

**TOWN OF YOUNTVILLE
RESOLUTION NUMBER 964-93**

A RESOLUTION OF THE YOUNTVILLE TOWN COUNCIL approving a USE PERMIT for PANCHAS APN (36-033-1500) 6764 WASHINGTON STREET.

WHEREAS, on April 19, 1993, an application for a Use Permit was properly filed by Robert Solis, d.b.a. Pancha's; and

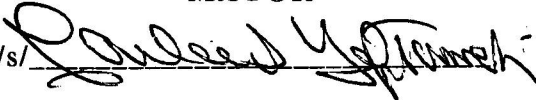
WHEREAS, on May 11, 1993, the Town Council held a duly and properly noticed Public Hearing to receive public testimony on the application; and

WHEREAS, the proposed Use Permit conforms to the November 18, 1992 General Plan and the December 8, 1992 Zoning Ordinance; and

WHEREAS, the Town Council made Findings as required in ARTICLE 5, COMPOSITE & OVERLAY DESIGNATIONS, Section 7.6.b and Section 5.5.e of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Use Permit for Pancha's, located at 6764 Washington Street, APN #36-033-1500, attached hereto and made a part hereof, is granted.

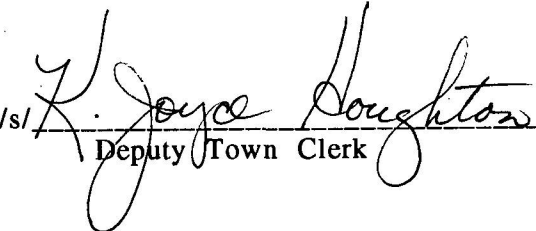
MAYOR

/s/ 

STATE OF CALIFORNIA)
COUNTY OF NAPA) SS:
TOWN OF YOUNTVILLE)

I, Deputy Town Clerk of the Town of Yountville, do hereby certify the foregoing Resolution was duly and regularly adopted by the Town Council of the Town of Yountville at a regular meeting thereof held on the 25th day of May, 1993 by the following vote:

AYES: Reeves, Houghton, Holt, Jefferson, Leftwich;
NOES: None;
ABSENT: None;
ABSTAIN: None.

/s/ 
Deputy Town Clerk

Town of Yountville
Resolution Number 2958-11

Approving a Use Permit Amendment to extend the closing hour of operation to 9PM from March through October for the Tacos Garcia mobile food vendor located in the Panchas parking lot at 6764 Washington Street

Recitals

- I. The Town received an application for Use Permit Amendment for Tacos Garcia, a mobile food vendor located in Panchas parking lot, at 6764 Washington Street; APN 036-033-15.
- II. The Yountville Town Council conducted a duly noticed public hearing on April 19, 2011.
- III. A Notice of Town Council Public Hearing for the Use Permit Amendment was prepared and displayed in conformance with State law.
- IV. The project is categorically exempt from the California Environmental Quality Act pursuant to Class 1, Existing Facilities, of the CEQA Guidelines.
- V. The Yountville Town Council has reviewed and considered the staff report and other exhibits, in addition to considering the comments, statements, and other evidence presented by all persons who submitted materials and/or appeared at the Public Hearing conducted on April 19, 2011.
- VI. The Town Council hereby finds that the project is designed and located in a manner that will best satisfy the following criteria:

A. **IMPACTS ON ADJACENT USES**

1. Noise. Impact Category II: Noise generated by commercial operations.
Noise is anticipated to be low-intensity, generally limited to conversational noise from outdoor customers. No music or other amplified sound is proposed.
2. Light Impact. Impact Category II: No bright or flashing lights shall be visible.
The lights must comply with the Town Lighting Ordinance; no bright or flashing lights are proposed.
3. Traffic Circulation and Parking. Impact Category II: New development must demonstrate that it will not substantially increase truck traffic on residential streets. Trucks over two tons shall not be permitted on local residential streets. Customer and employee parking and truck loading areas shall be provided in accordance with the Town-wide parking and loading regulations.
Customer parking is provided in the existing parking lot, at a time when Panchas is not expected to experience high demand, such that the shared use of the parking lot is adequate and pursuant to the Town standards.
4. Vibration. Impact Category II: No perceptible vibrations shall be permitted off the development site.
No new sources of vibration will result from the project.

