

# AGENDA

## NAPA COUNTY PLANNING COMMISSION

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

**Wednesday, May 03, 2017**  
**9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

### COMMISSION MEMBERS

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<i>COMMISSIONER</i> <i>Joelle Gallagher</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>VICE CHAIR</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>CHAIR</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 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**

Clerk of the Commission requests approval of Minutes for the following meetings:

April 5, 2017 (All Commissioners present)

April 19, 2017 (Commissioner Cottrell excused)

**5. DIRECTOR'S REPORT**

- BOARD OF SUPERVISORS ACTIONS

- OTHER DEPARTMENT ACTIVITIES

**6. AGENDA REVIEW****7. DISCLOSURES****8. PUBLIC HEARING ITEMS****A. FLORA SPRINGS WINERY / KOMES RANCH 2007, LLC / USE PERMIT MAJOR MODIFICATION NO. P15-00111 & ROAD & STREET STANDARDS EXCEPTION REQUEST**

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP). According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of a mitigation measure. A mitigation measure is proposed for the area of cultural resources and tribal cultural resources. 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 Major Modification to permit the expansion of an existing 120,000 gallon winery to allow the following: (1) Upgrading of the existing wastewater system and associated infrastructure consistent with County code to include two (2) additional 10,500 gallon domestic water storage tanks and one (1) 2,000 gallon septic tank, and dispersal field expansion requiring the removal of approximately 5,000 square feet of vineyards; (2) Increase daily tours and tastings from 65 persons per day (by appointment only), 455 person per week maximum to 100 persons per day (by appointment only), 700 visitors maximum per week; (3) A Modified Marketing Program to add the following: (a) Two food and wine lunchtime pairing events per week for groups of up to 50 guests; (b) Two food and wine dinnertime pairing events per week for groups of up to 25 guests; (c) Two wine club events per week for groups of up to 50 guests; (d) Three wine club release events per year for groups of up to 250 guests; (e) One Trilogy wine club release event per year for up to 350 guests; and (f) One wine auction related event per year for up to 60 guests; (4) On-premises consumption of

wines produced on site in the outdoor marketing areas north of the tasting room and offices and north of the "red wine" building, respectively in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; (5) Increase on-site employees from eight full-time employees and six part-time employees to 16 full-time employees, nine part-time employees, and seven harvest season employees; (6) Increase parking spaces from 33 spaces to 38 spaces and the use of an approximately 20,600 square foot staging area for an additional 69 spaces during marketing events; and (7) Change the winery's days of operation from Monday through Saturday to Monday through Sunday. No new buildings or other external changes to the winery's physical facility are proposed, nor any increase in production. The project is located on a 203 acre parcel within the Agricultural Watershed (AW) and Agricultural Preserve (AP) zoning districts and is accessed via a private driveway located off West Zinfandel Lane; 1978 West Zinfandel Lane, Saint Helena, CA 94574; APN: 027-100-037.

The project also includes a request for an exception to the Napa County Road and Street Standards (RSS). The request proposes an exception to the State Responsibility Area Fire Safe Regulations to allow a reduced roadway width across the historical bridge which provides access to the existing tasting room and winery buildings because the bridge was constructed in 1902 and is a historical recorded site. The Napa County RSS require two ten (10) foot wide traffic lanes and permits a maximum longitudinal slope of 16 percent.

**Staff Recommendation:** Adopt the Mitigated Negative Declaration and approve the exception to the Napa County RSS and Use Permit Major Modification, as conditioned.

**Staff Contact:** Jason R. Hade, AICP, Planner III, (707) 259-8757 or [jason.hade@countyofnapa.org](mailto:jason.hade@countyofnapa.org)

**Applicant Contact:** Thomas F. Carey, P.O. Box 5662, Napa, CA 94581, (707) 479-2856

**B. ANTHONY M. & JO ANN TRUCHARD / TRUCHARD FAMILY WINERY / USE PERMIT P14-00330-UP & VARIANCE P14-00331-VAR**

**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 property is on the California Environmental Protection Agency's list of hazardous sites (Government Code Section 65962.5), but is listed as a closed site. In 2005, there was a minor spill of chlorinated pesticides and/or hazardous material contamination in the soil. The spill was remediated and the site was closed in 2006, and is therefore not considered to have any potential significant environmental effect.

