

AGENDA

NAPA COUNTY PLANNING COMMISSION

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

Wednesday October 3, 2018
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

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Joelle Gallagher
District # 1

COMMISSIONER

Dave Whitmer
District # 2

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Anne Cottrell
District # 3

VICE CHAIR

Terry Scott
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District # 5

COMMISSION COUNSEL

Laura Anderson

SECRETARY-DIRECTOR

David Morrison

COMMISSION CLERK

Lashun Fuller

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

1. CALL TO ORDER / ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS**

The Commission invites Citizen comments and recommendations concerning current issues 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

The Clerk of the Commission request approval of Minutes for the meeting held on: September 19, 2018 (Commissioner Terry Scott excused)

5. AGENDA REVIEW**6. DISCLOSURES****7. PUBLIC HEARING ITEMS****A. CHRISTOPHER AND GABRIELLE AVINA SWIMMING POOL AND YARD IMPROVEMENTS / USE PERMIT EXCEPTION TO CONSERVATION REGULATIONS #P18-00172-UP**

CEQA STATUS: Consideration and possible adoption of Categorical Exemptions pursuant to California Environmental Quality Act Guidelines at 14 CCR §15301 (Class 1, Minor Alteration to Existing Facilities), §15303 (Class 3, New Construction or Conversion of Small Structures), which exempts construction of swimming pools; and §15304 (Class 4, Minor Alterations to Land), which exempts minor trenching where the surface is restored. The project site is not located on any of the lists of hazardous material sites compiled pursuant to Government Code Section 65962.5.

REQUEST: Approval of an exception to the Napa County Conservation Regulations (County Code Chapter 18.108), in the form of a Use Permit, to replace an existing rear yard deck and landscape area with a new swimming pool, patio cover and decking that encroach into the minimum required 35- to 45-foot stream setback from the top of bank of Soda Canyon Creek. The project is located on an approximately 0.39 acre site containing a single family residence on the south side of Petra Drive approximately 1,200 ft. west of its intersection with Silverado Trail within the AP (Agricultural Preserve) zoning district, 1115 Petra Drive, Napa. (Assessor's Parcel No. 039-112-011).

Staff Recommendation: Find the project categorically exempt from CEQA and approve the Use Permit Exception request, as conditioned.

Staff Contact: Don Barella (707) 299-1338; email don.barella@countyofnapa.org

Applicant: Gabrielle Avina; (707) 486-3553; email gabrielle.avina@fire.ca.gov

B. JULIE ARBUCKLE / ANTHEM WINERY / USE PERMIT MODIFICATION # P14-00320-MOD, VARIANCE #P14-00321-VAR, VIEWSHED, EXCEPTION TO THE NAPA COUNTY ROAD AND STREET STANDARDS, AND AGRICULTURAL EROSION CONTROL PLAN #P14-00322-ECPA

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures (or MM's). MM's are proposed for the following area(s) Biological Resources, Geology and Soils, and Noise. 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 Major Modification for an existing winery permit to allow the following: (1) an increase in annual permitted production capacity from 30,000 to 50,000 gallons; (2) the construction of a new 10,388 sq.ft. Winery Facility including a 1,508 sq. ft. Tasting Room, a 1,724 sq. ft. Office, Catering and Conference Room, and outdoor marketing areas; (3) the development of 29,053 sq.ft. of caves including the on-site placement and storage of spoils; (4) an increase in on-site parking; (5) the development of winery support facilities (water tanks, septic system, and rainwater harvesting and winery process water recycling and reuse systems); (6) an increase in the number of employees; (7) a change in the in the winery's hours of operation; (8) a marketing plan that includes daily tours and tastings by appointment, 36 annual marketing events, and on-site consumption of wine produced on-site; and (9) the reconfiguration of an existing access driveway including the construction of a clear span bridge and approximately 650 feet of new driveway to provide adequate access to the winery. The project also includes an Exception to the Napa County Road and Street Standards for reduced commercial driveway widths and for road grades exceeding 18%, a Variance to allow construction of the proposed winery a minimum of 65 feet from a private access drive where a minimum 300-foot setback is required, a Viewshed request; and, an Agricultural Erosion Control Plan for the installation and maintenance of approximately 1.19 acres of new vineyard. The project is located on an approximate 44.8 acre holding within the Agricultural Watershed (AW) zoning district that consists of two parcels: i) the Winery Parcel (3454 Redwood Road, APN 035-470-046) an approximate 27.23 acre parcel located on the east side of Redwood Road approximately 1.5 miles north of its intersection with Browns Valley Road; and ii) the Access Parcel (3123 Dry Creek Road, APN 035-460-038) an approximate 17.54 acre parcel located on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road (or approximately 0.4 miles north of its intersection with Linda Vista Avenue). Access to the winery is proposed from Dry Creek Road.

Staff Recommendation: Adopt the Mitigated Negative Declaration and act on the Exception to the Napa County Roads & Street Standards, the Variance, the Viewshed, the Use Permit modification, and the Agricultural Erosion Control Plan, as conditioned.

Staff Contact: Donald Barrella, Planner III, (707) 299-1338 or Donald.barrella@countyofnapa.org

Applicant: Julie & Justin Arbuckle, Trustees of the Arbuckle Family Trust dated May 5, 2016; (707) 227-0722 or jarbuckle@sbcglobal.net

Applicant Representative: Rob Anglin, Holman Teague Roche, Anglin LLP.; (707) 927-4280 or angling@htrlaw.com.