5. Flammable Material. Impact Category II: All operations which involve storage, use, or transport of flammable materials or gases must be conducted in a manner that meets with the approval of the Fire Chief, and all facilities must contain such emergency protection and fire-fighting equipment as are deemed necessary by the Fire Chief.

No new sources of flammable materials are proposed to be located on-site as a result of the project.

6. Airborne Emissions. Impact Category II: No use shall exceed the maximum permissible emissions standards established by the San Francisco Bay Area Air Quality Management District.

The project type does not typically generate, or contribute to, air emissions exceeding BAAQMD maximum emission standards.

7. Water Quality. Impact Category II: The Town shall evaluate liquid waste to be disposed into its sewer systems and report on the Town's capacity to provide treatment.

No impact is expected as the use does not discharge its liquid waste to the Town's sewer system.

8. Building Size and Architectural Design. Impact Category II: All building design and site layouts shall be approved by the ZDRB or Town Council.

The site layout and location of the mobile food vendor has been approved by the Town Council.

B. USE PERMIT FINDINGS:

1. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with the community.

The use provides an affordable dining opportunity in Town, offering later meal service on a seasonal basis in response to customer and local demand. The use of the property will occur during a frame of time defined as daytime hours by the Town's Noise Ordinance and, therefore, is expected to be compatible with both commercial and residential uses.

2. Such use or feature, as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.

The mobile food vending truck is located near Washington Street, siting the use adjacent to existing commercial uses.

- b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.

The shared parking lot is anticipated to be sufficient for both the Panchas and Tacos Garcia uses and adequate to service customer demand.

- c. The safeguards afforded to prevent noxious or offensive emissions such as glare, dust, and odor.

Cooking odors are expected, but these are not expected to rise to the level of being noxious or offensive.

- d. The proposed use will not result in excessive levels of noise for any period of time.

The extent of any noise is anticipated to be conversational in nature and within the daytime noise level limits of the Town's Noise Ordinance.

- e. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

No changes to any of these aspects are proposed or warranted based on the use.

- 3. Such use or feature as proposed will comply with the applicable provisions of the Zoning Ordinance and will be consistent with the policies and standards of the General Plan.

The mobile food vendor use complies with the Town's Zoning Ordinance and General Plan.

Now therefore, the Town Council of the Town of Yountville does resolve as follows:

- 1. Approved the Use Permit Amendment to extend the closing hour of operation to 9PM from March through October for the Tacos Garcia mobile food vendor located in the Panchas parking lot at 6764 Washington Street, subject to the following conditions:
 - 1. Resolution Number 2783-09 is incorporated by reference, except as amended herein.
 - 2. Hours of operation shall be Monday through Saturday as follows:
March through October: 11AM to 9PM
November through February: 11AM to 8PM
 - 3. The use shall be subject to 30 day review.
 - 4. Prior to commencement of the use and each year thereafter, the applicant shall submit an annual Use Permit Monitoring Fee (CPI adjusted annually) in the amount of \$500.

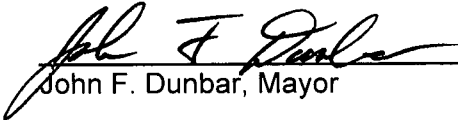
PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 3rd day of May, 2011 by the following vote:

AYES: Mohler, Chilton, Dorenbecher and Dunbar

NOES: Hall


ABSENT: None

ABSTAIN: None

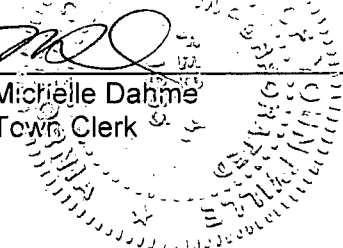


John F. Dunbar, Mayor

ATTEST:



Michelle Dahme
Town Clerk



Town of Yountville
Resolution Number 2783-09

Approve Use Permit to locate mobile food vending truck (Tacos Garcia) on private property (Pancha's)

Recitals

- A. A Use Permit application was received by the Planning Department to locate a mobile food vending truck (Tacos Garcia) on private property located at 6764 Washington Street; APN 036-033-15; and
- B. The Yountville Town Council conducted a duly noticed public hearing May 19, 2009; and
- C. The project is categorically exempt from the California Environmental Quality Act pursuant to Class 1, Existing Facilities, of the CEQA Guidelines; and
- D. The Town Council hereby finds that the project satisfies the following USE PERMIT FINDINGS:

- 1. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with the neighborhood and community.

