

AGENDA

NAPA COUNTY PLANNING COMMISSION

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

Wednesday September 2, 2020
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

<i>VICE CHAIR</i> Andrew Mazotti District # 4	<i>COMMISSIONER</i> Anne Cottrell District # 3	<i>CHAIR</i> Dave Whitmer District # 2	<i>COMMISSIONER</i> Joelle Gallagher District # 1	<i>COMMISSIONER</i> Megan Dameron District # 5
<i>COMMISSION COUNSEL</i> Laura Anderson		<i>SECRETARY-DIRECTOR</i> David Morrison		<i>COMMISSION CLERK</i> Lashun Fuller

IMPORTANT NOTICE REGARDING COVID-19 AND PARTICIPATION IN THE PLANNING COMMISSION MEETING

Napa County Planning Commission meetings will be conducted via teleconference using the Microsoft Zoom program in order to minimize the spread of the COVID-19 virus, in accordance with the State of Emergency proclaimed by Governor Newsom on March 4, 2020, Executive Order N-29-20 issued by Governor Newsom on March 17, 2020, and the Shelter in Place Order issued by the Napa County Health Officer on March 18, 2020, as may be periodically amended.

To participate in the Napa County Planning Commission meeting, the public are invited to observe and address the Commission telephonically or electronically. Instructions for public participation are below:

The Napa County Planning Commission will continue to meet pursuant to the adopted 2020 calendar <https://www.countyofnapa.org/DocumentCenter/View/15733/2020-PC-MEETING-SCHEDULE>.

The Napa County Planning Commission realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Please watch or listen to the Planning Commission meetings in one of the following ways:

- | Watch on your TV - Napa Valley TV Channel 28.
- | Listen on your cell phone - via Zoom at 1-669-900-6833 Enter Meeting ID 991-4190-6645 once you have joined the meeting.
- | Watch via the Internet - view the Live Stream via Zoom by <https://www.zoom.us/join>, then enter Meeting ID 991-4190-6645.
- | Via Granicus by http://napa.granicus.com/ViewPublisher.php?view_id=21

You may submit public comment on any item that appears on the agenda, or general public comment for any item or issue that does not appear on the agenda, as follows:

1. Via email – send your comment to the following email address: PC@countyofnapa.org. Please provide your name and indicate the agenda item upon which you are commenting. Emails received will not be read aloud but will still become part of the public record.
2. Via telephone - please call the Planning Commission Public Comment Line at: 707-299-1776. Please provide your name and the agenda item on which you are commenting. Your call will be placed on hold and heard by the Commission in the order received.

The above-identified measures exceed all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and Executive Order N-29-20. If you have any questions, contact us via telephone at (707)-253-4417 or send an email to planningcommissionclerk@countyofnapa.org.

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:
August 19, 2020 (All Commissioners Present, Commissioner Mazotti only present for Item 7A & 8A)

5. AGENDA REVIEW

6. DISCLOSURES

7. PUBLIC HEARING ITEMS

A. BOB BARBARICK / BALLOONS ABOVE THE VALLEY / USE PERMIT #P19-00303-USE

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: The Use Permit would allow daily launching of up to eight hot air balloons. Hours of operation would be 6:00 a.m. and 9:30 a.m. with launches starting no earlier than 7:00 a.m. Guests are picked up from prearranged locations such as lodging facilities or public sites (i.e. Oxbow Public Market) and driven to the site. Multiple balloons can be launched simultaneously depending on the weather. Following the launch, the transport vehicle(s) and equipment truck follow the balloon to the landing site, and then return guests to their pick up location and equipment to the equipment storage location. The project is located on a 2.03-acre parcel within the Agricultural Preserve zoning district, with a General Plan land use designation of Agricultural Resource (AR). The site address is 5360 Washington Street, Napa. APN: 036-130-029

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

Staff Contact: Emily Hedge, Planner III, 707-259-8226 or Emily.Hedge@CountyofNapa.org

Applicant Contact: Bob Barbarick, 603 California Boulevard, Napa, CA 94559, (707) 258-8888, bob@balloonrides.com

