

AGENDA

NAPA COUNTY PLANNING COMMISSION

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

Wednesday December 4, 2019
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

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Dave Whitmer
District # 2

COMMISSIONER

Anne Cottrell
District # 3

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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 20, 2019 (Commissioner Hansen was excused)

5. AGENDA REVIEW**6. DISCLOSURES****7. PUBLIC HEARING ITEMS****A. ALSACE COMPANY, LTD / SCARLETT WINERY / USE PERMIT #P16-00428-UP**

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): Transportation. 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 for a new 30,000 gallon per year winery to allow the following: a) construction of a winery building consisting of two detached structures (a two story 4,514 sf hospitality/administration building and a one story 18,022 sf production building) separated between the east outdoor terrace area and a landscaped area; b) construction of a 4,725 sf covered outdoor crush pad - crush will occur inside the winery production building; c) tours and tastings by appointment only with a maximum of 15 visitors per day and a weekly maximum of 80 visitors; d) a marketing program of two (2) food and wine pairing lunch event per month with a maximum of 10 persons; one (1) wine club release event per year with a maximum of 100 guests; one (1) large event per year with a maximum of 125 guests; and one (1) wine club release event per year for groups of up to 200 guests with up to 10 event staff. Events to be held between 10 am and 6 pm or 6 pm to 10 pm. Larger events (100, 125, and 200 guests) to be held on weekends only. Portable toilets to be utilized during any event hosting greater than 75 guests. Shuttle service used for events over 100 guests; e) six (6) full-time, two (2) part-time employees and two (2) employees during harvest for vineyard activities only; f) a commercial kitchen for some food preparation and use as a caterers' staging area for some of the marketing events; g) on-premises consumption of wines produced on-site within the east and west outdoor terraced areas, outdoor picnic area and hospitality building designated tasting areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB2004-Evans Bill); h) winery hours of operation daily 6 am – 6 pm (Non-harvest production hours) and daily visitation hours of operation daily 10 am – 6 pm; i) construction of seven (7) visitor and five (5) employee parking spaces both with a handicapped space and one area for a high occupancy vehicle for a total of 13 spaces; j) installation of a wastewater system; k) installation of a regulated transient non-community water system; l) installation of two (2) 20,000-

gallon domestic water storage tank and one (1) 100,000-gallon fire water storage tank; m) installation of an entry gate and winery sign; and n) all project spoils to be disposed on-site. The project is located on an approximately 47.88 acre site at 1052 Ponti Road, which intersects with Skellenger Lane just west of Silverado Trail, within the Agricultural Preserve (AP) & Agricultural Watershed (AW) Zoning Districts, St. Helena, CA; APN: 030-280-010.

Staff Recommendation: Continue the item to the January 15, 2020 Planning Commission Meeting.

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

Applicant: Sherrett Reicher, Alsace Company LTD; (925) 314-0193; mcooper@scarlettwinest.com

Applicant Representative: Donna B. Oldford, Plans4Wine; (707) 963-5832; dboldford@aol.com

CONTINUED FROM THE OCTOBER 2, 2019 COMMISSION MEETING.

TO BE CONTINUED TO THE JANUARY 15, 2020 COMMISSION MEETING.

B. 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: Conclude public hearing and make recommendation to Board of Supervisors for approval of the ordinance.

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

CONTINUED FROM NOVEMBER 20, 2019 REGULAR PLANNING COMMISSION MEETING

C. MATHEW AND ANTHONY BRUNO / MATHEW BRUNO WINES TASTING ROOM – USE PERMIT APPLICATION NO. P17-00387-UP AND REQUEST FOR EXCEPTION TO NAPA COUNTY ROAD AND STREET STANDARDS

CEQA Status: Consideration and possible adoption of a Negative Declaration (ND). According to the proposed ND, the project would not have a significant impact on the environment. 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 Use Permit to allow a wine bar with wine storage, tasting, retail sales and marketing events on a re-purposed single-family residential property that is currently being utilized for administrative offices. In addition to renovation of the historic residential structure, on-site construction for the project would include planting of new landscaping; installation of seven paved, on-site parking stalls; installation of a new, on-site wastewater treatment system; and construction of a wraparound porch, also to be used for wine tasting. Off-site modifications would include widening of the asphalt paved surface of the northern portion of Grape Lane immediately adjacent to the project site, and installation of a mid-block pedestrian crossing on Rutherford Road. The proposal also includes a request for a public road exception to the requirement under Napa County Road and Street Standards to install a left turn lane in the right-of-way of Rutherford Road at its intersection with Grape Lane. The proposed project site is a 0.38-acre parcel located at 1151 Rutherford Road, Napa (Assessor's Parcel No. 030-160-007), in the CL (Commercial Limited) zoning district.

Staff Recommendation: Adopt the ND and approve the requested Use Permit, as conditioned.

