



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday July 01, 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

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:
April 22, 2009 (Commissioners Phillips, Scott, Basayne and Pope present)
May 19, 2009 (Commissioners Fiddaman, Scott, Basayne, Pope present)
May 20, 2009 (Commissioners Phillips, Scott, Basayne, and Pope present)

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

CONTINUED FROM THE JUNE 17, 2009, REGULAR COMMISSION MEETING

B. SYAR INDUSTRIES INCORPORATED - NAPA QUARRY PROJECT - SURFACE MINING PERMIT P08-00337-SMP

CEQA Status: A Notice of Preparation (NOP) of an EIR was issued June 15, 2009. Members of the public and public agencies are invited to provide comments in writing as to the scope and content of the proposed EIR. The 30-day public comment period on the NOP closes July 14, 2009.

Request: That the Planning Commission receive public testimony and provide Commission comments on items to be addressed in the project specific Environmental Impact Report (EIR). The purpose of the proposed project is to provide for an approximate 291-acre expansion of the surface mining and reclamation plan associated with aggregate processing, production, and sales, as currently permitted by UP-128182 and UP-27374 of the existing 472-acre Syar Napa Quarry which includes: 1) a 35 year term, 2) an increase in the mining depth from 150 feet above mean sea level to 0 feet mean sea level, and 3) an increase in sales of aggregate and aggregate related materials from current levels of approximately 1 million tons per year up to approximately 2 million tons per year. Other activities associated with the proposed project include the relocation and improvement of two Skyline Wilderness Park's trails (Buckeye Trail and Skyline Trail), that were originally constructed on the quarry property, back onto Skyline Park lands. The approximate 870-acre Syar Napa Quarry holding is located in the southern portion of Napa County on the east side of State Highway 221 (Napa-Vallejo Highway) at its intersection with Basalt Road. The site has the following zoning designations, Industrial (I), Agricultural Watershed (AW), and Agricultural Watershed: Airport Compatibility Combination District (AW:AC); with the following General Plan designations, Industrial (I), Agricultural Watershed, Open Space (AWOS), Public Institutional, Open Space (PI), and Mineral Resource overlay. Assessor's Parcel Numbers: 045-360-005, 046-370-012, -013, -015, -022, 025, 046-390-002, -003, and 046-450-057.

Staff Recommendation: No formal action required. Staff requests that the Commission receive and provide comments.

Staff Contact: Don Barrella 707-299-1338, dbarrell@co.napa.ca.us

C. ROMBAUER VINEYARDS / RANCHO ALTO VINEYARDS INC. - TENTATIVE PARCEL MAP #P08-00608-PM

CEQA Status: Mitigated Negative Declaration prepared. According to the proposed Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Hydrology and Water Quality. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: The project consists of a request to subdivide a ±87.86-acre site into two parcels of approximately 41.59 acres (Parcel 1) and ±46.27 acres (Parcel 2). The site is one legal parcel that is currently developed with vineyards and an existing single family dwelling (proposed to remain on Parcel 2). A two acre building envelope is identified that could include, by right, a future single-family dwelling and a guest cottage on Parcel 1. The proposed project is located within the Agricultural Preserve (AP) Zoning District, approximately 1,500 feet north of the

intersection of Bennett Lane and Tubbs Lane, and approximately 3,500 feet east of Bennett Lane's intersection with State Highway 128. Assessor's Parcel Number 017-130-027, 3250 Bennett Lane, Calistoga.

Staff Recommendation: Adoption of the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting plan, and approval the Tentative Parcel Map with conditions of approval.

Staff Contact: Kirsty Shelton, 299-1377, kshelton@co.napa.ca.us

D. BUSBY WINE PRODUCTION FACILITY / DAVID BUSBY - USE PERMIT #P08-00654-UP

CEQA Status: Mitigated Negative Declaration prepared. According to the proposed 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 and Transportation/Traffic. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: The project consists of a request to approve a Use Permit to establish a new winery with a production capacity of 50,000 gallons per year within a ±18,162 sq. ft. building. Access to the proposed winery would be from a new driveway on Technology Way and via an existing shared driveway with the property to the south. On-site parking for 26 vehicles, landscaping, and a freestanding sign are also included with the proposal. The winery is proposed to be open five (5) days a week, from 7:00 a.m. until 6:00 p.m. Staffing for the winery is expected to include three (3) full-time employees and eight (8) part-time employees for crush and bottling. No tours and tasting or marketing events are proposed. The proposed project is located on a 1.28 acre parcel on the west side of Technology Way, approximately 250 south of Morris Court and 560-feet east of the Napa County Airport within an Industrial Park: Airport Compatibility (IP:AC) zoning district. (Assessor's Parcel #057-250-023). Napa.

Staff Recommendation: Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve the Use Permit subject to the proposed conditions of approval.

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

10. ADMINISTRATIVE ITEMS - None

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **JULY 15, 2009** CDPC MEETING
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATOR ACTIONS
- | OTHER PENDING PROJECTS' STATUS

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. FUTURE AGENDA ITEMS

- | #00388-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
- | #P06-01511-UP, August 2009 - Napa-Vallejo Flea Market
- | #02082-UP, September 2010 - Alpha Omega Winery
- | #P06-0102-MOD, December 2010 - Frank Family Winery

14. ADJOURNMENT