



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

Wednesday December 03, 2008
9:00 AM

COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Jim King</i> <i>District # 2</i>	<i>CHAIRPERSON</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-CHAIRPERSON</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Rich Jager</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>		<i>SECRETARY-DIRECTOR</i> <i>Hillary Gitelman</i>		<i>COMMISSION CLERK</i> <i>Melissa Gray</i>

The Commission welcomes you to its meeting which is regularly scheduled the first and third Wednesday of the month. The Commission meets at 1195 Third Street, Suite 305, Napa. The following information is provided to ensure your understanding and participation in the Commission's meeting and decision making process. Your comments and participation in the meeting are invited and would be welcomed. It is our desire to give everyone an opportunity to speak and be heard in a timely manner and within an atmosphere of respect and diplomacy. These procedures are meant to foster an atmosphere of respect. Assistive listening devices are available for the hearing impaired from the office of the Clerk of the Board. If an ASL interpreter or any other special arrangement is required, please provide the Clerk of the Commission with 24-hour notice by calling 253-4417.

ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY:

Items listed under this section on the agenda are regular items which are recommended for approval or continuance by staff with the applicant's consent concerning conditions of approval, when the applicant has signed any required project revision statement and when no member of the Commission or public indicates a desire to comment or ask questions about the item. These items regardless of their agenda assigned number will be acted upon by the Commission in one motion at the beginning of the meeting. Applicants having items so listed need not speak unless they disagree with the staff recommendation or wish to comment. If an Item requires discussion, it will be heard in the numerical order listed on the agenda.

PERSONS WISHING TO SPEAK CONCERNING AN AGENDA ITEM:

If you wish to speak on an item on the Agenda and under discussion by the Commission, you may do so upon receiving recognition from the Chairperson. After being recognized by the Chairperson, please step to one of the microphones and state your name and address and make your presentation. No comment or testimony shall be shouted from the audience. All comments are to be directed to the Commission, including inquiries requiring staff response. Time limitations shall be at the discretion of the Chair or Commission.

APPEAL PROCEDURE:

If you do not agree with the Commission's decision or the conditions that may have been imposed by the Commission in approving an agenda item, you may appeal the Commission's action to the Napa County Board of Supervisors. Appeal must be filed within ten (10) working days from the date of the Commission's action. Appeals may be limited to those issues raised at the public hearing relating to the agenda item or to written

correspondence delivered to the Planning Commission at or prior to the public hearing. For additional information concerning the County's Ordinance requirements for filing an appeal or to obtain the required forms to file an appeal, please stop at the front counter in the County Executive Office/Clerk of the Board, 1195 Third Street, Suite 310 in Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580 and request assistance.

DISCLOSURE – CONFLICT OF INTEREST:

State law requires agency officers (Commissioners, Directors, Board members) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

All materials relating to an agenda item for an open session of a regular meeting of the Planning Commission which are provided to a majority or all of the members of the Commission by Commissioners, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the office of the Clerk of the Planning Commission, 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Commission at the meeting will be available for public inspection at the public meeting if prepared by the members of the Commission or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

Agenda available on line at www.co.napa.ca.us

1. CALL TO ORDER / ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. CITIZEN COMMENTS AND RECOMMENDATIONS (10 Minutes)

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the Conservation, Development & Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

4. APPROVAL OF MINUTES - None
5. DIRECTOR'S REPORT
 - BOARD OF SUPERVISORS ACTIONS
 - OTHER DEPARTMENT ACTIVITIES
6. AGENDA REVIEW
7. DISCLOSURES
8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY
9. PUBLIC HEARING ITEMS

A. **LESLIE BEHRENS / DRINKWARD BEHRENS WINERY / USE PERMIT REQUEST #P06-01310-UP**

CEQA Status: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Biological, Cultural Resources and Utilities/Public Services. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a use permit to establish a new 20,000 gallon per year winery and: (1) to construct a new 4,246 square foot winery building; (2) a 1,841 square foot covered outdoor crush pad; (3) tours and tasting by appointment only for a maximum of 10 visitors per day and 21 visitors per week; (4) a marketing plan with ten private wine and food tastings for the wine trade per year with a maximum of 21 people; four private wine and food events per year with a maximum of 21 people; one private harvest event per year with a maximum of 21 people; one lunch or dinner Wine Auction related event per year with up to 100 people; (5) one full-time and two part-time employees; (6) installation of winery wastewater system to include on-site septic drip system and holding tanks; (7) five parking spaces including one disabled-accessible space; and (8) widening driveway access to Public Works standards of 18 feet with two foot of shoulders. The project is located on a 15.1 acre parcel on the eastside of Silverado Trail, approximately three quarters of a mile north of its intersection with Glass Mountain Road within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel # 021-410-019) 3524 Silverado Trail, St. Helena.

Staff Recommendation: Adopt the attached Mitigated Negative Declaration and Monitoring Program and approve the winery use permit as proposed and conditioned.

Staff Contact: Linda St. Claire 299-1348

- B. LAIRD FAMILY ESTATE WINERY / USE PERMIT MAJOR MODIFICATION REQUEST P08-00564-MOD AND RESCISSION OF PREVIOUSLY APPROVED USE PERMIT MAJOR MODIFICATION P07-00587-MOD**
CEQA Status: Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.
Request: (A) Approval of Use Permit Major Modification P08-00564-MOD to Use Permit Nos. 97526-UP through 02193-UP to: (1) increase maximum total production capacity from 650,000 gallons per year to 900,000 gallons per year; (2) construction of a new 34,437 sq. ft. production building with an approximately 18,500 sq. ft. covered roof work area surrounding the building; (3) installation of a recessed loading dock on the east side of the new building; (4) addition of a covered outdoor work area on the east side of the existing barrel storage building; (5) construction of a new mechanical pad on the west of the existing barrel storage building; and (6) removal of the condition of approval regarding alternating proprietor/custom crush clients. **(B) Adoption of a Resolution Rescinding Approval of Use Permit Modification No. P07-00587-MOD** and the Related Negative Declaration. The project site is located on a 40.06-acre parcel on the west side of Solano Avenue approximately 700 feet north of its intersection with Oak Knoll Avenue at SR 29 within an Agricultural Preserve (AP) zoning district (Assessor's Parcel Number 034-031-031) 5055 Solano Avenue, Napa.

Staff Recommendation: Adopt new negative declaration and approve new major modification and rescind prior use permit approval and related negative declaration.

Staff Contact: John McDowell, 299-1354 and Mary Doyle, 299-1350

10. ADMINISTRATIVE ITEMS

- A. DEL DOTTO WINERY ONE YEAR STATUS REPORT - USE PERMIT MAJOR MODIFICATION P07-00278-MOD**
Use Permit compliance review for winery located at State Highway 29 at Zinfandel Lane.

Staff Contact: Robert Nelson 299-1355

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF THE **DECEMBER 17, 2008** REGULAR MEETING
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATORS ACTIONS
- OTHER PENDING PROJECTS' STATUS

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. FUTURE AGENDA ITEMS

- #00338-UP, 1 year after opening - Caldwell Winery
- #03457-UP, 1 year after opening - Kendal Jackson (formerly Pecota) Winery
- #P06-0102-MOD, 2 years after opening - Frank Family Winery
- #P07-00869-MOD, 6 months after opening - Alpha Omega Winery

14. ADJOURNMENT