**Request:** Approval of a Use Permit to allow the construction of a new 100,000 gallon winery with the following characteristics: 1) Construction of a 33,702 sf winery building and a 1,200 sf attached covered crush pad; 2) Tours and tastings by appointment with a maximum of 40 visitors per weekday and 60 visitors on weekends/holidays for a maximum weekly total of 320 visitors; 3) A marketing program, which consists of two events per month for up to 30 people and four annual events for up to 150 people. Portable restrooms to be provided for events over 90 people; 4) Establishment of commercial catering kitchen for food and wine pairing activities; 5) Provision of food and wine pairings for the tours and tastings; 6) Employment of four full time and three part time employees; 7) Establishment of hours of operation: Monday through Sunday - visitation 10:00 a.m. – 6:00 p.m., and non-harvest production 8:30 a.m. - 5:30 p.m.; 8) On premises consumption of wines produced on site within the winery building and adjacent patio areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; 9) Construction of 13 parking spaces; 10) Improvement of the southern existing driveway dedicated to winery visitors in conformance with the Napa County Road and Street Standards. The northern driveway to be dedicated for agricultural

purposes, employees and production activities of the winery; 11) Construction of a new entry gate and winery signage for the southern driveway; 12) Replacement of the existing wooden bridge with a clearspan bridge in compliance with California Department of Fish and Wildlife and Napa County Conservation Regulations; 13) Construction of an on-site wastewater system with disposal of treated wastewater on vineyards on the adjacent 26 acre parcel (APN: 043-040-003); 14) On-site water storage tanks and utilizing the existing connection to the Congress Valley Water Department and/or well on the adjacent parcel (APN 043-061-022). A Variance application (P14-000331-VAR) is also requested to allow construction of the winery 178 feet within the 600 foot winery setback of Old Sonoma Road. The project is located on an approximately 11.52 acre parcel, within the AW: Agricultural Watershed zoning district approximately 1,320 feet south of Congress Valley Road and Old Sonoma Road intersection approximately 225 feet on the east side of the Old Sonoma Road located at 4062 Old Sonoma Road, Napa CA.; APN: 043-040-001. The project will rely on the adjacent 26 acre vineyard parcel (APN: 043-040-003) to dispose of the treated wastewater and utilize the existing connection to the Congress Valley Water Department and/or well on the adjacent parcel (APN 043-061-022).

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

**Staff Contact:** Charlene Gallina, Supervising Planner, (707) 299-1355 or [charlene.gallina@countyofnapa.org](mailto:charlene.gallina@countyofnapa.org)

**Applicant Contact:** Katherine Philippakis, Esq. and Kirsty Shelton Gerosa; Farella, Braun + Martel; 899 Adams Street, St. Helena, Napa, CA 94574; (707) 967-4000; [kgerosa@fbm.com](mailto:kgerosa@fbm.com) & [kp@fbm.com](mailto:kp@fbm.com)

#### C. BEAUTIFUL DAY, LLC / BEAUTIFUL DAY WINERY / USE PERMIT NO. P15-00202-UP

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP). 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 area of biological resources. The property is on the California Environmental Protection Agency's list of hazardous sites (Government Code Section 65962.5), but is listed as a closed site. In 1993, there was a minor diesel fuel spill at the pump house adjacent to the reservoir resulting from a one-time accident. The spill was remediated and the site was closed in 1993, and is therefore not considered to have any potential significant environmental effect.

