



AGENDA
NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
Wednesday July 16, 2008

COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Jim King</i> <i>District # 2</i>	<i>CHAIRPERSON</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-CHAIRPERSON</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Rich Jager</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 von Loesch</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. 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

Clerk of the Commission requests approval of minutes for the meetings held on;
April 2, 2008 (All Commissioners present)
April 16, 2008 (Commissioner Scott was excused)

4. DIRECTOR'S REPORT

- | BOARD OF SUPERVISORS ACTIONS
- | OTHER DEPARTMENT ACTIVITIES

5. AGENDA REVIEW**6. DISCLOSURES****7. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY - None****8. PUBLIC HEARING ITEMS****A. LYNCH FAMILY VINEYARDS, LLC. / BENNETT LANE WINERY – USE PERMIT MAJOR MODIFICATION REQUEST # P07-00299-MOD**

Request: Approval of a Major Modification to Use Permit #92452-UP to: (1) remodel the existing approximately 8,900 square foot winery building including expansion of the offices; (2) construct a new approximately 3,650 square foot tasting room with offices; (3) construct a new approximately 5,000 square foot barrel storage building with a commercial kitchen; (4) add an enclosed courtyard between buildings (for a winery totaling approximately 17,550 square feet); (5) relocate and expand the customer parking lot to 22 parking spaces; (6) increase tours and tasting by appointment only to 32 visitors per day, with 168 visitors average per week; (7) add a marketing plan with 48 private wine, food and harvest events per year with a maximum of 40 people per event, and four industry Open House events with a maximum of 50 people per event; (8) three Napa Valley Wine Auction related events per year with a maximum of 125 people per event; and, (9) installation of winery wastewater and sewage systems upgrades. No change to the annual production limit of 50,000 gallons per year is proposed. The project is located on a 10.0 acre parcel on the northeast side of State Highway 128, approximately 1,000 feet southeast from its intersection with Bennett Lane within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel #: 017-160-002). 3340 State Highway 128, Calistoga.

Staff Recommendation: Adopt negative declaration and approve project as proposed with conditions of approval.

Staff Contact: John McDowell 299-1354

B. OPUS ONE / OPUS ONE FARM MANAGEMENT FACILITY - USE PERMIT #P07-00745-UP

Request: Approval of a Use Permit to construct a 14,324 square foot farm management facility. No physical changes to the existing winery or winery operations are proposed. The project is located on a 49.30 acre parcel on the north side of Oakville Cross Road approximately 1,838 feet east of its intersection with St. Helena Highway (State Highway 29) within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel #: 031-020-007-000). 1144 Oakville Cross Road, Napa (in the Oakville vicinity).

Staff Recommendation: Adopt the negative declaration and approve the use permit with the proposed conditions of approval.

Staff Contact: Sean Trippi 299-1353

C. TOM & KYLE FUTO/KT WINECO LLC / FUTO FAMILY WINERY / USE PERMIT MODIFICATION REQUEST #P08-00096-MOD

Request: Approval to modify Use Permit #UP-04029 to: (1) increase production from 5,000 to 10,000 gallons per year; (2) revise the existing 14,802 square foot floor plan (in accordance with submitted plans dated March, 2008) with no increase in the overall square footage; (3) revise exterior design material of the winery from plaster, wood, stone and earth tile roof to corrugated metal siding and stone veneer with a corrugated metal roof; (4) increase full-time employees from two to five; (5) expand approved Special Design Sewage Disposal System (SDSDS) to accommodate the additional process wastewater. No increase in visitation, marketing or other changes are proposed. The project is located off a private driveway on a 39.96 acre parcel on the southeast side of Oakville Grade approximately two miles northeast of its intersection with Dry Creek Road within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 027-360-018) 1575 Oakville Grade, Napa (in the Oakville vicinity).

Staff Recommendation: Find the project within the scope of the previously certified negative declaration and approve the Use Permit Modification as conditioned.

Staff Contact: Linda St. Claire 299-1348

9. ADMINISTRATIVE ITEMS**A. 2007 WINERY PRODUCTION AUDIT**

Presentation, discussion and possible action regarding the outcome of a confidential audit of production capacity at wineries selected in 2007, followed by selection of 2008 audit participants.

Staff Recommendation: Select 2008 audit participants, direct staff to work with industry representatives on formula methodology, and direct staff to monitor those wineries exceeding production limits.

Staff Contact: Trish Hornisher 299-1348

10. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **AUGUST 6, 2008** REGULAR CDPC MEETING
- | CODE COMPLIANCE
- | ZONING ADMINISTRATOR ITEMS
- | OTHER PENDING PROJECTS' STATUS

11. COMMISSIONER COMMENTS / COMMITTEE REPORTS

12. FUTURE AGENDA ITEMS

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

13. ADJOURNMENT