered work area; 2) Hosted daily tours and tastings for wine trade personnel and consumers by appointment only for a maximum of 75 persons per weekday (Monday-Friday); maximum of 90 persons per weekend day (Saturday-Sunday); 3) Hours of operation: 8:00 AM to 6:00 PM (production hours, except during harvest) and 10:00 AM to 6:00 PM (visitation hours), 7-days a week; 4) Employment of: 11 employees (8 full time; 3 part-time) non harvest; 19 additional employees (12 full time and 7 part time) during harvest, for a total maximum of 30; 5) Employee hours: production, 7:00 AM to 3:00 PM; hospitality/ tasting room, 9:30 AM to 6:30 PM; 6) Construction of twenty-two (22) parking spaces; 7) Installation of landscaping, an entry gate and a winery sign; 8) A Marketing Program as follows: a. Four (4) events per year with a maximum of 75 guests; b. Four (4) events per year with a maximum of 200 guests; c. One (1) Harvest

event per year with a maximum of 500 guests; d. All food to be catered utilizing a ±184 sq. ft. small prep/staging area; 9) On-premises 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 tasting rooms (±2,320 sq. ft.), covered veranda (±2,560 sq. ft.), and within a 4,000 sq. ft. portion of the front entry landscaped winery garden; 10) Construct a new 24-ft. wide winery access driveway from Dunaweal Lane to the winery; 11) Construction of additional piping and service connections to the existing Clos Pegase water system on the site, and update the existing Clos Pegase Transient Non-Community Water System contract to include Girard Winery; 12) Installation of on-site sanitary disposal improvements and installation of connections into the existing on-site winery wastewater processing ponds serving Clos Pegase Winery (APN: 020-150-012); and, 13) Installation of a ±45,000 gallon water storage tank (±30 ft. diameter; ±12 ft. height). The project is located on a 26.53 acre parcel on the east side of Dunaweal Lane, approximately 1000 feet south of its intersection with Silverado Trail, within the AP (Agricultural Preserve) Zoning District; 1077 Dunaweal Lane; Calistoga, CA 94515, APN: 020-150-017.

**Staff Recommendation:** Adopt the Revised Negative Declaration and approve the Use Permit as conditioned.

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

**Applicant Contact:** Pat Roney, 205 Concourse Blvd, Santa Rosa, CA 95403, (877) 289-9463

**Representative Contacts:** Heather McCollister; 1512 D Street, Napa, CA 94559; [bhmccolli@sbcglobal.net](mailto:bhmccolli@sbcglobal.net) and Scott Greenwood-Meinert, 1455 First Street, Napa, CA 94559 (707) 252-7122; [scottgm@dpf-law.com](mailto:scottgm@dpf-law.com)

**CONTINUED FROM THE AUGUST 19, 2015 REGULAR PLANNING COMMISSION MEETING**

**B. CA'NANI WINERY-DAVE DEL DOTTO- USE PERMIT MINOR MODIFICATION NO. P15-00153**

**CEQA Status:** Consideration and possible adoption of a Categorical Exemption. Pursuant to the California Environmental Quality Act, Section 15301 [See Class 1 (“Existing Facilities”)]; Section 15303 [See Class 3 (“New Construction or Conversion of Small Structures”)]; and Appendix B, Class 1 (minor modifications to existing use permits), of the Napa County’s Local Procedures for Implementing the California Environmental Quality Act, which may be found in the guidelines for the implementation of 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 Minor Modification to a winery Use Permit to allow a winery currently under construction to be modified as follows: 1) modify an existing two-story hospitality building to convert an existing 374 s.f existing storage area to kitchen space and tasting area on the first floor; 2) increase of roof area over an existing electrical pad of 119 s.f. within an existing hospitality building; 3) addition of 54 s.f. of storage space within an existing hospitality building; 4) addition of a tasting bar area accessible from the outdoor patio in an existing hospitality building; and 5) allow for on premise consumption of wines produced on site within the hospitality building and outdoor patio consistent with Business and Professions Code §§23356, 23390, and 23396.5. located on a 10.08 acre parcel and zoned AP (Agricultural Preserve) at the southeast corner of St. Helena Highway and Yount Mill Road, at 7466 St. Helena Highway, APN: 031-120-029.

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

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

**Applicant Contact:** Dave Del Dotto, 1291 W. Zinfandel Lane, St, Helena, CA 94574, (707) 963-2134

**C. SYAR NAPA QUARRY EXPANSION PROJECT - SURFACE MINING PERMIT (P08-00337-SMP)**

**California Environmental Quality Act (CEQA) Status:** Consideration and possible certification of the Final Environmental Impact Report (EIR) prepared for the proposed project. A Final Environmental Report (EIR) has been prepared and circulated. 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, and 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 lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of request for a Surface Mining Permit (SMP) P08-00337-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 No. 2225 to allow: a) an approximate 110-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 1.3 million tons per year; and d) add Reclaimed Asphalt Pavement (RAP) handling equipment to the existing asphalt batch plant and an increase in asphalt production up to 300,000 tons per year (inclusive of total annual production). This SMP would replace UP-128182, UP-27374, and County Agreement No. 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 and 2301 Napa-Vallejo Highway, within the unincorporated portion of Napa County within both the Industrial and Agricultural Watershed 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:** Open public hearing, take testimony, deliberate and provide direction to Staff.

**Staff Contact:** Donald Barrella, 707-299-1338 or [donald.barrella@countyofnapa.org](mailto:donald.barrella@countyofnapa.org)

**Applicant Contact:** Jennifer Gomez, 707-259-5728 or [jgomez@syar.com](mailto:jgomez@syar.com)

**CONTINUED FROM THE SEPTEMBER 2, 2015 PLANNING COMMISSION MEETING**

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

**10. ADMINISTRATIVE ITEMS**

**11. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **NOVEMBER 4, 2015 REGULAR MEETING**

- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

**12. COMMISSIONER COMMENTS / COMMITTEE REPORTS**

**13. FUTURE AGENDA ITEMS**

ITEMS REQUIRED TO RETURN TO THE PLANNING COMMISSION FOR DISCUSSION BASED ON FUTURE PRIVATE CONSTRUCTION SCHEDULE

- #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 10-15-15 BY 1:30 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