



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

Wednesday March 18, 2009
9:00 AM

COMMISSION MEMBERS

<i>VICE-CHAIRPERSON</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</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, and a telephonic appearance by Chairman Fiddaman from a Satellite Location : Loma Linda University Children's Hospital (Lobby), 11234 Anderson Street, Loma Linda, Ca. 92354. 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

Clerk of the Commission requests approval of minutes for the meetings held on:
December 17, 2008 (All Commissioners present)
February 4, 2009 (All Commissioners present)
February 18, 2009 (All Commissioners present)

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 - None****9. PUBLIC HEARING ITEMS****A. DONALD GORDON / DONALD & CHRISTIN GORDON ET AL. / GORDON FAMILY RANCH REZONING - PROPOSED ORDINANCE P08-00425-RZG**

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following area: Geology and Soils. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5

Request: Applicant-sponsored ordinance to rezone a 256.7 acre portion of the Gordon Family Ranch in Gordon Valley, far eastern Napa County, from AW (Agricultural Watershed) to AP (Agricultural Preserve) zoning. The project is located on a 256.7 acre parcel located east of Gordon Valley Road, at its intersection with Grapevine Lane, within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel No.: 033-220-002). 6060 Gordon Valley Road, Napa, Calif.

Ordinance Title: *An Ordinance of the Board of Supervisors of the County of Napa, State of California, Rezoning a Certain Parcel Within the Unincorporated Area of the County from an Agricultural Watershed (AW) to an Agricultural Preserve (AP) Zoning District (Gordon Family Ranch, APN 033-220-002)*

Staff Recommendation: That the Planning Commission conduct a public hearing and forward a recommendation of approval to the Board of Supervisors.

Staff Contact: Chris Cahill, 253-4847 or ccahill@co.napa.ca.us

B. TOM GAMBLE / LINCOLN RANCH WINERY / VARIANCE #P08-00494-VAR and USE PERMIT REQUEST #P08-00495-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: Archaeological and Cultural Resources. 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 and winery setback variance to establish a new 50,000 gallon per year winery including: (1) demolition of two existing barns and one garage; (2) construction of a 20,050 square foot two story winery building with; (3) a 2,800 square foot reception building; (4) a 2,230 square foot structure containing the main tasting room and additional offices; (5) a 5,450 square foot covered outdoor crush pad; (6) tours and tasting by appointment only for a maximum of 30 visitors per week day and 75 visitors per weekend and 300 per week; (7) a marketing plan with 33 private wine and food tastings for the wine trade per year with a maximum of 50 people; one private harvest event per year with a maximum of 150 people and one wine auction per year with a maximum of 150 people; (8) eight full-time and six part-time employees; (9) installation of winery wastewater septic system; (10) fifteen parking spaces; (11) widening a shared private access road and installation of a left hand turn lane from Highway 29 (St. Helena Highway); and (12) a Variance to reduce the minimum 300 foot winery setback to 60 feet along a section of the shared private road. The project is located on a 11.17 acre parcel on the eastside of Highway 29, approximately 1,000 feet north of its intersection with Yount Mill Road within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel # 031-100-031) 7554 St. Helena Highway, Napa.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the variance and use permit as conditioned.

Staff Contact: Linda St. Claire 299-1348 lstclaire@co.napa.ca.us

10. ADMINISTRATIVE ITEMS

9:00 a.m. SET MATTER

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

CEQA Status: Denial not subject to CEQA. State CEQA Guidelines Section 15061(b)(4).

Project Status and Request: The public hearing is closed. County Counsel's office requests reconsideration and adoption of a Resolution denying the Lake Luciana Golf Course Use Permit # P07-00398-UP. On February 18, 2009, the Commission adopted a motion of intent (3:2) to deny the project and directed County Counsel to prepare a resolution consistent with the Commission's intent.

Project Description: 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 the proposed resolution denying approval of the project.

Staff Contact: Laura Anderson, Deputy County Counsel, 259-8252

CONTINUED FROM THE JANUARY 21, 2009, FEBRUARY 4, 2009, AND FEBRUARY 18, 2009 REGULAR MEETINGS.

B. ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN AND IMPLEMENTATION OF THE HOUSING ELEMENT PURSUANT TO GOVERNMENT CODE SECTION 65400(2).

CEQA Status: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Request: Staff presentation and Commission discussion regarding an annual report to the California Department of Housing and Community Development and the California Office of Planning and Research pursuant to Government Code Section 65400(2) reporting on the status of the General Plan and implementation of the Housing Element.

Staff Recommendation: That the Commission review the Annual Report and provide comments and questions to staff before the reports are submitted to the Board of Supervisors and the State.

Staff Contact: Nancy Johnson, 299-1352 njohnson@co.napa.ca.us

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **APRIL 1, 2009** CDPC MEETING
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATOR ACTIONS
- | OTHER PENDING PROJECTS' STATUS

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. 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
- | #P07-00869-UP, September 2010 - Alpha Omega Winery

14. ADJOURNMENT