Town residents have mentioned taco trucks as desirable in-town uses in past public workshops. Its location, as conditioned, near Washington Street at the hours and days proposed is compatible with the surrounding commercial zone.

- 2. Such use or feature, as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.

The location of the mobile food vending truck near Washington Street places the commercial use near the street frontage and distant from residential uses to the east.

- b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.

The mobile food vending machine will not block the access driveway to the parking lot and that lot will provide adequate on-site parking for customers

- c. The safeguards afforded to prevent noxious or offensive emissions such as glare, dust and odor.

Noxious or offensive emissions are not expected to result from the use.

- d. The proposed use will not result in excessive levels of noise for any period of time.

Excessive levels of noise are not expected to result from the use. Potential concerns have been mitigated by moving the location of the truck closer to Washington Street and conditioning a six month review of the operation.

- e. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, services areas, lighting and signs.

No changes to any of these aspects are proposed or warranted based on the use.

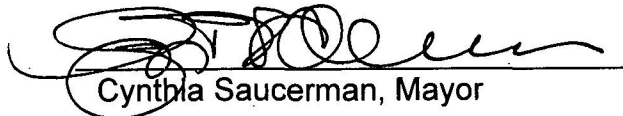
- 3. Such use or feature as proposed will comply with the applicable provisions of the Zoning Ordinance and will be consistent with the policies and standards of the General Plan.

The mobile food vending truck represents a food service opportunity not currently available in Town, which is likely to appeal to both residents and visitors, and in so doing it complies with the Town's Zoning Ordinance and General Plan.

Now therefore, the Town Council of the Town of Yountville hereby approves the Use Permit to locate a mobile food vending truck at 6764 Washington Street, subject to the following conditions:

1. Operation of the use shall be substantially as represented in the approved application and as described in the staff report on file with the Planning Department, except as modified by conditions.
2. The location of the mobile food vending truck shall be moved from the southeast corner of the Pancha's parking lot to a location near the Washington Street frontage. The applicant shall detail this revised location on a site plan that is to be submitted to Planning Department staff for review and approval.
3. Hours of operation shall be from 11:00 am to 8:00 pm Monday through Saturday.

4. The use shall be reviewed after 90 days of operation to evaluate the actual effect of potential impacts with the authority to bring the item back before the Town Council for modification or revocation if significant impacts are identified.
5. The mobile food vending machine is only permitted to vend food from 6764 Washington Street. Food vending is not permitted from any public right-of-way within the Town of Yountville limits.
6. The owner of Tacos Garcia shall secure and maintain a current Town of Yountville business license and shall remit sales tax to the State Board of Equalization.
7. The applicant shall name the Town of Yountville as an additional insured on its commercial liability insurance.
8. The applicant shall defend and indemnify and hold the Town, its agents, officers, and employees harmless of any claim, action or proceeding to attack, set aside, void or annul an approval so long as the Town promptly notifies the applicant of any such claim, action, or proceedings and the Town cooperates fully in the defense of the action or proceedings.
9. Approval of the taco truck use and all related food preparation and service shall be subject to the approval and all requirements of the County of Napa Department of Environmental Management.
10. Adequate toilet facilities for use by the food service personnel shall be available within 200 feet of the mobile food preparation unit. The owner/operator of the toilet facility shall provide written authorization that it will provide the necessary facilities.
11. This use shall be specific to Tacos Garcia and shall not be transferrable.