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

Applicant's Representative: Jeffrey Redding, Land Use Planning Services, phone number (707) 255-7375 or email address jreddingaicp@comcast.net

D. RAPP RANCH ESTATE, LLC / SHADYBROOK ESTATE WINERY / MAJOR MODIFICATION P18-00450-MOD

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 Major Modification for an existing 30,000-gallon per year winery to allow the following: **A. COMPONENTS NECESSARY TO REMEDY EXISTING VIOLATIONS:** 1) recognition of the demolition of a previously existing agricultural barn which was replaced with four new steel buildings approximately 12,000 sf (square feet) in size and recognition of the conversion of one of the steel buildings of approximately 3,001 sf into winery production space for barrel storage; 2) recognition of the winery's new access and outdoor visitation/marketing event patio which includes a barbecue/fire pit/bocce ball court area and outdoor event garden area; 3) recognition of existing nine full-time employees and two part-time employees (two full-time and one part-time employees currently authorized); 4) recognition of the reconfigured parking area including 26 parking spaces (nine spaces currently authorized); and 5) recognition of the winery's existing amplified sound system or amplified music utilized outside of approved, enclosed winery buildings within the existing outdoor visitation/marketing event patio and event garden area (currently prohibited). **B. EXPANSION BEYOND EXISTING ENTITLEMENTS:** 1) increase annual wine production from 30,000 to 70,000 gallons per year; 2) increase daily visitation from 21 per day with a maximum of 147 per week to 50 per day with a maximum of 350 per week; 3) amend the existing marketing program from eight catered food and wine events per year with a maximum of 30 persons and one Wine Auction event per year with a maximum of 30 people to six events per year with a maximum of 30 persons, six events per year with 50 visitors and six events per year with 100 visitors. Events with 50 visitors or less will be catered using the winery's existing commercial kitchen; larger events will be catered off site; 4) minor improvements to the existing parking area and outdoor patio and garden area; and 5) allow on premise consumption of wines produced on-site within the outdoor visitation area and hospitality building designated tasting areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5. There are no proposed changes to winery's hours of operation which occur seven days per week from 9 am to 5 pm or to the Marketing Events which occur seven days a week from 11 am to 10 pm. The project is located on an approximately 11.37 acre parcel accessed via Rapp Lane, which is a gated private road located on the north end of Second Avenue at the intersection with Chateau Lane within the AW (Agricultural Watershed) zoning district; 100 Rapp Lane, Napa, CA 94558; APN 052-170-019.

Staff Contact: Charlene Gallina, Supervising Planner, phone 707-299-1355 or email Charlene.Gallina@countyofnapa.org

Applicant: Rapp Ranch Estates, LLC, David & Sue Alkossor; (714) 206-7856; 100 Rapp Lane, Napa CA 94558; dalkosser@gmail.com

Applicant's Representative: David B. Gilbreth; Attorney; 1152 Hardman; Napa, CA 94558; (707) 337-6412; dbgilbreth@gmail.com

E. RAPP RANCH ESTATES / RAPP EQUESTRIAN CENTER / USE PERMIT P18-00197-UP

CEQA STATUS: Consideration and possible adoption of Categorical Exemptions Class 1, Class 3 and Class 4. 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 Section 15301, Class 1 Minor Alterations to Existing Facilities, Section 15303, Class 3 New Construction or Conversion of Small Structures and Section 15304, Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301, §15303, and §15304.] This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

REQUEST: Approval of a Use Permit to recognize and remedy existing building code violations

associated with a commercial horse boarding, riding, and lessons facility with existing employees and horse related events as follows: **A. COMPONENTS NECESSARY TO REMEDY EXISTING VIOLATIONS:** 1) Recognition of the use of an existing English-style barn with an indoor arena, stalls with outdoor paddocks, five outdoor paddocks, and an outdoor arena with lighting; 2) Recognition of the use of an existing Western-style barn and 12 outdoor paddocks; 3) Recognition of a maximum of 60 horses on the property at any one time; 4) Recognition of a daily visitation of 50 guests per day with a maximum of 350 per week; 5) Recognition of events including horse shows and equestrian training sessions consisting of six events per year with 30 guests maximum; six events per year with 50 guests maximum; and six events per year with 100 guests maximum; 6) Recognition of seven full-time and two part-time existing employees; 7) Recognition of daily (Monday-Sunday) hours of operation from 8:00 am to 8:00 pm for guests. Stable hands (two-three employees) to arrive at 6:30 am for feeding and stall cleaning before guests arrive; 8) Recognition and reconfiguration of the existing nine parking spaces; and 9) Recognition and installation of Equestrian Center/Shadybrook Winery signage. **B. EXPANSION BEYOND EXISTING ENTITLEMENTS:** 1) Construction of a 1,800 American with Disabilities Act (ADA) compliant office/tack room and bathroom. The project is located on an approximately 11.97 acre site accessed via Rapp Lane, which is a gated private road located on the north end of Second Avenue at the intersection with Chateau Lane within the AW (Agricultural Watershed) zoning district; 100 Rapp Lane, Napa, CA 94558; APN 052-170-018.

Staff Contact: Charlene Gallina, Supervising Planner, phone 707-299-1355 or email Charlene.Gallina@countyofnapa.org

Applicant: Rapp Ranch Estates, LLC, David & Sue Alkossler; (714) 206-7856; 100 Rapp Lane, Napa CA 94558; dalkossler@gmail.com

Applicant's Representative: David B. Gilbreth; Attorney; 1152 Hardman; Napa, CA 94558; (707) 337-6412; dbgilbreth@gmail.com

8. ADMINISTRATIVE ITEMS - NONE

9. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **DECEMBER 18, 2019 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 11/27/2019 BY 11 AM. 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