



## Meeting Minutes

### Napa County Planning Commission

Joelle Gallagher, District 1  
Dave Whitmer, District 2  
Anne Cottrell, District 3  
Andrew Mazotti, District 4  
Megan Dameron, District 5

David Morrison, Director  
Laura Anderson, Commission Counsel  
Alexandria Quackenbush, Secretary

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Wednesday, May 4, 2022

9:00 AM

Board of Supervisors Chambers  
1195 Third Street, Third Floor

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**1. CALL TO ORDER / ROLL CALL**

Present: Chair Megan Dameron, Commissioner Joelle Gallagher, Commissioner Andrew Mazotti, Commissioner Anne Cottrell.

Excused: Vice-Chair Dave Whitmer

**2. PLEDGE OF ALLEGIANCE**

None.

**3. CITIZEN COMMENTS AND RECOMMENDATIONS**

None.

**4. APPROVAL OF MINUTES**

February 2, 2021 minutes were approved.

JG-AM-AC-MD-DW

X

February 16, 2022 minutes were approved.

JG-AC-AM-MD-DW

X

**5. AGENDA REVIEW**

Brian Bordona gave the review.

**6. DISCLOSURES**

None.

## 7. PUBLIC HEARING ITEMS

### A. HORWITZ & LECLAIR - SOLAR ARRAY USE PERMIT EXCEPTION TO THE CONSERVATION REGULATIONS - #P21-00247-UP

**CEQA Status:** Consideration and possible adoption of Categorical Exemption Class 3. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. See Section 15303 [Class 3 New Construction or Conversion of Small Structures] which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303. The project site is not on any lists of hazardous waste 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 18.108.060), in the form of a Use Permit in order to allow the development of a solar array and associated equipment (trench and bunker) on land with slopes over 30%. The proposed solar array would provide energy to the existing single-family residence and accessory structure. The project is located on an approximately 21-acre parcel within the Agricultural Watershed (AW) zoning district and accessed via a private driveway located off of Silverado Trail, just south of its intersection with Skellenger Lane at 7870 Silverado Trail, Napa, CA; APN 030-210-010.

**Staff Recommendation:** Adopt the Categorical Exemption and approve the Use Permit Exception to the Conservation Regulations as conditioned.

**Staff Contact:** Dana Morrison, Planner III; phone (707) 253-4437; email: [dana.morrison@countyofnapa.org](mailto:dana.morrison@countyofnapa.org)

**Owner/Applicant:** Shawn Horwitz and Allison LeClair; phone (818) 522-9172; [shawn.horwitz@alliantcapital.com](mailto:shawn.horwitz@alliantcapital.com)

**Applicant Representative:** Brian Peterson, Bright Power Inc., PO Box 10637, Napa CA 94581; (707) 252-9990; [brian@bpi-power.com](mailto:brian@bpi-power.com)

Commissioners voted to Adopt the Categorical Exemption based on Findings 1-3 of Attachment A; and Approve an Exception to the Conservation Regulations in the form of a Use Permit (#P21-00247-UP), based on Findings 4-15 of Attachment A, and subject to the Conditions of Approval listed in Attachment B.

JG-AC-AM-MD-DW

X

### B. JAY GARDNER / MEYERS WATER COMPANY / USE PERMIT NO. P21-00091-UP

**CEQA Status:** Consideration and possible adoption of Categorical Exemptions Class 1, 3, and 4. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities; Section 15303, Class 3 New Construction or Conversion of Small Structures; and Section 15304, Class 4 Minor Alterations to Land.] Furthermore, this project is exempt from the requirements of CEQA under Section 15269 Emergency Projects, subsection (b) emergency repairs to publicly or

privately owned facilities necessary to maintained service essential to the public health and safety, or welfare. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a request from Meyers Water Company (MWC) for a Use Permit (No. P21-00091) to continue operation of a small community water system/Quasi-Public use (for the community of Edgerly Island) in unincorporated Napa County west of the Napa River. The requested Use Permit includes emergency repair of MWC's small community water system through 1) The use of an existing new well drilled on the site; and 2) Relocation and development of a water distribution system including water pumps and filters and six (6) 5,000-gallon water tanks. The water distribution system, water storage tanks, equipment, and materials to support the small community water system would be located in a proposed new two-story mixed use in an approximately 3,260 sf building. The ground level garage area totaling 1,647 sf would be used by MWC for the water distribution system and the second floor would be developed with a 3-bedroom, 1,611 sf manufactured single-family residence, including two uncovered parking spaces. The single-family residence is an allowed use and is not subject to the requested use permit. The project is located on a 0.113-acre parcel within the Residential Single - Airport Compatibility (RS-AC) zoning district and Agriculture, Watershed, & Open Space (AWOS) general plan designation at 1794 Milton Road, Napa; Assessor's Parcel No. 048-042-028.

**Staff Recommendation:** Find the project categorically and state exempted from CEQA and approve the Use Permit as conditioned.

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

**Applicant:** Jay Gardner; phone 707-974-3803 or email [jay@adventurecat.com](mailto:jay@adventurecat.com)  
Commissioners voted to Find the project Categorically and State Exempted based on the CEQA Memorandum and Findings 1-4 in Attachment A; and Approve Use Permit Application No. P21-00091-UP, based on Findings 5-9 of Attachment A, and subject to the recommended Conditions of Approval (Attachment B).  
JG-AC-AM-MD-DW

X

## 8. ADMINISTRATIVE ITEMS

None.

## 9. DEPUTY DIRECTOR'S REPORT

Brian Bordona gave the report with discussion.

### DISCUSSION OF ITEMS FOR THE **MAY 18, 2022 REGULAR MEETING**

#### BOARD OF SUPERVISORS ACTIONS

- The Board of Supervisors took action on the Micro-Winery Ordinance which will go into effect May 5, 2022.
- The Board of Supervisors gave direction to the Planning department to embark on a General Plan Update. Director Morrison will bring back a more detailed implementation plan to the Board in August.

- The Board of Supervisors extended the Temporary Uses Policy as it relates to Covid to continue to conduct some activity outdoors.

#### OTHER DEPARTMENT ACTIVITIES

- The Planning department is in the process of recruiting a Planning Manager and 2-3 other Planner vacancies.

#### CODE COMPLIANCE REPORT

- There are 29 complete applications with 18 still pending.

#### ZONING ADMINISTRATOR ACTIONS

#### OTHER PENDING PROJECT'S STATUS

### 10. COMMISSIONER COMMENTS / COMMITTEE REPORTS

- Commissioner Cottrell reported the WICC has been tasked to serve on the State mandated Drought and Water Shortage Task Force (DWSTF). The first meeting was April 28, 2022.

### 11. FUTURE AGENDA ITEMS

Projects Requiring Commission Follow-Up Review, refer to "PBES Current Projects"  
Web Page <https://www.countyofnapa.org/591/Current-Projects>

### 12. ADJOURNMENT

Meeting adjourned to May 18, 2022 regular meeting.



MEGAN DAMERON, Chairperson

ATTEST: David Morrison, Secretary-Director



ALEXANDRIA QUACKENBUSH, Clerk of the Commission

#### Key

Vote: JG = Joelle Gallagher; DW = Dave Whitmer; MD = Megan Dameron;

AC = Anne Cottrell; AM = Andrew Mazotti

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused