



**AGENDA**  
**NAPA COUNTY**  
**CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION**  
Wednesday May 07, 2008

*COMMISSION MEMBERS*

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<i>COMMISSIONER</i> Heather Phillips District # 1	<i>COMMISSIONER</i> Jim King District # 2	<i>CHAIRPERSON</i> Terry Scott District # 4	<i>VICE-CHAIRPERSON</i> Bob Fiddaman District # 3	<i>COMMISSIONER</i> Rich Jager District # 5
<i>COMMISSION COUNSEL</i> Laura Anderson		<i>SECRETARY-DIRECTOR</i> Hillary Gitelman		<i>COMMISSION CLERK</i> Renee' Lederer

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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.

Agenda available on line at [www.co.napa.ca.us](http://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
4. DIRECTOR'S REPORT

- | BOARD OF SUPERVISORS ACTIONS
- | OTHER DEPARTMENT ACTIVITIES

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

**A. ROBERT YEAKEY / OAKVILLE LLC. & ROBERT YEAKEY - USE PERMIT EXCEPTION #99141-UP**

**Request:** Approval of use permit #99141-UP, an exception to Conservation Regulations for earthmoving activities on slopes greater than 30% (County Code section 18.108.040 (A)) to allow the new construction of up to 11,100 LF of access road and driveways to cross slopes of 4% to 71% with an average of 42.5% to allow access to 2 parcels currently without access to a private or public road. The proposed road has 3 distinct sections. The first section is 4,400 LF beginning at the proposed entrance on Dry Creek Road and will serve both parcels as a shared access. This section includes 2 tunnels, tunnel #1 is approximately 80 LF and tunnel #2 is approximately 70 LF. This first section comes to a 60' turn around that splits turning southward as a 1,700 LF private driveway to parcel (027-310-031) future residential complex and turning northward as a 5,000 LF private driveway to parcel (027-310-032) future residential complex. There will be approximately 68,000 CY of cut and 71,600 CY of fill in total for the access road and the two future residential building sites. The project is located on two parcels totally 178 acres on the north side of Dry Creek Road, approximately 1000 feet west of its intersection from Oakville Grade within an Agricultural Watershed (AW) zoning district (Assessor's Parcel Number 027-310-031, 027-310-032 SFAP and 027-270-019 SFAP) Napa County.

**Staff Recommendation:** Adoption of the Negative Declaration, and approve the use permit with recommended conditions of approval.

**B. BUDGE BROWN FAMILY WINERY/SILICATEC RENTALS, INC. USE PERMIT REQUEST #P07-00431-UP**

**Request:** Approval of a Use Permit to establish a new 16,000 gallon per year winery with: (1) a 5,270 square foot single story winery building with no basement for a winery totaling 5,270 square feet; (2) a 1,600 square foot covered outdoor crush and fermentation pad with three eight foot diameter fermentation tanks; (3) two full-time and two part-time employees; (4) 20 parking spaces including two

disabled-accessible spaces; (5) tours and tastings by appointment only with a maximum of 15 visitors per day but no more than 75 visitors per week; (6) a marketing plan with: six events with a maximum of 50 persons per year; two events with a maximum of 15 persons per year; and one Wine Auction event with a maximum of 100 persons per year; and, (7) installation of six 8,000 gallon above ground process waste water treatment tanks. The project is located on a 54.1 acre parcel on the west side of Pope Valley Road approximately 2,000 feet south of its intersection with Ink Grade within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 018-090-082). 6307 Pope Valley Road, Pope Valley.

**Staff Recommendation:** Adopt the attached Mitigated Negative Declaration and approve the requested winery use permit as proposed and conditioned.

**C. V MADRONE CELLARS (TILLEY WINERY) – USE PERMIT MODIFICATION #P08-00099-MOD**

**Request:** Approval of a Major Modification to Use Permit P04-0541-UP for the following items: (1) Approval to change original Use Permit Condition of Approval #2 (a.) Historical Structures as follows: Prior to issuance of any building permits for the project, the following shall be provided: (a.) Verification by an Historic Architect that the main residence is eligible for listing on the California Register; (2) Approval to increase the square footage of the planned renovated barn from 1,359 square feet to 1,492 square feet; and (3) Adoption of an Addendum to the previously adopted Mitigated Negative Declaration. The Addendum will amend Section XV. Traffic/Transportation Mitigation Measure #1 and the associated Project Revision Statement and Mitigation Monitoring and Reporting Program for Transportation/Traffic requiring the installation of a left-turn lane on St. Highway 29 prior to issuance of a building permit. It will also allow for a substituted equivalent mitigation measure that would implement the site and road design changes approved by State Department of Transportation (Caltrans) to reduce potential traffic impacts associated with the winery site;

**Staff Recommendation:** Adopt the Addendum to the original mitigated negative declaration concerning turn lane requirements, and Approve the use permit major modifications as proposed and with revised conditions of approval.

**8. ADMINISTRATIVE ITEMS - None**

**9. DEPUTY DIRECTOR'S REPORT**

- | DISCUSSION OF ITEMS FOR THE **MAY 20, 2008** JOINT BOS/CDPC MEETING (MAY 21, 2008 REGULAR CDPC MEETING CANCELLED)
- | CODE COMPLIANCE
- | ZONING ADMINISTRATOR
- | OTHER PENDING PROJECTS' STATUS

**10. COMMISSIONER COMMENTS / COMMITTEE REPORTS**

**11. FUTURE AGENDA ITEMS**

- | #00338-UP, 1 year after opening - Caldwell Winery
- | #02082-up, May 2008 Del Dotto Winery
- | #03457-up, 1 year after opening - Kendall - Jackson (Formerly Pecota) Winery
- | #P06-0102, 2 years after opening - Frank Family Winery

**12. ADJOURNMENT**