



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

Wednesday February 04, 2009
9:00 AM

COMMISSION MEMBERS

<i>VICE-CHAIRPERSON</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Vacant</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>CHAIRPERSON</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Matt Pope</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. 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.

3. APPROVAL OF MINUTES

Clerk of the Commission requests approval of Minutes for the meetings held on:
January 7, 2009 (All Commissioners present)
January 21, 2009 (Commissioner King excused)

4. DIRECTOR'S REPORT

- | BOARD OF SUPERVISORS ACTIONS
- | OTHER DEPARTMENT ACTIVITIES

5. AGENDA REVIEW**6. DISCLOSURES****7. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY**

- A. MICHAEL MCLOUGHLIN / BIN-TO-BOTTLE, LLC WAREHOUSE, USE PERMIT #P08-00435-UP**
CEQA Status: Mitigated Negative Declaration prepared. According to the proposed Mitigated Negative Declaration, the project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Transportation and Utilities/Service Systems. 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 construct a 24,400 square foot warehouse structure in connection with an existing custom crush winery on an adjacent parcel with an Exception to the Lot Coverage design standard to increase the 50% maximum to 56%. The proposed project is located on a vacant, 1.05 acre property on the southeast side of Camino Dorado, approximately 170 feet southwest of North Kelly Road within a General Industrial : Airport Compatibility (GI:AC) zoning district. APN: 057-152-013. Napa.

Staff Recommendation: Adopt the mitigated negative declaration and approve the use permit with the proposed conditions of approval.

Staff Contact: Ronald Gee, 299-1351, rgee@co.napa.ca.us

8. PUBLIC HEARING ITEMS

10:00 a.m. SET MATTER

- A. LAKE LUCIANA LLC. – LAKE LUCIANA GOLF COURSE - USE PERMIT APPLICATION P07-00398-UP**

CEQA Status: Final Environmental Impact Report Prepared.

A Draft EIR was prepared and a public hearing was held on the Draft EIR during the 78 day public comment and review period. Written responses to comments received during the public review period have been incorporated into a Final EIR consisting of the Draft EIR, public and agency comments, responses to comments, and required clarifications and changes to the text of the Draft EIR. The Planning Commission will consider approval or denial of the project following certification of the Final EIR.

Request: Approval of a request to construct an 18-hole championship golf course, attendant buildings and site improvements including lake side recreational uses with a small boat dock and boat storage pavilion and to improve existing dirt access roads to serve the golf course and nearby parcels. Proposed activities associated with the golf course would include the following: 1) Removal of existing vegetation and grading of fairways, cart paths and ancillary buildings including installation of landscaping and irrigation systems; 2) construction of a new clubhouse building with kitchen and eating area for golfers; 3) construction of a swimming pool, small boat dock and provision of canoes, kayaks and small sailboats for use on Lake Luciana; 4) construction of a golf cart storage cave and maintenance building; 5) construction of approximately 25 stream, lake and wetland crossings including riparian habitat restoration; and 6) construction, widening and improvement of the primary access road from Lake Luciana to Pope Valley Road intersecting approximately 1,000 ft. north of Ink Grade to 20 feet except in areas where widening would impact sensitive environmental features. The proposal further includes a request for a Use Permit exception to the County's Conservation Regulations to allow portions of existing roads to encroach into the required stream setbacks and a request for an exception to the County's Road and Street Standards. The proposed golf course is located on approximately 226 acres along the northern edge of Weeks Lake in Pope Valley. The applicant has also proposed reconfiguration of 17 adjacent parcels which occupy approximately 1,180 acres generally north and east of Lake Luciana. Reconfiguration of the parcels is within the scope of the Final EIR prepared for this project, although the proposed lot line adjustments do not require Commission approval. The parcels would be sold individually following execution of a conservation easement or similar deed restriction to protect the northern ridgeline of 15 of the adjacent parcels from future development. The project site is located approximately one mile northeast of the terminus of Barnett Road within an Agricultural, Watershed and Open Space land use designation and an Agricultural Watershed zoning district. (Assessor's Parcel #'s: 018-260-017, 018-290-001 to -013, 018-080-056 to -058, -061 and -062, 018-270-013 and -054, 018-240-009, 018-080-063 and -064) Pope Valley.

Staff Recommendation: That the Planning Commission adopt a motion of intent to certify the Final Environmental Impact Report and approve the project with conditions of approval.

Staff Contact: Ronald Gee 299-1351, rgee@co.napa.ca.us

CONTINUED FROM THE JANUARY 21, 2009 REGULAR MEETING.

1:30 p.m SET MATTER

- 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 revised 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

CONTINUED FROM THE DECEMBER 3, 2008 AND JANUARY 7, 2009 REGULAR MEETINGS.

- C. TELECOMMUNICATION FACILITIES ORDINANCE UPDATE - PROPOSED ORDINANCE P08-00594-ORD**
CEQA Status: The project is Categorically Exempt from the provisions of California Environmental Quality Act pursuant to Section 14 CCR 15061(b)(3) - General Rule; Section 15305 - Class 5, Minor Alteration to a Land Use Limitation; and Section 15308 - Class 8, Action by Regulatory Agencies for the Protection of the Environment.

Request: Technical changes to the County Telecommunication Facilities Ordinance to comply with changes to State Law specifically related to simplifying processing requirements for new antennas collocated on existing facilities and eliminating the security deposit for removal of abandoned facilities.

Ordinance Title: *An Ordinance of the Board of Supervisors of the County of Napa, State of California, Amending Sections 18.08.605, 18.119.010, 18.119.015, 18.119.019, and 18.119.230, and Adding a New Section 18.119.215 Relating to Permitting Telecommunication Facilities.*

Staff Recommendation: Recommend adoption of the ordinance to the Board of Supervisors.

Staff Contact: John McDowell 299-1354, jmcadowel@co.napa.ca.us

CONTINUED FROM THE JANUARY 7, 2009 REGULAR MEETING.

9. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **FEBRUARY 18, 2009** CDPC MEETING
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATORS ACTIONS
- | OTHER PENDING PROJECTS' STATUS

10 COMMISSIONER COMMENTS / COMMITTEE REPORTS

11. FUTURE AGENDA ITEMS

- | #00338-UP, 1 year after opening - Caldwell Winery
- | #02082-UP, June 2009 - Del Dotto Winery
- | #03457-UP, 1 year after opening - Kendall Jackson (Formerly Pecota) Winery
- | #P06-0102-MOD, 2 years after opening - Frank Family Winery

| #P07-00869-UP, September 2010 - Alpha Omega Winery

12. ADJOURNMENT