

AGENDA

NAPA COUNTY PLANNING COMMISSION

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

Wednesday, September 20, 2017
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>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>

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**5. DIRECTOR'S REPORT**

- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES

6. AGENDA REVIEW**7. DISCLOSURES****8. PUBLIC HEARING ITEMS****A. FINAL DRAFT CLIMATE ACTION PLAN (CAP)**

CEQA Status: Staff and Ascent Environmental, Inc. are in the process of reviewing the comments received at the July 5, 2017 Planning Commission hearing as well as recent court rulings regarding climate action plans and will determine the appropriate level of environmental review at a future date once this review has been completed.

Request: Napa County proposes to adopt a Climate Action Plan (CAP) to identify measures and actions to reduce greenhouse gas (GHG) emissions consistent with State and regional guidance. A CAP is a document that includes policies, measures, and strategies to improve the health, safety, mobility, and livability of the greater community. Acting on climate change means both reducing GHG emissions from local sources in the unincorporated county and helping the community to adapt to climate change and improve the communities' resilience to climate change over the long term. The objectives of a CAP are to reduce GHGs, streamline CEQA review by serving as a "qualified GHG reduction plan," and prioritize measures to comply with California environmental and land use planning laws. Objectives are achieved through the implementation of implementation measures, also referred to as GHG reduction strategies, which address sectors including building energy, on-road transportation, solid waste, off-road vehicles and equipment, agriculture, land use change, and wastewater.

Staff Recommendation: Drop the item from the agenda and re-notice for a future hearing date.

Staff Contact: David Morrison, PBES Director, (707) 253-4805 or david.morrison@countyofnapa.org or Jason R. Hade, AICP, Planner III, (707) 259-8757 or jason.hade@countyofnapa.org

CONTINUED FROM JULY 5, 2017 REGULAR MEETING**TO BE DROPPED FROM THE AGENDA AND RE-NOTICED FOR A FUTURE DATE****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 Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (MMRP). According to the proposed Mitigated Negative Declaration and MMRP, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following areas: Biological Resources and Hydrology / Water Quality. 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 12 parking spaces and provision of valet parking for events on the crush pad and outdoor work areas; 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 (Currently: APN 043-040-028). The project will rely on the adjacent 26 acre vineyard parcel (APN: 043-040-003; Currently: 043-0040-029) 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 Mitigation Negative Declaration and MMRP and approve the Variance and Use Permit, as conditioned.

Staff Contact: Charlene Gallina, Supervising Planner, (707) 299-1355 or 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 & kp@fbm.com

C. YAHOME VINEYARDS, LLC / RODDE RESIDENCE PRIVATE ACCESS ROAD / USE PERMIT EXCEPTION TO CONSERVATION REGULATIONS APPLICATION #P16-00383

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 enumerated under Government Code Section 65962.5.

Request: Approval of a request for an exception to the Napa County Conservation Regulations (County Code Chapter 18.108), in the form of a Use Permit, in order to allow portions of a new, 20-foot wide, asphalt-paved driveway and adjacent retaining walls to encroach into the minimum required 45- and 55-foot creek setbacks from the top of bank of Hagen Creek. The proposed new driveway would provide access from Hagen Road to the Rodde Residence located at 4100 Hagen Road, Napa (Assessor's Parcel No. 049-270-013), within a 25-foot wide access easement adjacent to the southern boundary of an adjoining vineyard parcel at 4028 Hagen Road, Napa (Assessor's Parcel No. 049-270-014). Both properties are approximately two miles east of the City of Napa municipal boundary, have a General Plan land use designation of Agriculture, Watershed and Open Space (AWOS), and are located in the Agricultural Watershed (AW) zoning district.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit Exception request, subject to conditions.

Staff Contact: Dana Ayers, Planner III; phone (707) 253-4388; email dana.ayers@countyofnapa.org

Applicant: Scott Rodde; phone (707) 486-3950; email srodde@napanet.net

D. CUNAT PREMIUM VINEYARDS, LLC- MATERRA WINERY – USE PERMIT MAJOR MODIFICATION # P17-00156-MOD

CEQA Status: Consideration and possible adoption of an Addendum to the previously adopted 2015 Subsequent Negative Declaration for Materra Winery. Pursuant to CEQA Guidelines Section 15164, an addendum to an adopted Subsequent Negative Declaration may be prepared if only minor technical changes or additions are necessary or if none of the conditions contained in Section 15162 calling for preparation of a Subsequent Negative Declaration have occurred. Analysis of the current modification proposal to increase annual wine production identified no new significant impacts of the current project proposal. 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 Major Modification (P17-00156 – MOD) to: 1) Increase in the winery's permitted annual production from 85,000 gallons of wine to 110,000 gallons of wine; 2) Modify the existing septic system on-site to include a new, 4,000-gallon, below-ground septic tank alongside the 5,000-gallons of underground tank storage area behind (east of) the new winery production building, in order to accommodate the additional process waste water from the proposed increase in production; and 3) Modify the allowed Marketing events to exclude the 25 and 50 person food and wine paring events from August 1 through October 31. The winery buildings and outdoor

processing areas on-site would not and do not need to be expanded for sake of the production increase, and the project applicant is not requesting any increases be made to the winery's approved parking, employment, or visitation and marketing programs. The 50-acre parcel on which the winery sits is located on the east side of Big Ranch Road near Oak Knoll Avenue, north of the City of Napa. The parcel is zoned AP (Agricultural Preserve) District; 4326 Big Ranch Road; Assessor's Parcel No. 036-160-003.

Staff Recommendation: Adopt an Addendum to the Subsequent Negative Declaration and approve the requested Major Modification to the previously approved use permit, as conditioned.

Staff Contact: Graham Hannaford, Planner II, phone 707-299-1361 or email graham.hannaford@countyofnapa.org

Applicant: Cunat Premium Vineyards, LLC, phone 815-385-3871 or email bgcunat@gmail.com

Applicant's Representative: Beth Painter, Balanced Planning, phone 707-287-9089 or email beth@bnapa.com

9. ADMINISTRATIVE ITEMS

10. PLANNING MANAGER'S REPORT

- DISCUSSION OF ITEMS FOR THE **SEPTEMBER 27, SPECIAL 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 SEPTEMBER 14, 2017 BY 1:30PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Brian Clerici (By e-signature)
Brian Clerici, Acting Clerk of the Commission