



# Napa County

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## Legislation Text

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**File #:** 24-352, **Version:** 1

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**TO:** NAPA COUNTY ZONING ADMINISTRATOR

**FROM:** Matt Ringel for Brian D. Bordona - Planning, Building, & Environmental Services Director

**REPORT BY:** Matt Ringel, Planner II

**SUBJECT:** Yount Ridge Cellar LLC Pool and Patio Viewshed Protection Program  
Application #P22-00328

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### **RECOMMENDATION**

Yount Ridge Cellar LLC / Viewshed Protection Program Application #P22-00328

CEQA Status: Consideration and possible adoption of Categorical Exemptions Class 1 and 3: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA). See Section 15301 (Class 1 Minor Alteration to Existing Facilities) which exempts interior and exterior alterations to existing structures and Section 15303 (Class 3 New Construction) which exempts the construction of new structures, including single family residences, a second dwelling unit, and appurtenant structures. The project site is not located on any of the lists of hazardous material sites compiled pursuant to Government Code Section 65962.5.

Request: Review and approval of an application under the Viewshed Protection Program, as defined in Chapter 18.106 of the Napa County Code (NCC), to remove and replace an existing spa, install a cold plunge, deck addition, porch addition, outdoor sauna, American Disability Act (ADA) improvements, and landscape screening in conformance with the Viewshed Protection Program. The project is located on an approximately 8.17-acre parcel within the Agricultural Preserve (AP) Zoning District and has a General Plan designation of Agricultural Resource (AR). 7400 St. Helena Hwy, Napa. APN: 031-130-029-000.

Staff Recommendation: Find the project categorically exempt and approve the Viewshed Protection Program application, as conditioned.

Staff Contact: Matt Ringel, Planner II, (707) 299-1351, or [matthew.ringel@countyofnapa.org](mailto:matthew.ringel@countyofnapa.org)

Applicant Contact: Kelly Patterson, (617) 733-1778, or [patterson@watershedpartners.com](mailto:patterson@watershedpartners.com)

## **EXECUTIVE SUMMARY**

Proposed Actions:

That the Zoning Administrator:

1. Find the project Categorically Exempt from CEQA based on Findings 1 through 3 of Attachment A;
2. Approve the Viewshed Protection Program Application (P22-00328) based on Findings 4 through 10 of Attachment A and Subject to the Conditions of Approval in Attachment B.

Discussion:

The project consists of a request to approve an application under the Viewshed Protection Program, as defined in Chapter 18.106 of the NCC, to remove and replace a spa, install a cold plunge, deck addition, porch addition, outdoor sauna, American Disability Act (ADA) improvements, and landscape screening in conformance with the Viewshed Protection Program.

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Categorical Exemption, Section 15301 (Categorical Exemption Class 1, Existing Facilities) and Section 15303 (Categorical Exemption Class 3, New Construction or Conversion of Small Structures). The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

## **BACKGROUND AND DISCUSSION**

Owner/Applicant: Yount Ridge Cellar LLC

Representative: Kelly Patterson, (617) 733-1778, or [patterson@watershedpartners.com](mailto:patterson@watershedpartners.com)

Zoning: Agricultural Preserve (AP)

General Plan Designation: Agriculture Resource (AR)

Filed: September 26, 2022; Deemed Complete: December 19, 2023

Parcel size: ±8.17-acres

Code Compliance History: None applicable

Existing Development: The single-family residence is located at 7400 St. Helena Hwy on an approximately 8.17-acre parcel within the AP Zoning District. The parcel includes one single-family residence that was constructed before the Viewshed Protection Program was established.

Since 1984, the residence has also been a legal non-conforming home occupation Bed and Breakfast use with three rooms. Bed and Breakfast application (BB-118384) approved by the Planning Commission authorized in part:

“A Bed and Breakfast Establishment means a facility used for the renting of rooms as an overnight basis. Only a continental breakfast as defined in Administrative Order: Food 81-6A dated November 3, 1981, of the regulations of the County Division of Environmental Health may be served to guests. Bed and Breakfast Establishments are limited to:

The renting of three or fewer rooms to 6 or fewer adults within an owner occupied main residence and shall be subject to all requirements for home occupations as provided for in the Napa County Code. Weddings, social gatherings or business gatherings of any nature and other uses where non-guests would come upon the premises are not permitted. Any sign on the premises shall comply within Section 1260(a) of the Napa County Code of Ordinances.”

The existing single-family residence is three (3)-stories, 4,013 square feet in size, with a 480 square foot detached garage with an existing spa in the back yard and a 1,385 square foot back deck.

The operational use of a Bed and Breakfast (the renting of three or fewer rooms to 6 or fewer adults within an

owner-occupied single-family residence) is operated under Use Permit BB-118384. This Bed and Breakfast use is legally non-conforming to current code and subject to the provisions of NCC Chapter 18.132 (Legal Non-Conformities). The removal and replacement of an existing spa, expansion of an existing deck and patio, the addition of a sauna, and the addition of a plunge pool would occur in disturbed areas, would not increase or extend the area of land occupied by the legal nonconformity, and would not increase the intensity (number of bedrooms and visitors) of the nonconformity; therefore, it is consistent with NCC Chapter 18.132.

