

# AGENDA

## NAPA COUNTY PLANNING COMMISSION

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

**Wednesday, November 18, 2015**  
**9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

### COMMISSION MEMBERS

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<i>CHAIR</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>VICE-CHAIR</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>COMMISSIONER</i> <i>Jeri Gill</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 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**

Clerk of the Commission requests approval of Minutes for the meetings held on:

September 16, 2015

September 30, 2015

October 7, 2015

November 4, 2015

**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. Reynolds Winery Use Permit Modification #P14-00334**

**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 located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a modification of Use Permit #99386-UP for: 1) an increase of the production capacity from 20,000 gallons to 40,000 gallons; 2) the construction of a new ±2,266 sq. ft. addition to the winery (±1,534 sq. ft. production; ±732 sq. ft. accessory) for a total of ±12,975 sq. ft.; 3) an employment increase from one plus two during harvest for a total of seven employees (five full-time employees, 2 part-time employees), plus 2 part-time employees during harvest; 4) an increase in visitation from 10 visitors to 40 visitors per day; 5) an increase the days of operation from Monday – Saturday to 7 days per week; 6) a change to the winery operating hours from 4:30 PM to 6:00 PM, with tours and tastings by appointment only to occur between 10:00 AM and 6:00 PM; 7) a modification of the location of on-site wine consumption (“Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises,”) to include an outdoor patio area adjacent to the decorative pond, with the construction of a shade structure over said outdoor patio area; 8) a modification of the Marketing Plan to increase the number of events from three to 54 events per year (2/month for 24 persons, 2/month for 40 persons, 4/year for 60 persons and 2/year for 125 persons) with the serving of light

fare foods, evening events to cease before 10:00 PM; no amplified outdoor music, and on days of larger marketing events, the total daily wine tours/tasting visitation will be decreased in number by the size of the alternative event; 9) the installation of a 100,000 gallon water tank; 10) the establishment and installation of a transient community water company; 11) the construction of an additional 16 parking spaces for a total of 22; 12) the demolition of an existing well; and 13) an expansion of the existing wastewater treatment system. The project will require the removal of 0.44 acres of vineyards at the site of the building addition. The project is located on a ±13.45-acre parcel on the east side of Silverado Trail, approximately 300 feet south of its intersection with Soda Canyon Road, within the Agricultural Watershed (AW) zoning district; 3266 Silverado Trail, Napa, CA 94558; APN: 039-610-002.

**Staff Recommendation:** Continue the item to the regular Planning Commission Meeting of December 16, 2015.

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

**Representative Contact:** Donna Oldford, (707) 963-5832 or [DBOldford@aol.com](mailto:DBOldford@aol.com)

**REQUEST TO BE CONTINUED TO THE REGULAR MEETING OF DECEMBER 16, 2015**

## 9. PUBLIC HEARING ITEMS

### A. SUMMERS WINERY - USE PERMIT MAJOR MODIFICATION P14-00232 & VARIANCE P14-00233

**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 lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval to modify the previous approvals for an existing winery (#U-238384, #U-108586, #96408-UP, #03075-MOD) to allow the following activities: 1) Recognize the conversion of the existing 2,350 square foot residence to a tasting room; 2) Recognize the conversion of the existing 530 square foot tasting room within the winery into a storage room; 3) Expand the visitation program from maximum tours and tastings of 12 person per day to 20 persons per day; 4) Increase wine production from 50,000 to 100,000 gallons; 5) Construct a new 5,400 square foot covered tank farm; 6) On-premises consumption of the wines produced on-site, consistent with Business and Professionals Code Sections 23356, 23390, and 23396.5 also known as AB 2004 (Evans 2008, or the Picnic Bill) in the tasting room and on the adjacent patio; 7) Deletion of condition #10 of use permit #96408-UP that prohibits outside social activities; 8) Allow the sale of wine-related merchandise in compliance with Napa County Code Section 18.16.030(H)(4); 9) Update fire suppression facilities and install two additional 21,000 gallon water storage tanks and pump; 10) Install new domestic and process wastewater treatment and disposal with authorization for the use of a hold and haul system during the construction transition period and very extended wet weather periods; 11) Install storm water detention and conveyance facilities; 12) Increase the number of on-site parking spaces to 15; 13) Realign the existing parking and landscaped areas; 14) Add one loading dock; and 15) Architectural modifications to the existing residential structure. The project also includes an application for a variance for the construction of the covered tank farm within the required 600 foot winery setback from Tubbs Lane. The covered tank farm is proposed approximately 327 feet from the centerline of Tubbs Lane. The proposed project site is located at 1171 Tubbs Lane, Calistoga, on a 25.3-acre site, in the Agricultural Preserve (AP) District. Assessor's Parcel No. 017-160-015.

**Staff Recommendation:** Adopt the Negative Declaration, approve the Use Permit and deny Variance.

**Staff Contact:** Emily Hedge, Planner II, (707) 259-8226, or [emily.hedge@countyofnapa.org](mailto:emily.hedge@countyofnapa.org)

**Applicant Contact:** Jim and Beth Summers, Property Owners, (707) 942-5508

**Applicant's Representative:** Jeff Redding, Land Use Planning Services, (707) 255-7375 or [jreddingaicp@comcast.net](mailto:jreddingaicp@comcast.net)

## 10. ADMINISTRATIVE ITEMS

### A. SYAR NAPA QUARRY EXPANSION PROJECT - SURFACE MINING PERMIT (P08-00337-SMP)

**California Environmental Quality Act (CEQA) Status:** Final Environmental Impact Report (EIR) for the Syar Napa Quarry Expansion Project (State Clearinghouse No.2009062054) certified on October 21, 2015.

**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 106-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:** That the Commission adopt the proposed Resolution: (1) Adopting findings and rejecting the Proposed Project, No Project Alternative, and the Reduced Footprint/Conservation Alternative pursuant to CEQA; (2) Finding the Syar Modified Project Plus Area C (the Reduced Production Alternative) consistent with the Napa County General Plan; (3) Adopting the Mitigation Monitoring and Reporting Program; (4) Adopting the Syar Modified Project Plus Area C (Reduced Production Alternative); and (5) Approving Surface Mining Permit No. P08-00337-SMP.

See Figure 3f in Attachment A (Resolution 2015-02) or Attachment C (Revised Mining and Reclamation Plan Dated November 9, 2015) for an illustration of the Syar Modified Project Plus Area C.

**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)

**The public hearing is closed. Final action on this item was continued from the October 21, 2015, Planning Commission meeting.**

## **B. STUDY SESSION - ART IN THE PUBLIC REALM & USE PERMIT MODIFICATION PROCESS**

**CEQA Status:** This study session is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**Request:** Presentation and discussion on Art in the Public Realm and the Use Permit Modification Process.

**Staff Recommendation:** Informational Item. No action necessary.

**Staff Contact:** John McDowell, Deputy Director, (707) 299-1354 or [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org), or Sean Trippi, Principal Planner, (707) 299-1353 or [sean.trippi@countyofnapa.org](mailto:sean.trippi@countyofnapa.org)

## **11. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **DECEMBER 2, 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 (FILL IN DATE) BY (FILL IN TIME). 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