

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION



A Tradition of Stewardship
A Commitment to Service

**Wednesday
April 06, 2011
9:00 AM**

COMMISSION MEMBERS

<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

Clerk of the Commission requests approval of Minutes for the meeting held on:
March 16, 2011

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. BLACK FOREST VINEYARD / ANTHONY PEJU - USE PERMIT EXCEPTION #P09-00243-UP and AGRICULTURAL EROSION CONTROL PLAN #P09-00385-ECPA**

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 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: This item requires two approvals:

A.) Conservation Regulations Use Permit Exception #P09-00243-UP: to reduce the stream setbacks required pursuant to Chapter 18.108.025 of the Napa County Code (Conservation Regulations - Stream setbacks) ranging from 85 to 105 feet down to between 61 and 42 feet to allow the retention of approximately 0.44-acres (19,170 square feet) to 0.5-acres (21,780 square feet) of existing vineyard and associated improvements developed within required stream setbacks without the benefit of a Use Permit Exception.

B.) Agricultural Erosion Control Plan #P09-00385-ECPA: required pursuant to Chapter 18.108.080 of the Napa County Code (Conservation Regulations - Agricultural erosion control plans) for land disturbing activities on slopes greater than 5% to allow the retention and development of approximately 14.2-acres of vineyard consisting of the following: 1) maintenance of erosion control measures associated with approximately 7.8-acres of existing vineyard planted without benefit of an erosion control plan; and 2) earthmoving activities and installation and maintenance of erosion control measures associated with the development of approximately 6.4-acres of new vineyard (5.5-acres of

which has already been cleared of vegetation). The project is located on a 87.86-acre parcel located on Dutch Henry Canyon Road approximately 0.25 miles north of its intersection with the Silverado Trail and within the AW (Agricultural Watershed) zoning district. APN: 018-060-068, 321 Dutch Henry Canyon Road, Calistoga.

Staff Recommendation: Adopt the mitigated negative declaration and mitigation monitoring and reporting plan and approve the requested use permit and erosion control plan as mitigated and conditioned.

Staff Contact: Donald Barrella, 299-1338 or donald.barrella@countyofnapa.org

B. QUINTESSA WINERY / HUNEEUS CHANTRE PROPERTIES LLC – USE PERMIT MAJOR MODIFICATION REQUEST - #P10-00358

CEQA Status: Negative Declaration prepared. According to the Negative Declaration, the proposed project will not have a significant environmental impact. 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 approval for the Quintess Winery: (1) increase the number of daily visitors from 10 per day to 100 per day; increase the number of weekly visitors from 25 per week to 500 per week; (2) increase the hours of operation from 8:00 am - 5:00 pm to 7:30 am - 6:30 pm; (3) add three 50-person marketing events to the previously approved marketing plan; (4) increase the number of onsite parking spaces from 18 parking spaces to 24 parking spaces within the existing paved area onsite; (5) remove the previous condition of approval regulating custom crush activities at the winery with no increase in overall production; (6) upgrades to the existing wastewater treatment plant. The winery project is located on a 17.66 acre parcel on the southwest side of Silverado Trail, approximately 580 feet north of its intersection with State Highway 128 within an Agricultural Preserve (AP) zoning district; Assessor's Parcel #: 030-060-061; 1601 Silverado Trail, Rutherford.

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

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

10. ADMINISTRATIVE ITEMS - None

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **APRIL 20, 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

- | #P10-00123, MOD, August 2011 - MJA Winery
- | #P06-01426, December 2011 - Pavitt Winery
- | #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 MARCH 29, 2011 AT 4:50 PM. A HARD COPY 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