



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday June 17, 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. 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](http://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 - 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. **NAPA VALLEY COUNTRY CLUB 12 AF RESERVOIR / NAPA VALLEY COUNTRY CLUB, LLC. - USE PERMIT MAJOR MODIFICATION P08-00381-MOD**

**CEQA Status:** Subsequent Mitigated Negative Declaration Prepared – According to the proposed Subsequent Mitigated Negative Declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following area: Biological Resources, Cultural Resources, Hazards and Hazardous Materials, and Hydrology and Water Quality. The 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 Major Modification (P08-00381) to modify a prior Use Permit (U-58687), as amended, to add the following improvements to the Napa Valley Country Club Golf Course: 1) construction of a new 12 acre foot reservoir in the northwest corner of APN 052-130-041 to store groundwater for use in irrigating the Front Nine with no increase in the amount of groundwater extracted for golf course irrigation; and 2) the replacement and upgrade of the existing irrigation system for both the Front and Back Nine. The proposed project is located on a 183.58 acre holding on the south side of Hagen Road, approximately 0.30 miles east of its intersection with 3rd Avenue within an Agricultural Watershed (AW) zoning district, with general plan designations of Agriculture, Watershed, and Open Space (AWOS) and Rural Residential (RR). (Assessor's Parcel #s, 052-130-041 and 052-170-044). 3385 Hagan Road, Napa.

**Staff Recommendation:** Adopt the subsequent Mitigated Negative Declaration and approve the Use Permit Major Modification subject to mitigation measures and conditions of approval.

**Staff Contact:** Kelli Felker, 265-2325 kfelker@co.napa.ca.us

**B. ROUND POND, INC. / ROUND POND WINERY – USE PERMIT MAJOR MODIFICATION REQUEST #P08-00548-MOD**

**CEQA Status:** Subsequent Mitigated Negative Declaration Prepared. According to the proposed Subsequent Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following area:

transportation/traffic. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

**Request:** Approval to modify Use Permit #03529-UP, #P05-0334-ModMin and #P06-0063-ModMin to allow the following: (1) increase production from 20,000 gallons to 100,000 gallons per year; (2) construct a new 14,775 square foot barrel storage building; (3) increase employees from 4 to 10 full-time and 3 to 4 part-time employees (at peak); (4) increase parking from 13 to 43 parking spaces (11 prev. approved); (5) increase tours and tasting by appointment only from a maximum of 15 busiest day visitors to a maximum of 60 on the busiest day; (6) expand the Marketing Plan to include: 3 promotional tastings with meals per week with a maximum of 75 persons per event; 4 Release Events per year with a maximum of 150 persons per event; and, 1 Wine Auction event with a maximum of 100 persons; (7) convert the existing combined process and domestic wastewater system to domestic wastewater only and construct a new pretreatment and subsurface drip disposal system; (8) construct a two way left turn lane on State Highway 128 (Rutherford Rd.) between the existing Round Pond Winery and Honig Winery driveways; (9) provide new landscaping; (10) remove previously approved condition of approval limiting custom production activities. The project is located on a proposed approximately 46.69 acre parcel (pending a Lot Line Adjustment) on the south side of Rutherford Road (State Highway 128) approximately three quarters of a mile from its intersection with St. Helena Highway (St. Highway 29) within an AP (Agricultural Preserve) zoning district. 877 Rutherford Road, Napa (in the Rutherford area) (Assessor's Parcel #s: 030-140-022 & 023).

**Staff Recommendation:** Adopt the Subsequent Mitigated Negative Declaration and approve the Use Permit Modification as conditioned.

**Staff Contact:** Patricia Hornisher 299-1349 thornisher@co.napa.ca.us

**C. SUSCOL CREEK WINE PRODUCTION FACILITY / FENNEL & McDEVITT - USE PERMIT MAJOR MODIFICATION #P09-00101-MOD & TENTATIVE PARCEL MAP #P09-00100-PM**

**CEQA Status:** Subsequent Mitigated Negative Declaration prepared. According to the proposed Subsequent Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Biological Resources, Hydrology & Water Quality, and Transportation/Traffic. Mitigation measures adopted with the previous Use Permit (#P05-0434-UP) have been incorporated into this project. 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 Major Modification to Use Permit #P05-0434-UP to: (1) increase production capacity from 200,000 gallons per year to 600,000 gallons per year; (2) increase the floor area of the previously approved winery building from approximately 61,281 sq. ft. to approximately 66,338 sq. ft.; (3) construct approximately 7,500 square feet of new floor area for a stand alone wine-making/office building (5,000 sq. ft. with a covered outdoor work area) and a shop building (2,500 sq. ft.); (4) increase the number of full time employees from 13 to 25 and seasonal employees from 8 to 10; (5) increase average weekly visitors from 70 to 100 with the maximum on any given day increasing from 20 to 25 persons; (6) increase the number of on-site parking spaces from 36 to 55; (7) revise previously approved domestic and process wastewater systems; and (8) minor revisions to the covered winery covered process waste treatment area, covered solid waste storage area, water storage tanks and outdoor storage area. The request also includes a tentative parcel map to subdivide the proposed project into 19 industrial airspace condominium units; 17 units in the main winery building, one unit within the 5,000 sq. ft. stand alone winery building, and one unit

encompassing the area of the proposed process wastewater spray field. The balance of the property and hallways/walkways internal to the main winery building would be common area. The proposed project is located on a 10.32 acre property on the south side of Soscol Ferry Road, approximately 1,000 feet west of its intersection with Devlin Road within the Napa County Airport Industrial Area and a GI:AC (General Industrial: Airport Compatibility) combination zoning district. (Assessor's Parcel #: 057-170-018). Napa.

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

**Staff Contact:** Sean Trippi 299-1353, strippi@co.napa.ca.us

## 10. ADMINISTRATIVE ITEMS

### A. GREEN HOUSE GAS EMISSIONS REDUCTION PLAN - INFORMATIONAL PRESENTATION & DISCUSSION

Staff presentation and Commission discussion regarding the County-wide green house gas emissions inventory and development of an emission reduction plan. Staff will also provide an update on plans to adopt the California Green Building Code.

**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

## 11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **JULY 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
- | #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- | #P06-01426-UP, 1 year after opening - Pavitt Winery
- | #02082-UP, September 2010 - Alpha Omega Winery
- | #P06-0102-Mod, December 2010 - Frank Family Winery

## 14. ADJOURNMENT