**Request:** Approval of a Use Permit in order to construct and operate a winery which would include: 1) Annual wine production capacity of up to 30,000 gallons; 2) a 17,972 square-foot production facility, a 3,271 square-foot hospitality building, and a 3,228 square-foot covered crush pad; 3) Tastings and tours by appointment only for a maximum of 40 visitors per day Monday through Thursday and 75 visitors per day Friday through Sunday for a maximum weekly total of 385 visitors; 4) Host 25 marketing events per year for up to 40 guests, and 3 marketing events per year for up to 100 guests with catered food; 5) Employ up to 10 full-time employees; 6) On-premises consumption of wine purchased on the property, consistent with Business & Professions Code Sections 23358, 23390 and 23396.5, inside of the proposed winery building and on the adjoining outdoor visitations areas; 7) Install a left turn lane on State Route 29 at the project entrance; 8) Extend and widen the site access driveway to a 20-foot width; 9) Install parking for 13 vehicles; 10) Install a new subsurface drip irrigation wastewater treatment system for process waste and standard septic system for domestic waste; and 11) Install an 80,000 gallon fire suppression water tank. The project is located on a 28.8 acre parcel within the Agricultural Preserve (AP) zoning district and accessed via a private driveway located off St. Helena Highway North; 4500 St. Helena Highway North, Calistoga, CA 94515;

APN: 020-180-037.

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

**Staff Contact:** Jason R. Hade, AICP, Planner III, (707) 259-8757 or jason.hade@countyofnapa.org

**Applicant Contact:** George Monteverdi, P.O. Box 6079, Napa, CA 94581; (707) 761-2516

**D. POETRY INN, LLC / LEDE DRIVEWAY IMPROVEMENT PERMIT / USE PERMIT EXCEPTION TO CONSERVATION REGULATIONS # P17-00021-UP AND ROADS AND STREETS STANDARDS EXCEPTION REQUEST**

**CEQA Status:** Consideration and possible adoption of a Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA) Section 15301, Class 1: Existing Facilities; and, Appendix B, Class 1, of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. 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 Exception to Conservation Regulations (Napa County Code 18.108.25(A)) to allow the construction of improvements to an existing driveway access road in compliance with the Napa County Road and Street Standards (RSS) and within the stream setbacks (85' to 105') established by the Conservation Regulations. In addition, an Exception to the RSS is requested for broadening and resurfacing of the existing access roadway along its current alignment and path of travel and allowance for a longitudinal slope in excess of 16% for two sections of the road. Also, the application requests reconfirmation of the previously granted RSS exception (P05-0401-UP) that covers the remaining portion of the access driveway from the Poetry Inn Driveway to the Imagine Property (APN: 032-070-030) including the improvements that have been previously constructed pursuant to that exception. This existing road serves an Inn, an un-built approved winery, an existing residence and a replacement residence with its proposed second unit and guesthouse. The project is located on the east side of Silverado Trail, ±350 feet from its intersection with Yountville Cross Road on a ±29.44 acre parcel (APN: 032-070-027), crossing through two other parcels: APN: 032-070-028 (±16.92 acres) and APN: 032-070-029 (±24.06 acres), and terminating on parcel APN: 032-070-030 (± 23.30 acres). The General Plan Land Use designation is Agriculture, Watershed and Open Space, and the properties are zoned Agricultural Watershed (AW); 6360, 6380, and 6390 Silverado Trail, Napa 94558.

**Staff Recommendation:** Find the project Categorical Exempt from CEQA, approve the Exception to the Road and Street Standards request, and approve the Use Permit Exception to the Conservation Regulations, as conditioned.

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

**Applicant Contact:** George H. Monteverdi, Monteverdi Consulting, LLC; (707) 761-2516; George@MonteverdiConsulting.com

**9. ADMINISTRATIVE ITEMS - None**

**10. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **MAY 17, 2017 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

**11. COMMISSIONER COMMENTS / COMMITTEE REPORTS**

**12. 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
- #P13-00055-UP, 3 years after approval date for reporting on visitation and marketing - Bell Wine Cellars

**13. 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 4-28-17 BY 10:00 AM. 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

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