In October of 2023 a Lot Line Adjustment (W22-00594) was approved and recorded to adjust the subject parcel's (APN: 031-130-029-000) boundaries with its northern neighbor (031-120-035-000). The Lot Line Adjustment increased the subject parcel's size to provide ample space for the proposed project to meet all required property line setbacks.

Viewshed Protection Program: NCC Section 18.106.030(A) - General Provisions of the Viewshed Protection program, in part, states:

“Applicability - New and Expanded Structures. No building permit, erosion control plan for structural development, grading or other administrative permit shall be issued by any county staff, agency or department for any new structure or improvement to an existing structure if the structure is located on a slope of fifteen percent or more and defined in Section 18.106.020 or if the structure is located on any minor or major ridgeline as defined in Section 18.106.020 except as specifically provided for herein...”

The proposed project is located on slopes greater than 15% and is on a designated minor ridgeline as defined in NCC Section 18.106.020; therefore, is subject to the Viewshed Protection Program. The Viewshed Protection Program includes different review paths depending on project specific and site-specific factors. The project has been designed to meet the standards in NCC Section 18.106.050.B for review and approval by the zoning administrator.

Adjacent Properties: West of the project site is a 2.72-acre vineyard that is owned by the same property owner. Adjacent to the neighboring vineyard is State Highway 29, Mustards Grill, Cosentino Winery, and single-family residences. North of the project site is an 18.51-acre parcel which contains Piazza Del Dotto Winery. Adjacent to the neighboring winery is vineyard, single-family residences, and vacant parcels with Oak woodland habitat. East of the project site is a 60.01-acre parcel that is vacant with Oak woodland habitat. Adjacent to the neighboring vacant parcel are large parcels with single-family residences. South of the project site are multiple parcels with vineyard and a single-family residence.

Discussion Points:

**Setting:**

The project is located on an 8.17-acre parcel approximately 1.2 miles north of the Town of Yountville, on the eastern side of State Highway 29. The project site is located on the northeastern portion of the parcel, approximately 360 feet above mean sea level. The parcel itself has a varied terrain, with slopes exceeding 50% in the undeveloped northern and eastern portions of the parcel. The entrance of the parcel begins on the Valley floor and quickly elevates to a peak at the top of the Yountville Hills, an outcropping of hills located in the center of the Valley. Soils on site consist of Hambright-Rock outcrop complex, 2 to 30 percent slopes. The majority of the parcel is underlain by Late Tertiary Assemblages that are Andesitic to Basaltic Lava Flows.

The project parcel is developed with a single-family residence (with authorization to operate a Bed and Breakfast), detached garage, wine cave, in-ground spa, and deck. The surrounding land uses include vineyards, wineries, and residential development on large parcels, the nearest of which is approximately 680 feet to the east from the existing residence. The project site is located outside of the boundaries of the 100 and 500 year flood hazard zones. Existing native vegetation of the site includes Coast Live Oak habitat. Based on the information contained in Napa County's environmental maps, there are no archeological sites within 1 mile of the project site. The project site is not located on any of the lists of hazardous material sites compiled pursuant to Government Code Section 65962.5.

**Structure design:**

The proposed project is a request to remove and replace a spa, install a cold plunge, deck addition, porch addition, outdoor sauna, American Disability Act (ADA) improvements, and landscape screening in conformance with the Viewshed Protection Program. The proposed project is located on slopes of approximately 20%. The existing in-ground spa is located below the existing rear deck. The spa is to be removed and the site is to be restored to native conditions. The spa will be replaced at a higher elevation, to be attached to a 548 square foot deck expansion. This will bring all development onto the same level and allow for appropriate American Disability Act (ADA) access. A small plunge pool and sauna are also proposed to be installed atop the rear deck expansion. The eastern portion of the deck will be at existing grade and will continue west to be elevated approximately 5 feet and 3 inches from existing grade. The deck will be installed on concrete footings and will be surrounded with a wood facade. The spa's associated mechanical equipment will be installed under the deck and screened from view. The majority of the deck expansion will include security railing at its perimeter. The applicant proposes using natural earthtone materials and earthtone paints to blend the improvements into the environment.

The proposed project also includes the expansion of an existing front and side porch, to better provide ADA access. The porch expansion will use identical natural materials and earthtone paint to blend the improvements into the hillside. Screening vegetation will be installed to screen the improvements from view from Silverado Trail.

The proposed project will be screened a minimum of 51% by vegetative screening within five (5)-years of the establishment of the landscaping. Existing Oak trees, twenty-one new 15-gallon Oleander bushes, four (4) new

15-gallon Chaste trees, one (1) new 36" box Olive tree, and Creeping Fig vines will be planted to achieve substantial screening as viewed from Silverado Trail. The proposed landscaping will maintain defensible space surrounding the proposed project, in conformance with state law. All proposed lighting will be downward casting. The proposed project is in compliance with the Viewshed Protection Program Design Manual.

Access: The site gains access from a private road that stems from State Highway 29.

Public Comments: No public comments have been received prior to publication of this staff report.

### **SUPPORTING DOCUMENTS**

A. Recommended Findings

B. Recommended Conditions of Approval

C. Categorical Exemption Memorandum

D. Viewshed Protection Program Application

E. Graphics