



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday March 02, 2011
9:00 AM**

COMMISSION MEMBERS

| | | | | |
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| <i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i> | <i>VICE-CHAIR</i> <i>Michael Basayne</i> <i>District # 2</i> | <i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i> | <i>COMMISSIONER</i> <i>Bob Fiddaman</i> <i>District # 3</i> | <i>CHAIR</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, 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.countyofnapa.org

1. CALL TO ORDER / ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS**

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- None****9. PUBLIC HEARING ITEMS****A. MORLET FAMILY ESTATE WINERY / LUC AND JODIE MORLET – USE PERMIT MAJOR MODIFICATION REQUEST - #P10-00375**

CEQA Status: Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, if a mitigation measure is not included, the proposed project would have potentially significant environmental impacts to Biological Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

REQUEST: Approval to modify previous use permit approvals for the Morlet Family Estate Winery (previously known as Morris Ghost Winery): (1) removing the requirement to establish a new driveway access to State Route 29 (SR 29; or St. Helena Highway) and allowing all winery and construction traffic to utilize the existing driveway on the subject property's northern boundary; (2) retire the private residential use of the second story and loft space within the existing winery building and convert the space to winery offices and file storage; (3) recognize an 80 square foot area in front of the existing fireplace on the ground floor as a wine tasting and marketing area; (4) allow a new 1,413 square foot crush pad on the north side of the existing winery building during Phase I to be removed following Phase II; (5) recognize an existing 2,400 square foot pool deck area for some of the marketing events already approved and a 120 square foot existing restroom in the pool area as a winery visitor restroom; (6) allow for a Type II wine cave; (7) installation of a 120 square foot concrete pad and installation of water storage tanks for fire protection purposes on the hill to the south of the winery building; (8) acknowledge the proposed phasing for construction: Phase I to include winery building improvements, 1,413 square foot crush pad, water storage tank pad, winery storage existing shed, and wastewater treatment system; Phase II to include Type II cave excavation and construction, 1,750 square foot crush pad, and removal of the 1,413 square foot crush pad on the north side of the winery building; (9) allow hold-and-haul capability for the first two years of harvest. The winery project is located on a 10.14 acre parcel on the southwest side of St. Helena Highway, immediately across from its intersection with

Deer Park Road within an Agricultural Watershed (AW) zoning district; Assessor's Parcel #: 022-200-031; 2825 St. Helena Highway North, St. Helena.

Staff Recommendation: Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve the Use Permit Major Modification as proposed with conditions of approval.

Staff Contact: Jessica Jordan 299-1355 or Jessica.Jordan@countyofnapa.org

B. LANDMARK PRESERVATION ZONING ORDINANCE, COUNTY-INITIATED ZONING CODE TEXT AMENDMENT P10-00377-ORD

CEQA Status: Negative Declaration Prepared. According to the proposed negative declaration, the project would not have any potentially significant environmental impacts. There is one property (Pope Valley Store) that is on the lists of hazardous waste sites enumerated under Government Code section 65962.5. That property is undergoing remediation.

Request: County-sponsored ordinance. The proposed project consists of adoption of an ordinance updating Napa County Code sections related to the designation and disposition of historic landmarks. The ordinance would update the procedures and standards for the preservation and appropriate rehabilitation of historic buildings when property owners voluntarily apply for landmark designation. The ordinance also contains incentives for the rehabilitation and reuse of a limited number of historic buildings which are considered significant to the County's agricultural heritage by (1) allowing farm centers and grange halls to be used as a matter of right as meeting halls and special event venues (APN #s 030-180-009, 020-282-001, 052-112-016, 047-110-004 & 018-100-001), and (2) by allowing the Pope Valley Store and Rutherford Train Station (APN #s 018-310-023 & 027-210-008) to be rehabilitated and adaptively reused for uses allowed in the Commercial Limited (CL) zoning district upon issuance of a use permit and project specific environmental review under CEQA. The proposed ordinance would implement action items included in the General Plan Update of 2008.

Ordinance Title: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING CHAPTER 15.52 (LANDMARK PRESERVATION) AS IT RELATES TO THE DESIGNATION AND DISPOSITION OF HISTORIC LANDMARKS IN NAPA COUNTY

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

Staff Contact: Linda St. Claire, 299-1348, linda.stclaire@countyofnapa.org or Hillary Gitelman, 253-4805, hillary.gitelman@countyofnapa.org

C. JOHN WOODBURY, GENERAL MANAGER / NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT - MOORE CREEK PARK USE PERMIT No. P10-00155-UP

CEQA Status: Napa County is a responsible agency for this project. As the decision-making body for the County on the project, the Planning Commission certifies that it has reviewed and considered the information contained in the Mitigated Negative Declaration adopted by the Board of the Napa County Regional Park and Open Space District and finds that it adequately addresses those effects that are within the scope of the County's jurisdiction as a responsible agency (CEQA Guidelines Sec. 15050 (b)). The project site is not on any of the the lists of hazardous waste sites enumerated under Government Code Sec. 65962.5

Request: Use permit to allow the construction and operation of Moore Creek Park, a public recreational facility including trails for hiking, horseback riding, and mountain biking, a staging area accomodating up to 26 vehicles, and limited environmental camping. The project is located on 4 parcels totalling 673 acres located on the west side of Chiles Pope Valley Road approximately 1.5

miles north of its intersection with Sage Canyon Road (State Highway 128) and within the AW (Agricultural Watershed) zoning district. Assessor's Parcel Nos. 025-440-010, 025-200-034, 025-060-025, and 025-060-023. 2607 and 2613 Chiles Pope Valley Road, St. Helena, Calif. 94574

Staff Recommendation: Certify that the Planning Commission has reviewed and considered the project Mitigated Negative Declaration and approve the requested use permit as conditioned.

Staff Contact: Chris Cahill, 253-4847, chris.cahill@countyofnapa.org or John Woodbury, 259-5933, jwoodbury@ncrposd.org

10. ADMINISTRATIVE ITEMS

SET MATTER 11:00 AM

A. INTRO TO THE SUSTAINABLE COMMUNITIES STRATEGY & NCTPA

Staff presentation regarding the regional planning process underway to develop a Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP) and presentation by Paul Price, executive director of the Napa County Transportation & Planning Agency (NCTPA) on the mission and activities of that agency.

Staff Recommendation: This is an informational presentation and discussion item; no action is requested at this time.

Staff Contact: Hillary Gitelman, Director of Conservation, Development & Planning, 253-4805, hillary.gitelman@countyofnapa.org

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **MARCH 16, 2011** MEETING
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATOR ACTIONS
- | OTHER PENDING PROJECTS' STATUS

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. FUTURE AGENDA ITEMS

- | #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- | #P09-00185-UP, 1 year after opening - Ca' Nani Winery
- | #P06-01426, 1 year opening Pavitt Winery
- | #P10-00123-MOD, August 2011 - MJA Vineyards
- | #P10-00177-MOD, December 2011 - Kelham Winery

14. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON *FEBRUARY 23, 2011 AT 4:50 PM*. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Melissa Gray (By e-signature)
Melissa Gray, Clerk of the Commission