B. HYDE WINES LLC - HYDE WINERY - USE PERMIT MAJOR MODIFICATION NO. P17-00026-MOD

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the Negative Declaration, the proposed project would not have any potentially significant impacts. The 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 an existing 30,000-gallon per/year winery approval to allow the following: 1) increase daily tours and tastings by appointment only from 20 visitors per day, 120 visitors per week (6,240 visitors per year), to 125 visitors per day, 875 visitors per week (45,500 visitors per year); 2) increase marketing events from 10 per year with up to 30 guests at each event and one (1) per year with up to 100 guests at each event (400 guests per year) to eight (8) events per year with up to 55 guests at each event, two (2) events per year with up to 150 guests at each event, one (1) per year with up to 100 guests at each event (840 guest per year); 3) increase previously approved on-site parking from 12 parking spaces to 35 parking spaces; 4) increase employees from two (2) full-time and two (2) part-time to five (5) full-time and four (4) part-time; 5) construct a 3,659 sf outdoor, uncovered patio (near the existing barn); 6) on-premise consumption of wines produced on site in the tasting room and the existing and proposed outdoor patios in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; 7) appointment of a winery staff member as Travel Demand Management (TDM) coordinator to schedule the additional tastings so none would end during the weekday and Saturday P.M. peak, facilitate reducing auto commuting trips and promote use of shuttle buses to all marketing events in order to reduce overall vehicle trips to the site and lessen Vehicle Miles Traveled (VMT) associated with the winery; and, 8) driveway improvements, signage, and landscape improvements. No increase to annual wine production and no construction of new buildings or expansion of existing buildings is proposed. The project is located on a 12.26 acre property on the southeast corner of State Route 12/121 and Los Carneros Avenue. 1044 Los Carneros Avenue, Napa. APN: 047-220-013.

Staff Recommendation: Adopt the negative declaration and approve the use permit modification with the proposed conditions of approval.

Staff Contact: Sean Trippi, (707) 299-1353 or sean.trippi@countyofnapa.org

Applicant Contact: Jeff Dodd, Coblenz, Patch, Duffy & Bass, LLP (415) 772-5724 or jdodd@coblenzlaw.com ams@dpf-law.com

C. FRANK BALLENTINE C/O THE WM VAN & BETTY P BALLENTINE TRUST ET AL / BALLENTINE VINEYARDS / USE PERMIT MAJOR MODIFICATION NO. P18-00382 AND VARIANCE P19-00006

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): cultural resources, transportation/traffic, 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 an existing 50,000 gallon per year winery to allow the following: **A. Components Necessary to Remedy Existing Violations:** (1) recognition of daily tastings of 21 persons per day, 147 visitors maximum per week. Currently authorized for 10 weekly visitors; (2) recognition of an existing marketing program of six events per year (325 guests). Currently authorized for two events per month (120 guests); and (3) recognition of 11 full-time employees. Currently authorized for four full-time employees. **B. Expansion Beyond Existing Entitlements:** (1) Construction of a 3,500 square foot freestanding covered crush pad and outdoor work area; remodel the existing tasting room including the addition of a 1,200 square foot outdoor tasting area adjacent to the tasting room; construction of a 240 square foot attached ADA compliant restroom, 215 square foot attached private tasting room, 250 square foot attached employee break room, and a 225 square foot pomace bin; (2) Increase in maximum annual permitted wine

production from 50,000 to 125,000 gallons; (3) Increase existing daily tastings from 21 persons per day, 147 visitors maximum per week (existing conditions to be recognized via the County's Code Compliance Program) to 40 persons per day Monday through Friday and 95 persons per day Saturday and Sunday; 390 visitors maximum per week. All visitation would be by appointment only; (4) Modification of an existing Marketing Program to increase events from six events per year (325 guests) (existing conditions to be recognized via the County's Code Compliance Program) to 112 events per year (3,400 guests) as follows: (a) Ninety-Six (96) annual events for up to 25 guests; (b) Twelve (12) annual events for up to 50 guests; (c) Four (4) annual events for up to 100 guests; and (d) Closure of the winery for daily tastings during all 100 person events. (5) On-premises consumption of wines produced on site in the open air patio, tasting room, and private tasting room in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; (6) Change the winery's tasting room hours of operation from 10:00 AM to 5:00 PM to 10:00 AM to 6:00 PM (Seven days a week); (7) Increase parking spaces from 15 spaces to 37 spaces and provide a minimum of two on-site bicycle parking spaces; (8) Increase the number of employees from 11 (existing conditions to be recognized via the County's Code Compliance Program) to 15; (9) Construct a new gate and re-configure the existing on-site circulation pattern; (10) Upgrade existing landscaping and the façade of the existing winery building and the provision of an accessible path of travel; (11) Potential relocation of the existing overhead power lines; (12) Improvement of the existing driveways to county standards; and (13) Upgrade the existing water system permit from a Transient Non Community (TNC) water system to a Non-Transient Non-Community (NTNC) water system. A Variance application (P19-00006) is also requested to allow construction of the proposed covered work area approximately 375 feet from the centerline of State Highway 29 and the proposed covered pomace bin approximately 430 feet from the centerline of State Highway 29. Both would be located within the minimum 600-foot winery setback from State Highway 29. The project is located on an approximately 21 acre site within the AP (Agricultural Preserve) zoning district with a General Plan land use designation of AR (Agricultural Resources) and AWOS (Agriculture, Watershed & Open Space) at 2820 State Highway 29, Saint Helena, CA; APN: 022-200-003.

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

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

Applicant Contact: Jeffrey Redding, AICP, Land Use Planning Services, 2423 Renfrew Street, Napa, CA 94558, (707) 255-7375 or jreddingacip@comcast.net

8. ADMINISTRATIVE ITEMS - None

9. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **SEPTEMBER 16, 2020 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 8/25/2020 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