

AGENDA

NAPA COUNTY PLANNING COMMISSION

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

Wednesday, December 02, 2015
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

CHAIR

Heather Phillips
District # 1

VICE-CHAIR

Michael Basayne
District # 2

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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

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 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:
October 21, 2015
November 18, 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****9. PUBLIC HEARING ITEMS****A. TENCH WINERY- USE PERMIT NO. P15-00001-UP AND VIEWSHED NO. P15-00283-VIEW**

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. Mitigation measures are proposed for the areas of biological resources, cultural resources, and geology and soils. 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 Viewshed Permit and Use Permit to allow: (1) Construction of a 42,840 gallon per year winery including a 6,779 square foot winery building, 303 square foot outdoor tasting area, 6,245 square foot underground barrel storage cave, and 15 parking spaces (14 standard and one ADA space); (2) Widening of the existing driveway to 20-feet and installation of a left-turn lane on Silverado Trail; (3) No more than 10 employees; (4) Installation of an in-ground wastewater treatment system, installation of three 12,000 gallon water tanks; (5) A visitation and marketing program of up to 14 daily visitors from November 1 to August 31, up to 10 daily visitors from September 1 to October 31, and three events per year for up to 50 guests; and (6) Onsite consumption of wines produced onsite and purchased from the winery in the outdoor patio area and indoor wine tasting area (break room) (AB2004 Business and Professions Code Section 23358, 23390, & 23396.5). The project is

located on a 60.86 acre parcel within the Agriculture Preserve (AP) zoning district and accessed via a private driveway located off Silverado Trail; 7631 Silverado Trail, Napa, CA 94558; APN: 031-070-006.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the Use Permit and Viewshed Permit, as conditioned.

Staff Contact: Jason R. Hade, AICP, (707) 299-8757 or jason.hade@countyofnapa.org

Applicant Contact: Elizabeth Burks, LACO Associates, 21 W. 4th Street, Eureka, CA 95501 (707) 443-5054

Property Owner Contact: Brian Tench, Tench Family Vineyards, LLC, 7631 Silverado Trail, Napa, CA 94558 (707) 944-2352

B. VERIZON WIRELESS/DWYER SITE—USE PERMIT #P15-00159-UP

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to Section 15303 (d) of the California Environmental Quality Act (CEQA), Class 3, which exempts construction of new small structures or conversion of small structures. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

REQUEST: Approval to: (1) construct a 65-foot tall telecommunication tower designed as a faux water tower; (2) install nine (9) panel antennas: 72.9" in length, 11.9" in width and 7.1" in depth inside the proposed tower, (3) install two (2) small GPS antennas inside the tower; (4) place the tower and associated ground-mounted equipment on a 24' by 24' lease area (approximately 576 square feet) on the northwestern portion of the property; (4) construct a 8' tall wooden fence to screen the equipment building to house ground-mounted equipment; (5) install approximately 220' of overhead line between the proposed facility and the closest existing power pole to the east; and (6) construct a 8' tall wooden fence to screen the equipment building to house ground-mounted equipment; (7) install a 24-hour emergency diesel-powered back-up generator and associated ground-mounted equipment within the fenced lease area; (8) install emergency notification signs on the site; and (9) use existing roadways and parking areas to support the proposed facility. The facility would be located on the far southeast portion of an approximately 26.92-acre site on the west side of State Highway 29, south of the intersection of State Highway 29 and Dwyer Road, within an Agricultural Preserve (AP) zoning district, Assessor's Parcel 027-500-002 at 1327 Dwyer Road, Napa CA, 94562.

Staff Recommendation: Find the project Categorical Exemption and approve the Use Permit subject to recommended conditions of approval.

Staff Contact: Jerry Haag, Staff Telecommunication Planning Consultant, 510-644-2105, jphaag@pacbell.net; or John McDowell, Deputy Planning Director, 707-299-1354, john.mcdowell@countyofnapa.org

Applicant Contact: Peter Hilliard, GTE Mobilnet, 707-933-9633, philliard@onairllc.com

C. PHELAN RESIDENCE - USE PERMIT EXCEPTION #P12-00265 & EXCEPTION TO THE NAPA COUNTY ROAD & STREET STANDARDS

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 an Exception in the form of a Use Permit to the Conservation Regulations (P12-00265) to authorize retention of previously constructed and/or installed improvements within the blue-line stream setback along an unnamed tributary to Cedar Valley Creek. The improvements include the following:

- 1) Reconstruction of an existing 864+/- s.f. caretaker's dwelling, and 868+/- s.f. addition;
- 2) A propane tank, raised garden beds, wooden planters, retaining walls and steps, a bocce ball court, a concrete retaining wall, an above ground drainage pipe, a wooden flume, an underground pipe, a waterslide and dock; and
- 3) Removal and relocation of an existing septic system.