C. FROSTFIRE VINEYARDS II, LLC - DAVIS ESTATES - USE PERMT MODIFICATION NO. P14-00411-MOD

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the Negative Declaration, the proposed project would not have any potentially significant impacts. 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 request to modify previous project approvals for Davis Estates to allow the following: (1) increase annual production from 30,000 to 100,000 gallons; (2) expand the cave area by 10,820 sq. ft. increasing the total cave area from 13,350 sq. ft. to 24,170 sq. ft.; (3) installation of two (2) outdoor fermentation tanks on a previously approved outdoor work area; (4) increase previously approved on-site parking from 14 parking spaces to 31 striped spaces and 45 overflow spaces; (5) increase employees from 5 full-time to 25 full-time; (6) installation of a left turn lane on Silverado Trail to the central (visitor) driveway, and widening of existing driveways, as necessary; (7) expansion, upgrading and/or replacement of existing on-site domestic and process wastewater treatment systems; (8) increase daily tours and tastings by appointment only from 20 visitors on weekdays and 34 visitors on weekends and holidays to a maximum of 200 visitors per day, 800 maximum per week from June 1 to October 31, a maximum of 100 visitors per day, 350 maximum per week from November 1 to November 30 and February 1 to May 31, and a maximum of 75 visitors per day, 250 maximum per week from December 1 to January 31 (tours and tastings will continue to include food pairing); and, (9) increase marketing events from two (2) per month with up to 50 guests at each event and two (2) per year with up to 100 guests at each event (1,400 guests per year) to 24 events per year with up to 100 guests at each event and 15 events per year with up to 200 guests at each event (5,400 guest per year). The winery is located on a 114.32 acre site on the east side of Silverado Trail, immediately south of its intersection with Larkmead Lane within the Agricultural Watershed (AW) zoning district. APN: 021-010-003. 4060 Silverado Trail, Calistoga.

Staff Recommendation: Adopt the negative declaration and approve the use permit modification with the proposed conditions of approval.

Staff Contact: Sean Trippi, (707) 299-1353 or sean.trippi@countyofnapa.org

Applicant Contact: Tom Adams, Dickenson, Peatman & Fogarty, (707) 252-7122 or tadams@dpf-law.com

D. MANUEL PIRES, SAGE HILL VINEYARDS LLC/GANDONA WINERY USE PERMIT MODIFICATION #P17-00068-MOD & VARIANCE #P17-00069-VAR , ROAD & STREET STANDARDS EXCEPTION REQUEST, AND CONSERVATION REGULATIONS EXCEPTION REQUEST

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the proposed 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 modification to an existing 20,000 gallon winery to: a) construct a new, two story winery administrative/agricultural equipment storage building; b) increase by-appointment tours and tastings; c) increase the winery's marketing program; d) add additional employees; e) add additional parking spaces; and, f) add on-premises consumption of wine in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5. In addition, the project includes a Variance request to allow construction of the new winery administration building/agricultural storage building 118 feet from the private road in lieu of the required 300 ft. winery road setback; an Exception to the County Road and Street Standard for selective reduction in the width of the private access road; and, g) an Exception to the Conservation Regulations. The project is located on a ±114.7 acre site within the AW (Agricultural Watershed) zoning district, on the east side of a private road, ±.9 miles south of its intersection with Sage Canyon Road (State Highway 128), across from the Lake Hennessey boat launch, APN: 032-010-079. 1533 Sage Canyon Rd, St. Helena.

Staff Recommendation: Adopt the Negative Declaration, approve the Variance, the Exception to the

Conservation Regulations, RSS Exception, and the Use Permit Modification, as conditioned.

Staff Contact: Wyntriss Balcher, Planner II, (707) 299-1351 or wyntriss.balcher@countyofnapa.org

Project Representative: Priscillia de Muizon, Coombs & Dunlap, LLP, (707) 252-9100, pdemuizon@coombslaw.com

8. ADMINISTRATIVE ITEMS - THIS ITEM WILL BE DISCUSSED BEFORE PUBLIC HEARING ITEMS

A. COUNTY OF NAPA - OVERVIEW OF THE CONSERVATION REGULATIONS

Request: Overview and presentation of the Conservation Regulations.

Staff Recommendation: Information and discussion item. No action proposed.

Staff Contact: Brian Bordona, Supervising Planner; (707) 259-5935, brian.bordona@countyofnapa.org

9. PLANNING MANAGER'S REPORT

- DISCUSSION OF ITEMS FOR THE **OCTOBER 17, 2018 REGULAR MEETING**
- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

10. COMMISSIONER COMMENTS / COMMITTEE REPORTS

11. 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 – Piazza Del Dotto Winery (formerly Ca' Nani Winery)
- #P10-00206-UP, 1 year after occupancy for visitation - Ashes and Diamonds Winery (formerly Caravan Serai Winery)
- #P10- 00123-MOD, 1 year after occupancy - MJA Vineyards
- #P11-00464-MOD, 1 year after occupancy - Oakville Grocery
- #P13-00055-UP: 3 years after approval date for reporting on visitation and marketing – Bell Wine Cellars

12. 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 SEPTEMBER 25, 2018 BY 5:30 PM . A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Lashun Fuller (By e-signature)
Lashun Fuller, Clerk of the Commission