

AGENDA

NAPA COUNTY PLANNING COMMISSION

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

Wednesday September 19, 2018
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Joelle Gallagher</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Dave Whitmer</i> <i>District # 2</i>	<i>CHAIR</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>VICE CHAIR</i> <i>Terry Scott</i> <i>District # 4</i>	<i>COMMISSIONER</i> <i>Jeri Hansen</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>Lashun Fuller</i>

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:
September 5, 2018 (All Commissioners Present)

5. AGENDA REVIEW**6. DISCLOSURES****7. PUBLIC HEARING ITEMS****A. GEORGE HENDRY / HENDRY WINERY / USE PERMIT MAJOR MODIFICATION APPLICATION #P15-00173-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 is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval to modify a previously-approved Use Permit (97506-UP, as modified by Major Modifications Nos. 99408-MOD and 00343-MOD) allowing operation of a winery at 3104 Redwood Road, to recognize the following three currently noncompliant winery activities: 1) an increase in the permitted number of visitors to the winery, from 20 guests per week to a maximum of 20 guests per day (140 guests per week), in approximately 450 additional square feet adjacent to the approved 500 square foot tasting room; 2) an increase in on-site parking from six permitted stalls to 10 existing stalls; and 3) a change in the number of winery employees from three full-time and two part-time to four (full-time or part-time). The request also includes recognition of the winery's expansion of its previously-permitted marketing program, to consist of up to 12 events per year for up to 50 guests, plus one event per year for up to 150 guests, with catered food and portable restrooms. Proposed improvements associated with the request include plans to install a new well on-site, and planned modification of the on-site wastewater treatment system to correspond to the requested changes in winery operations. Adopted conditions of approval of Use Permit No. 97506-UP, as modified, are also proposed to be changed to remove custom crush limitations and add an allowance for visitors to consume wine purchased on-site (Business and Professions Code Sections 23358, 23390 and 23396.5). The property at 3104 Redwood Road is approximately 60.7 acres in size and located in the AP (Agricultural Preserve) zoning district; Assessor's Parcel No 035-120-031.

Options for Planning Commission Action:

Option 1: Adopt the Negative Declaration and approve the Use Permit Modification in its entirety, as requested by the Applicant, based on the findings in Attachment A and as conditioned in Attachment

B.

Option 2: Adopt the Negative Declaration and approved reduced visitation compared to the applicant's requested Use Permit Major Modification, pursuant to Commission direction and based on modified findings in 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, Project Planner, (707) 253-4388 or dana.ayers@countyofnapa.org

Applicant Contact: Jeff Miller, Hendry Winery, (707) 480-0084 or hendryjeffmiller@aol.com

B. HUGO MALDONADO/MALDONADO WINERY/USE PERMIT MAJOR MODIFICATION #P17-00101-MOD

CEQA Status: Consideration and possible adoption of Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA) Section 15303, Class 3 (New Construction or Conversion of Small Structures); Section 13504 Class 4: Minor Alterations to Land; and, Appendix B, Class 3:#10 (New Construction or Conversion of Small Structures) of the 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 modification of Use Permit #P04-0271-UP as follows: to increase the production capacity of an existing winery from 15,000 gallons to 30,000 gallons/year; add one full-time and one part-time employees, for a total of three employees; upgrade the on-site septic system; and make improvements to the access driveway and gate. No changes to visitation, marketing, or hours of operation are proposed. The project is subject to the current County Road and Street Standards, which require the construction of additional width to the access driveway and an increase in the width of the existing gate. The project is located on a ±11.14 acre parcel on the west side of Old Lawley Toll Road, ±1,880 feet north of its intersection with Lake County Highway (State Highway 29) within the AW (Agricultural Watershed) zoning district; 3070 Old Lawley Toll Road, Calistoga, CA 94515; APN: 017-140-039.

Staff Recommendation: Find the project Categorically Exempt from CEQA and approve the Use Permit Modification, as conditioned.

Staff Contact: Wyntress Balcher, Planner II, (707) 299-1351 or wyntress.balcher@countyofnapa.org

Applicant Contact: Hugo Maldonado, (707) 738-3970; hugo@maldonadovineyards.com

8. ADMINISTRATIVE ITEMS - None

9. PLANNING MANAGER'S REPORT

- DISCUSSION OF ITEMS FOR THE **OCTOBER 03, 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. 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

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 SEPTEMBER 10, 2018 BY 5PM. 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