

SPECIAL MEETING AGENDA

NAPA COUNTY PLANNING COMMISSION



A Tradition of Stewardship
A Commitment to Service

**Wednesday, November 19, 2014
9:00 AM**

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

COMMISSION MEMBERS

VICE - CHAIR

*Heather Phillips
District # 1*

COMMISSIONER

*Michael Basayne
District # 2*

COMMISSIONER

*Terry Scott
District # 4*

CHAIR

*Bob Fiddaman
District # 3*

COMMISSIONER

*Matt Pope
District # 5*

COMMISSION COUNSEL

Laura Anderson

SECRETARY-DIRECTOR

David Morrison

COMMISSION CLERK

Melissa Frost

The Commission welcomes you to its SPECIAL MEETING which is regularly scheduled the first and third Wednesday of the month. The Commission will meeting 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, **2741 Napa Valley Corporate Drive, Building 2**, 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****9. PUBLIC HEARING ITEMS****A. NAPA PIPE PROJECT: CEQA FINDINGS AND RECOMMENDATION TO BOARD OF SUPERVISORS TO ADOPT THE DESIGN GUIDELINES**

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 the ordinance regarding the action requested below, the Planning Commission will make CEQA findings to document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed action and that additional environmental review, in the form of a subsequent or supplemental EIR, is unnecessary prior to approval of the Design Guidelines.

Request: The matter before the Planning Commission is a recommendation to the Board of Supervisors to approve Design Guidelines associated with the Napa Pipe development, which consists of: (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 retail 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 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 and (2) recommend that the Board of Supervisors adopt an ordinance approving the Design Guidelines

Staff Contact: Larry Florin, 253-4621 or larry.florin@countyofnapa.org or Sean Trippi, 299-1353 or sean.trippi@countyofnapa.org

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

B. ROBERT FOLEY VINEYARS WINERY- USE PERMIT MAJOR MODIFICATION NO. P14-00085

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: Approval of a Use Permit Major Modification to Use Permit (P06-01275-UP) for an existing Winery to allow the following: 1) Increase production from 30,000 gallons per year up to 50,000 gallons per year; 2) Addition of tours and tastings for up to ten (10) visitors maximum per day and sixty (60) visitors per week maximum; 3) Addition of 12 wine/food events with a maximum of 12 guests; 4) Addition of two wine/food events with a maximum of 50 guests; 5) Conversion of an existing 1,760 square feet agricultural barn to winery use as multipurpose space, an employee break room, and tool storage; 6) Addition of four (4) parking spaces and six (6) parking spaces total; 7) Increase in number of employees from one full-time and one part-time to ten or fewer; 8) Request for on premise consumption of wines produced on site within the multipurpose space in accordance with AB 2004; and 9) Expansion of the on-site septic system. The project is located on an 13.4 acre site at 1300 Summit Lake Drive, Angwin, approximately 0.55 mile north of White Cottage Road, designated Assessor's Parcel Number: 018-230-004, within the Agricultural Watershed zoning district.

Staff Recommendation: Adopt the negative declaration and approve the Use Permit, as conditioned.

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

Applicant Contact: Tom Carey, (707) 479-2856 or tcarey.law@gmail.com

C. PUBLIC NOTICING REQUIREMENTS ZONING ORDINANCE TEXT AMENDMENT

CEQA Status: 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 Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

Request: Proposal to expand required mailed public notice for Planning Commission and Zoning Administrator level land use entitlement requests from the current requirement of all properties within 300 ft. of a project site, to all properties within 1,000 ft. of a project site. In addition to the ordinance, changes to administrative procedures are proposed to provide a notice of pending

development application within generally 14 days of initial project submittal to the County.

Ordinance Title: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, TO EXPAND THE RADIUS FROM 300 FEET TO 1,000 FEET FOR NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION OR ZONING ADMINISTRATOR ON DISCRETIONARY LAND USE APPLICATIONS BY AMENDING SECTIONS 2.88.010 (DEFINITIONS), 2.88.050 (APPEAL PACKET - INFORMATION TO BE SUBMITTED), 18.106.060 (REQUIRED PUBLIC AND PRIVATE NOTIFICATION), 18.119.220 (TELECOMMUNICATION FACILITIES - PUBLIC NOTICE), 18.124.130 (USE PERMIT MODIFICATIONS - PROCEDURE - SIZE LIMITATION), 18.132.050 (CERTIFICATE OF PRESENT EXTENT OF LEGAL NONCONFORMITY - APPLICATION - PROCEDURE), AND 18.136.040 (PUBLIC HEARING BEFORE COMMISSION - NOTICE)

Staff Recommendation: That the Planning Commission conduct a public hearing and forward a recommendation for approval to the Board of Supervisors.

Staff Contact: John McDowell, 299-1354 or john.mcdowell@countynapa.org

D. NAPA COUNTY LOCAL PROCEDURES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CEQA Status: Procedures by definition do not change the law, but provide for its implementation. Therefore the proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and CEQA is not applicable. Also, 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 pursuant to the General Rule contained in the Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).

Request: County-sponsored resolution revising Napa County's local procedures for implementing CEQA and the State CEQA Guidelines, removing the County's list of qualified consultants and eliminating the option for projects sponsor's to contract directly with environmental consultants, expanding the radius of public notice provided regarding CEQA documents from 300 feet to 1,000 feet from the project parcel, and other non-substantive clerical corrections.

Staff Recommendation: That the Planning Commission continue the item to December 17, 2014 to allow for additional time to conduct stakeholder outreach.

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

TO BE CONTINUED TO DECEMBER 17, 2014

E. PUBLIC HEARING TO ADOPT A RESOLUTION RECOMMENDING AN AMENDMENT TO THE NAPA COUNTY GENERAL PLAN

CEQA Status: A Final EIR was prepared and certified by the Board of Supervisors on February 11, 2014 for the Napa County Jail Project (State Clearinghouse #2013012072). The Final EIR analyzed the potential impacts resulting from the General Plan Amendment and was prepared in accordance with CEQA, the State CEQA Guidelines and the County's Local Procedures for Implementing CEQA. Because the Final EIR for the Napa County Jail Project adequately identified and analyzed the potential environmental effects of the redesignation of 27 acres located at 2300 Napa Vallejo Highway, Napa from "Study Area" to "Public Institutional" to accommodate the new County jail, no further environmental review is necessary.

Request: Amendment to the Napa County General Plan to redesignate approximately 27 acres located at 2300 Napa Vallejo Highway, Napa, APN 046-370-021, from "Study Area" to "Public Institutional" to accommodate the new County jail which will be constructed on the site.

Staff Recommendation: That the Planning Commission conduct a public hearing and adopt a resolution recommending approval of a general plan amendment to the Board of Supervisors.

Staff Contact: Kelli Cahill, 265-2325 or kelli.cahill@countyofnapa.org

10. ADMINISTRATIVE ITEMS

A. CHANGE IN PLANNING COMMISSION MEETING LOCATION

CEQA Status: 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: Adoption of a County sponsored resolution to change and establish a new regular meeting location for the Napa County Planning Commission until the normal meeting place becomes accessible.

Staff Recommendation: That the Planning Commission adopt the attached resolution establishing South County Campus, 2741 Napa Valley Corporate Drive, Building 2, Napa, California beginning on November 20, 2014 as the regular meeting location for the Napa County Planning Commission, until provided otherwise, after which date the regular meetings will return to 1195 Third Street, Suite 310, Napa, California.

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

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE
- 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 11-13-14 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