

NAPA COUNTY BOARD OF SUPERVISORS
NOTICE OF APPEAL HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, January 26, 2021 at 1:30 p.m., a Public Hearing will be conducted by the Napa County Board of Supervisors in the County Administration Building, 1195 Third Street, Suite 305, Napa, California, regarding the appeal identified below.

The hearing for this matter was originally scheduled for May 19, 2020 to satisfy the ninety day scheduling deadline in the appeals ordinance, and continued to September 1, 2020. At the September 1, 2021 hearing, the matter was continued, at the applicant's request, to November 10, 2020 because of the LNU Fire Complex and ongoing challenges presented by the COVID-19 pandemic. Due to a scheduling conflict, the item was continued from November 10, 2020 to January 26, 2021 at the request of staff.

Consideration and possible direction regarding appeals filed by Patricia Damery, c/o Kathy Felch (Appellant Damery), and George and Jeff Atlas and Paul Rowe, c/o Kevin Block (Appellant Atlas and Rowe), to a decision by the Planning Commission on February 5, 2020 to approve (5:0– AYES: Gallagher, Whitmer, Hansen, Mazotti, Cottrell) an application submitted by Anthem Winery and Vineyards, c/o Justin H. Arbuckle and Julie A. Arbuckle, Trustees of the Arbuckle Family Trust May 5, 2006 (Applicant) for approval of a Use Permit Major Modification (P14-00320-MOD) for an existing 30,000 gallon winery permit to allow the following: (a) the construction of a new 10,388 sq. ft. winery facility that includes a 1,508 sq. ft. tasting room, a 1,724 sq. ft. office, catering and conference room, and approximately 4,600 sq. ft. of outdoor marketing areas; (b) the development of 29,053 sq. ft. of caves including the on-site placement and storage of spoils; (c) an increase in on-site parking from two spaces to 22 spaces; (d) the development of winery support facilities (water tanks, septic system, and rainwater harvesting and winery process water recycling and reuse systems); (e) an increase in the number of employees from one part-time employee to seven full-time and five part-time employees; (f) a change in the winery's hours of operation from 9:00 AM to 5:00 PM Monday through Sunday to 8:00 AM to 8:00 PM Monday through Sunday (production hours) and 10:00 AM to 6:00 PM Monday through Sunday (visitation hours), and marketing events 11:00 AM to 10:00 PM Monday through Sunday; (g) a marketing plan that includes daily tours and tastings by appointment with a maximum of 170 visitors per week during the Summer/Fall Season (April 1 through November 15) and a maximum of 120 visitors per week during the Winter/Spring Season (November 16 through March 31), and 23 annual marketing events (20 30-person events, two 50-person events, and one 100-person event) resulting in a maximum of 7,623 annual visitors, and on-site consumption of wine produced on-site; and (h) the reconfiguration of an existing access driveway including the construction of a clear span bridge and approximately 650 feet of new driveway to provide adequate access to the winery (hereafter referred to as the Project). The Project also includes an Exception to the Napa County Road and Street Standards (RSS) for reduced commercial driveway widths and for road grades exceeding 18%, a viewshed request and an Agricultural Erosion Control Plan (ECPA) for the installation and maintenance of approximately 1.19 acres of new vineyard. The Project would be completed in three phases: Phase I includes construction of the driveway, parking, septic system, production structures (Fermentation Buildings and Bottling Room), outdoor tasting area, and the cave water storage tanks; Phase II includes construction of the remainder of the caves; and Phase III includes construction of the tasting room and the office/catering/conference room building. The Project is located on an approximate 44.8 acre holding within the Agricultural Watershed (AW) zoning district that consists of two parcels: i) the "Winery Parcel" (3454 Redwood Road, APN 035-470-046), an approximate 27.23 acre parcel located on the east side of Redwood Road approximately 1.5 miles north of its intersection with Browns Valley Road; and ii) the "Access Parcel" (3123 Dry Creek Road, APN 035-460-038), an approximate 17.54 acre parcel located on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road (or approximately 0.4 miles north of its intersection with Linda Vista Avenue). Access to the winery is proposed from Dry Creek Road.

(CONTINUED FROM MAY 19, SEPTEMBER 1, AND NOVEMBER 10, 2020)

ENVIRONMENTAL DETERMINATION: 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. Mitigation measures are proposed for the following area(s) Biological Resources, Geology and Soils, and Noise. The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

To comply with social distancing orders, the hearing can be viewed on Napa Valley TV Channel 28 and also via the Internet through Zoom (<https://www.zoom.us/join> and Meeting ID 842-343-169) or the Napa County website via Granicus (https://napa.granicus.com/ViewPublisher.php?view_id=2).

The Board, following close of the hearing, will either confirm, reverse, or modify the decision being appealed, or remand the matter to the Planning Commission for further consideration, additional findings or other appropriate action consistent with the decision of the Board.

Copies of all documents, which relate to the above-described appeal, may be examined at the Clerk of the Board of Supervisors Office, 1195 Third Street, Suite 310, Napa, California.

IF YOU CHALLENGE THIS PROCEEDING IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE APPEAL HEARING BY THE BOARD OF SUPERVISORS.

DATED: January 13, 2021

ATTEST: Jose Luis Valdez
Clerk of the Board of Supervisors