

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION



A Tradition of Stewardship
A Commitment to Service

Wednesday April 01, 2009 9:00 AM

Telephonic appearance by Commissioner Fiddaman from a
Satellite Location:
Loma Linda University Children's Hospital (Lobby)
11234 Anderson Street
Loma Linda, Ca. 92354

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 Commissioner 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 meetings held on:
December 3, 2008 (Commissioner Jager excused)
March 4, 2009 (Commissioner Fiddaman excused)
March 18, 2009 (All Commissioners present)
March 18, 2009-Special Meeting (Commissioner Fiddaman excused)

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****A. REFRIGERATED FACILITY DESIGN BUILD / TOWER ROAD WINERY CO-OP / TOWER ROAD CO-OP USE PERMIT MODIFICATION & VARIATION TO DEVELOPMENT STANDARDS APPLICATION No. P08-00517-MOD**

CEQA Status: Categorically Exempt. CEQA Guidelines Section 15301 (Existing Facilities), CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations), and Napa County's Local CEQA Implementing Procedures Class 1 (Minor Modifications to Existing Industrial Facilities).

Request: Approval to modify Use Permit No. U-338283, as previously modified, to allow a 13,307 square foot addition to an existing case goods wine storage facility. Variations to GI district Airport Industrial Area Specific Plan development standards are additionally requested for lot coverage, parking requirements, and east side yard setbacks. The project is located on a 9.66 acre parcel located on the south side of Tower Road, 200 yards west of its intersection with State Highway 29, within a GI:AC (General Industrial: Airport Compatibility) zoning district. (Assessor's Parcel No.: 057-110-028). 241 Tower Road, American Canyon, Calif.

Staff Recommendation: Find the project categorically exempt from CEQA and approve the use permit modification and variation to development standards application as conditioned.

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

9. PUBLIC HEARING ITEMS**A. 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

CONTINUED FROM MARCH 18, 2009 REGULAR MEETING**B. PROPOSED LAND USE MAP AMENDMENT (PLUMA) - GENERAL PLAN AMENDMENT**

Title: A RESOLUTION OF THE CONSERVATION, DEVELOPMENT & PLANNING COMMISSION OF THE COUNTY OF NAPA, STATE OF CALIFORNIA RECOMMENDING THAT THE NAPA COUNTY BOARD OF SUPERVISORS: (1) AMEND THE 2008 NAPA COUNTY GENERAL PLAN LAND USE MAP (GENERAL PLAN FIGURE AG/LU-3) TO REDESIGNATE URBAN RESIDENTIAL AREAS OF ANGWIN AND POPE CREEK; (2) AMEND GENERAL PLAN POLICY AG/LU-53 TO MODIFY THE DEFINITION OF THE PUBLIC-INSTITUTIONAL LAND USE DESIGNATION TO INCLUDE COLLEGE USES AND FACILITIES IN ANGWIN; (3) AMEND GENERAL PLAN ACTION ITEM AG/LU-114.1 TO REQUIRE RE-EVALUATION OF REMAINING URBAN RESIDENTIAL AREAS IN ANGWIN AFTER JUNE 2010; (4) AMEND OTHER SECTIONS OF THE GENERAL PLAN AS NEEDED TO MAINTAIN INTERNAL CONSISTENCY; AND (5) FIND THE MAP AND TEXT REVISIONS TO THE GENERAL PLAN WITHIN THE SCOPE OF THE PROGRAM LEVEL EIR PREPARED FOR THE 2008 GENERAL PLAN UPDATE AND CERTIFIED BY THE BOARD ON JUNE 3, 2008

CEQA Status: The project would complete implementation of Action Item AG/LU-114.1 in the Napa County General Plan and falls within the scope of the 2008 General Plan Update adopted June 3, 2008 and the program-level Environmental Impact Report (EIR) certified on June 3, 2008 adequately describes the activity for purposes of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15168(c).

Request: The Proposed Land Use Map Amendment (PLUMA) would redesignate areas of Angwin and Pope Creek from Urban Residential to other land use designations, and would make modifications to

the text of the General Plan's Agricultural Preservation & Land Use Element necessary to explain the map changes and maintain internal plan consistency.

Staff Recommendation: Adopt attached resolution recommending that the Board of Supervisors approve the proposed General Plan Amendment.

Staff Contact: Hillary Gitelman 253-4805

10. ADMINISTRATIVE ITEMS

A. JAYSON WOODBRIDGE / ONE TRUE VINE - WINERY USE PERMIT #P04-0551-UP QUARTERLY COMPLIANCE REPORT

Request: Status report regarding compliance with Use Permit P04-0551-UP located at 565 Crystal Springs Road, St. Helena, CA. APN #021-072-044.

Staff Recommendation: Staff requests that the Commission find that there is no need for further quarterly compliance reports from the independent third party monitor.

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

B. USE PERMIT TIME EXTENSION PROCESS

Discussion and possible action concerning utilizing the staff-level Minor Modifications process as a means to grant time extensions on a case-by-case basis to the standard two year approval period in which permittees must "use" their approved use permits.

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

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF **APRIL 2009** CDPC MEETINGS
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATOR ACTIONS
- | OTHER PENDING PROJECTS'

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