Cynthia Saucerman, Mayor

ATTEST:
State of California)
County of Napa)
Town of Yountville)

I, Michelle Dahme, Town Clerk of the Town of Yountville, do hereby certify that the Town Council of the Town of Yountville duly adopted the foregoing Resolution at a regular meeting thereof held on the 19th day of May 2009, by the following vote:

AYES: Mohler, Dutton, Dunbar and Rogers
NOES: None
ABSENT: None
ABSTAIN: None
RECUSED: Chilton


Michelle Dahme, Town Clerk

Town of Yountville
Resolution Number 17-3410

Approving a Use Permit to Locate a Mobile Food Vending Truck (French Corner Napa) on Private Property (Panchas) Located at 6764 Washington Street

Recitals

- A. An application for Use Permit was received by the Planning and Building Department to allow the location of a mobile food vending truck at 6764 Washington Street; APN 036-033-015; and
- B. The Yountville Town Council conducted a duly noticed public hearing June 6, 2017; and
- C. The project is categorically exempt from the California Environmental Quality Act pursuant to Class 1, Existing Facilities, of the CEQA Guidelines; and
- D. The Town Council hereby finds that the project satisfies the following:

General Use Permit Findings (Y.M.C. § 17.156.020):

- 1. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with the neighborhood and community.

A mobile food vendor is already located at that location Monday through Saturday. A mobile food truck at this location on Sundays will not significantly impact the neighborhood and its use is compatible with the community.

- 2. Such use or feature, as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.

The location of the truck off Washington Street places the commercial use near the street frontage and distant from residential uses.

- b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.

The truck will not block the access driveway to the parking lot. It will be located in the same location as Tacos Garcia the other days of the week.

- c. The safeguards afforded to prevent noxious or offensive emissions such as glare, dust and odor.

No noxious or offensive emissions are associated with the expansion of use.

- d. The proposed use will not result in excessive levels of noise for any period of time.

Excessive levels of noise are not expected to result from the use.

- e. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, services areas, lighting and signs.

No changes to any of these aspects are proposed or warranted based on the use.

3. Such use or feature as proposed will comply with the applicable provisions of the Zoning Ordinance and will be consistent with the policies and standards of the General Plan.

The mobile food vending truck represents a food service opportunity that is not common in Yountville. This will likely appeal to both residents and visitors, and in so doing it complies with the Town's Zoning Ordinance and General Plan.

Now therefore, the Town Council of the Town of Yountville hereby approves the Use Permit for French Corner Napa at 6764 Washington Street, subject to the following conditions:

1. Operation of the use shall be substantially as represented in the approved application and as described in the staff report on file with the Planning Department, except as modified by conditions.
2. Public hours of operation shall be from 9:00 AM to 9:00 PM on Sundays. If significant noise impacts are identified and documented, the Use Permit shall be subject to review of the Town Council with potential modification for an earlier closing hour.
3. A review of the operation will be conducted by staff 6 months after occupancy to assure all project conditions are working to reduce impacts. Any issues identified could cause the Town Council to revisit the Use Permit and project conditions.
4. Prior to opening and each year thereafter, the applicant shall submit an annual Use Permit Monitoring Fee (CPI adjusted annually).
5. The applicant shall not serve alcohol at this location.
6. The applicant shall provide at least one trash receptacle for its customers at this location and shall be responsible for removing the trash from the location.
7. The mobile food vending machine is only permitted to vend food from 6764 Washington Street. Food vending is not permitted from any public right-of-way within the Town of Yountville limits.
8. The applicant shall secure and maintain a current Town of Yountville business license and shall remit sales tax to the State Board of Equalization.
9. The applicant shall name the Town of Yountville as an additional insured on its commercial liability insurance.
10. Approval of the food vending truck use and all related food preparation and service shall be subject to the approval and all requirements of the County of Napa Department of Environmental Management.


11. Adequate toilet facilities for use by the food service personnel shall be available within 200 feet of the mobile food preparation unit. The owner/operator of the toilet facility shall provide written authorization that it will provide the necessary facilities.
12. This use shall be specific to French Corner Napa and shall not be transferrable.
13. The applicant shall defend and indemnify and hold the Town, its agents, officers, and employees harmless of any claim, action or proceeding to attack, set aside, void or annul an approval so long as the Town promptly notifies the applicant of any such claim, action, or proceedings and the Town cooperates fully in the defense of the action or proceedings.
14. The location of the mobile food vending truck shall be on the southwest corner of the property, along the southern wall, near Washington Street. The location of the truck shall not encroach onto the public right of way.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 6th day of June 2017 by the following vote:

AYES: Dorenbecher, Dorman, Mohler, Durham, Dunbar
NOES: None
ABSENT: None
ABSTAIN: None


John F. Dunbar, Mayor

ATTEST:


Michelle Dahrne, Town Clerk