The following components have been specifically included under this request in order to implement the preliminarily approved California Department of Fish & Wildlife Streambed Alteration Agreement and Proposed Stream Channel Restoration Landscape and Revegetation Plan:

- 1) Replace the existing wooden retaining wall with concrete retaining wall and steps;
- 2) Replace the on-stream pond liner with a concrete liner;
- 3) Replace the above ground drainage pipe, extend the existing concrete channel and install storm drain pipes to connect to the existing concrete channel along the east side of the main dwelling;
- 4) Re-store and enhance portions of the Creek within the vicinity of the unpermitted improvements;
- 5) Remove an approximately 150 foot long 3 foot wide black plastic lining previously installed within the stream channel;
- 6) Remove rocks ranging in size from 12-36 inches from an area of approximately 150 foot long and 3 feet wide; and
- 7) Re-establish native riparian vegetation within the project foot print.

If this Use Permit Exception is authorized by the County, the applicant has requested that the caretaker's cottage near the Creek become the primary dwelling and the original dwelling on-site become the guest dwelling. The application also includes a request for a Napa County Road and Street Standards Exception (RSS) for the shared portion of Hennessey Ridge Road (a private community drive). The Exception proposes a reduction in the number of required turnouts along a portion of the shared driveway, a reduction to the inside radius of curvature for a horizontal curve at nine stations, and an increase in the allowable maximum centerline slope at two sections (22% and 23% slopes) when the RSS requirement is 20% maximum. The project is located on a 163.3 acre parcel accessed via Hennessey Ridge Road, which is shared with ten (10) parcels and approximately 2.75 miles from its intersection with Chiles Pope Valley Road and 0.4 miles north of Sage Canyon Road, within the Agricultural Watershed (AW) zoning district; 100 Hennessey Ridge Road, St Helena, CA 94574; APN: 025-440-007.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit Exception and an Exception to the Napa County Road & Street Standards.

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

Applicant Contact: JEP, LLC, Jeff Phelan; (949) 720-8000

Applicant Representative: Jeff Redding; (707) 255-7375; jreddingaicp@aol.com

D. FROG'S LEAP WINERY-DAVID W. FLANARY- USE PERMIT MAJOR MODIFICATION NO. P14-00054-MOD

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 to modify previous project approvals (Use Permit #U-93397, Use Permit #U-98501-MOD, Use Permit #P04-00427-MOD, and Use Permit #P10-00157-MOD) for an existing Winery to allow the following: 1) construct a 3,047 square foot agricultural processing facility to process fruit from the existing orchard on-site, including a 625 square foot tasting room, and an 845 square foot porch to replace an existing 2,290 square feet modular office building; 2) demolition of a 2,290 square foot modular office building; 3) increase the daily tours and tastings from 50 persons per day and 350 persons maximum per week for up to 125 persons Monday through Friday and 300 persons Saturday and Sunday, and a weekly maximum of 1,100 persons per week; 4) modify the existing Marketing Plan that allows for three monthly events for up to 25 persons to add 52 weekly events for up to 20 persons, 12 monthly events to allow up to 150 persons, four quarterly events to allow up to 500 persons, and participation in Auction Napa Valley; 5) upgrade the existing water system and wastewater treatment and disposal systems; 6) installation of four new water tanks totaling 35,000 gallons for fire suppression; and 7) increase of full time employees from four previously permitted to the existing 30 full-time employees and five part-time employees; and 8) the addition of 30 parking spaces for a total of 68 spaces. The project also includes a Napa County Road and Streets Standards Exception request to allow for an exception for the requirement to install a left turn lane on Conn Creek Road. In lieu of the left turn lane, the project will instead incorporate shoulder widening along Conn Creek Road, and use of the driveway along Rutherford Road for employee access. There are no changes to the gallons of wine produced as part of this proposal. The project is located at 8815 Conn Creek Road on a 38.92 acre parcel on the west side of Conn Creek Road between Silverado Trail and Rutherford Road, Rutherford, CA, within an AP (Agriculture Preserve) zoning district (Assessor's Parcel # 030-090-033-000).

Staff Recommendation: Continue item to future hearing date.

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

Applicant Contact: Jeff Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375

TO BE CONTINUED TO JANUARY 6, 2016 REGULAR COMMISSION MEETING

10. ADMINISTRATIVE ITEMS

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **DECEMBER 16, 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 11-25-15 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.

Melissa Frost (By e-signature)
Melissa Frost, Clerk of the Commission