



Napa County

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Legislation Text

File #: 24-10, Version: 1

TO: Board of Supervisors
FROM: Brian D. Bordona, Director of Planning, Building and Environmental Services
REPORT BY: Kelli Cahill, Planner III
SUBJECT: Sentinel LLC/Inglenook Residence Appeal

RECOMMENDATION

PUBLIC HEARING - Sentinel LLC/Inglenook Residence Appeal

Open and move to continue the public hearing for an appeal filed by Water Audit California (Appellant) to the Napa County Planning Commission's decision on November 15, 2023, to approve a Use Permit Exception to the Conservation Regulations (No. P22-00404-UP) filed by Adobe Associates, Inc. on behalf of Niebaum-Coppola Estate Winery LP (Applicant) to allow a private access road serving agricultural structures and a future residence to encroach into the creek setback. (No Fiscal Impact)

(APPELLANT, APPLICANT, AND STAFF REQUEST A CONTINUANCE TO MARCH 12, 2024 AT 9:00 AM)

BACKGROUND

The matter before the Board involves an appeal filed by the Appellant to decisions made by the Napa County Planning Commission on November 15, 2023, to: (1) adopt a Mitigated Negative Declaration; and (2) Approve Use Permit Exception to the Conservation Regulations No. P22-00404, to allow improvements to a private access road serving existing agricultural structures and a future residence to encroach into the minimum required 45- to 55-foot creek setback from the top of bank of Bear Creek.

The project site is approximately three miles from the City of St. Helena municipal boundary, has a General Plan land use designation of Agriculture, Watershed and Open Space (AWOS), and is located in the Agricultural Watershed (AW) zoning district, APN 027-200-017 and 027-210-032. The project is along an

existing private driveway to a parcel utilized for agricultural storage that includes several existing barns where a future residence is proposed (027-200-017). The proposed driveway improvements involving road widening is proposed along the existing driveway where portions are located within the setback of Bear Creek.

On November 27, 2023, a timely Notice of Intent to Appeal was filed by the Appellant, and on December 11, 2023, the Appellant submitted a timely Appeal Packet.

Pursuant to the County's appeals ordinance (Napa County Code Chapter 2.88), a public hearing on the appeal must be scheduled not less than twenty-five days nor more than ninety calendar days from submittal of an appeal. In order to satisfy the ninety-day scheduling deadline, Staff, the Appellant and Applicant request that the Chair introduce the item, open the public hearing and request a motion for continuance to March 12, 2024, at 9:00 AM.

Staff, the Appellant and Applicant presentations and public testimony will not occur at the February 27, 2024 hearing, but will occur at the March 12, 2024 hearing. Documents associated with No. P22-00404-UP and this appeal record (No. P23-00356-APL) are available for review in the Napa County Department of Planning, Building and Environmental Services, and at https://countyofnapa.sharepoint.com/:b:/s/PBES-PlanningDivision/EVsfXOz5uUtLr62gKN85JdMBh59W_JhmAsArucuF1Ux-qQ?e=k62aXZ

Requested Actions:

1. Chair introduces the item and opens the public hearing;
2. Motion by a Board member, second by another Board member, and a vote by the Board to continue the hearing to March 12, 2024, at 9:00 AM.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	No
Where is it budgeted?	All County staff costs associated with this Appeal will be fully reimbursed by the Applicant on a time and materials basis as set forth in County Fee Policy 80.037 (c)
Is it Mandatory or Discretionary?	Mandatory
Future fiscal impact:	No
Consequences if not approved:	Non-compliance with the County's appeals ordinance (NCC Chapter 2.88), which requires a public hearing on an appeal not less than twenty-five days or more than ninety calendar days from submittal of a timely appeal.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Consideration and possible readoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project may have potentially significant environmental impacts to Biological Resources. The project site is not included on a list of hazardous materials sites enumerated under Government Code Section 65962.5.