

AGENDA

NAPA COUNTY PLANNING COMMISSION

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

Wednesday November 20, 2019
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

VICE CHAIR

Dave Whitmer
District # 2

COMMISSIONER

Anne Cottrell
District # 3

CHAIR

Joelle Gallagher
District # 1

COMMISSIONER

Andrew Mazotti
District # 4

COMMISSIONER

Jeri Hansen
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: November 06, 2018 (Commissioner Andrew Mazotti was excused).

5. AGENDA REVIEW**6. DISCLOSURES****7. PUBLIC HEARING ITEMS****A. THE JEFFREY & KAREN FONTANELLA TRUST / FONTANELLA FAMILY WINERY / MAJOR MODIFICATION #P18-00431**

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the 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 Major Modification for an existing 30,000 gallon winery to allow the following: a) tours and tastings by appointment only for 14 visitors per day (increase from four per day); b) an annual marketing plan (modified) including fifty events with a maximum of eight guests per event, six events with a maximum of 30 guests per event, one event with a maximum of 75 guests per event, and one event with a maximum of 150 visitors; c) on-premises consumption of wine in the tasting room and outdoor patio; d) employment of six full-time employees (increased from three full-time and two part-time); e) demolition of the existing 1,500-square foot winery office building; f) construction of a replacement, approximately 2,900-square foot office building; g) driveway improvements to widen the access road to County Road and Street Standards (remove use of loop road); h) a total of nine parking spaces (increased from five); i) increase the outdoor work area to 3,000 square feet (existing 2,100 square feet); j) permanent installation of tanks on the existing outdoor work area; and k) removal of previous restriction on temporary events. The project is located on a 26.44 acre parcel, located at 1721 Partrick Road, Napa within the Agricultural Watershed (AW) zoning district. APN 050-010-018.

Staff Recommendation: Adopt the proposed Negative Declaration and approve the requested Use Permit Major Modification as conditioned.

Staff Contact: Emily Hedge, Planner III, (707) 259-8226 or emily.hedge@countyofnapa.org

Applicant Contact: Karen Fontanella, Fontanella Wines, LLC, (707) 252-1017

Representative Contact: Beth Painter, Balanced Planning, (707) 337-3385 or beth@bnapa.com.

B. STACIA L. DOWDELL / BRASSWOOD WINERY / USE PERMIT MAJOR MODIFICATION # P19-00004-MOD

CEQA Status: Consideration and possible adoption of an Addendum to a previously adopted Mitigated Negative Declaration (MND) in accordance with CEQA Guidelines Section 15162. According to the previously-adopted MND (2012), the then-proposed winery would have, if mitigation measures were not included, potentially significant environmental impacts in the area of Biological Resources. Adopted mitigation measures, which required implementation of tree protection plans and pre-construction surveys for sensitive bat and bird species, were implemented with the recently-built site improvements. Analysis of the current modification proposal to increase annual wine production and change winery staffing identified no new or substantially more severe significant impacts relative the original project analyzed in the prior MND. 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 Major Modification to a previously approved use permit (P11-00298-UP, as subsequently modified) to allow: **A. Components Necessary to Remedy Existing Violations:** (1) recognition of an increase permitted wine production from a maximum of 50,000 gallons to 83,000 gallons of wine per year; and **B. Expansion Beyond Existing Entitlements:** (2) an increase in permitted wine production to a maximum of 95,000 gallons of wine per year and a change in the winery's permit-specified employment from four full-time and six part-time staff members to 10 full-time staff members (no change to the permitted four seasonal harvest employees). The project is located on an approximately 50.31-acre site within the AW (Agricultural Watershed) zoning district, at 3125 St. Helena Highway North, St. Helena; Assessor's Parcel No. 022-070-028.

Options for Planning Commission Action:

Option 1: Adopt the Addendum to the previously adopted MND and approve the requested Major Modification to the previously approved Use Permit, based on the findings in Attachment A and as conditioned in Attachment B.

Option 2: Adopt the Addendum to the MND and approve a lesser production increase, pursuant to Commission direction and based on modified findings of Attachment A and modified conditions as contained in Attachment B.

Option 3: Deny the requested Use Permit Major Modification based on findings provided by the Planning Commission. This action would require that the winery operators revert current operations to the winery's previously approved levels.

Staff Contact: Dana Ayers, Contract Planner, phone 925-688-2490 or email dayers@trccompanies.com, or Charlene Gallina, Supervising Planner, phone 707-299-1355 or email Charlene.Gallina@countyofnapa.org

Applicant: Marcus Marquez, Brasswood Winery, phone 707-968-5434 or email marcus@brasswood.com

Applicant's Representative: Jeff Redding, Land Use Planning Services, phone 707-255-7375 or email jreddingaicp@comcast.net

C. DRAFT RENEWABLE ENERGY SYSTEMS ORDINANCE

CEQA Status: Consideration and possible adoption of Categorical Exemptions Class 7, Class 8, Class 4, Class 5 and the General Rule. It has been determined that this type of project does not have

a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Categorical Exemption Class 7 (“Actions by Regulatory Agencies for Protection of Natural Resources”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15307]; Categorical Exemption Class 8 (“Actions by Regulatory Agencies for Protection of the Environment”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15308]; Categorical Exemption Class 4 (“Minor Alterations to Land”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15304; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B]; Categorical Exemption Class 5 (“Minor Alterations in Land Use Limitations”) which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15305; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B]; and General Rule in that 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 CEQA 14 CCR 15061(b)(3)]. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Recommend that the Board of Supervisors adopt a County-sponsored Zoning Ordinance amendment to repeal Small Wind Energy Systems (County Code Chapter 18.117) and to replace in its entirety with a new section Renewable Energy Systems which creates an administrative process for the approval of accessory on-site solar energy systems which will offset not more than 125% of the estimated energy demand for all legally established uses and meeting certain ministerial development standards. Additionally a new discretionary process is proposed for the review and approval of certain commercial renewable energy production facilities which may be authorized upon grant of a use permit within certain non-residential and non-agricultural zoning districts.

Proposed Ordinance Title: AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, REPEALING CHAPTER 18.117 (SMALL WIND ENERGY SYSTEMS) IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 18.117 (RENEWABLE ENERGY SYSTEMS); AMENDING SECTIONS 18.24.030 (AV AIRPORT DISTRICT), 18.28.030 (CL COMMERCIAL LIMITED DISTRICT), 18.32.030 (CN COMMERCIAL NEIGHBORHOOD DISTRICT), 18.34.030 (MC MARINE COMMERCIAL DISTRICT), 18.36.030 (I INDUSTRIAL DISTRICT), 18.40.020 (IP INDUSTRIAL PARK DISTRICT), 18.44.020 (GI GENERAL INDUSTRIAL DISTRICT), AND 18.50.030 (PL PUBLIC LANDS DISTRICT) TO ALLOW COMMERCIAL RENEWABLE ENERGY FACILITIES UPON GRANT OF A USE PERMIT; AND AMENDING SECTION 18.120.010 (EXCEPTIONS TO USE LIMITATIONS) OF TITLE 18 OF THE NAPA COUNTY CODE

Staff Recommendation: Conduct public hearing and continue the item to the December 4, 2019 regular Planning Commission meeting.

Staff Contact: John McDowell, at (707) 299-1354 or john.mcdowell@countyofnapa.org

8. ADMINISTRATIVE ITEMS - NONE

9. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **DECEMBER 04, 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. PROJECTS REQUIRING COMMISSION FOLLOW-UP REVIEW

Refer to "PBES Current Projects" Web Page <https://www.countyofnapa.org/591/Current-Projects>

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 NOVEMBER 13, 2019 BY 5 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