



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday July 07, 2010  
9:00 AM**

### COMMISSION MEMBERS

<i>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>COMMISSIONER</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>VICE-CHAIRPERSON</i> <i>Matt Pope</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson &amp; Minh Tran</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](http://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:  
June 2, 2010 (All Commissioners 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****A. NAPA SOLAR FARM/GREENTECH POWER GROUP, LLC - USE PERMT (P10-00139-UP)**

**CEQA Status:** Negative Declaration prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a use permit to construct a 6.7 Mega-Watt solar electric power generation facility. The proposed facility will consist of approximately 50,000 photovoltaic modules assembled into large scale solar arrays mounted on pre-cast concrete pads. The facility will be constructed on about 50 acres of the 80-acre site. The overall height of the arrays will be approximately 5 to 6 feet above existing grade. There will generally be no employees on-site except for maintenance as needed. There is no expected water use or sewage disposal. Access would be provided from an existing gated access point at the west end of Eucalyptus Drive. The facility would be fenced. The 80 acre project site is located on the west end of Eucalyptus Drive within an Agricultural Watershed: Airport Compatibility (AW:AC) zoning district. APN's: 058-020-012 (S.F.A.P.) and 058-050-042 (S.F.A.P.). American Canyon.

**Staff Recommendation:** To continue the item to July 21, 2010.

**Staff Contact:** Sean Trippi, 299-1353 or [sean.trippi@countyofnapa.org](mailto:sean.trippi@countyofnapa.org)

**TO BE CONTINUED TO JULY 21, 2010 REGULAR MEETING**

**9. PUBLIC HEARING ITEMS****A. ROBERT SINSEY WINERY / SINSEY VINEYARDS, INC. - ROBERT SINSEY WINERY USE PERMIT # P09-00480-MOD**

**CEQA Status:** Negative Declaration has been prepared. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not on any of the the lists of hazardous waste sites enumerated under Government Code Section 65962.5

**Request:** Approval to allow major modification to Use Permit # 94099-MOD to: 1) expand winery production capacity from 65,000 gallons/year to 143,000 gallons/year; 2) expand and relocate the demonstration kitchen with 662 square feet of additional kitchen area and 1,261 square feet of new seating area; 3) expand the existing winery facility with a 2,937 square foot second-floor winery office wing and first-floor 801 square foot office addition; 4) expand the existing west-side, outdoor terrace by 1,500 square feet; 5) increase parking from 30 to 62 spaces with a new parking lot; 6) increase the number of full-time employees from six to ten and part-time employees from three to five; 7) construct a new wastewater disposal system; 8) modify the existing marketing plan to increase the average number of food and wine seminar attendees from 30 to 36, allow up to 75 visitors/day (55 average) for private tours and tastings and modest food service, add a new once-monthly evening marketing event for up to 80 people and new twice-yearly marketing events with food service for up to 150 visitors, all evening events would be held between the hours of 6:00 pm and 11:30 pm with clean-up permitted until 12:00 am; 9) modify four 1994 Use Permit conditions of approval and four mitigation measures which restricted winery operations to accommodate a former neighbor; and 10) allow retail sales of produce and animal products grown, raised or produced on the winery property and adjacent parcel, also owned by the applicant's family.

**Staff Recommendation:** Adopt the Negative Declaration and approve the Use Permit with the recommended conditions of approval.

**Staff Contact:** Ronald Gee, 707-299-1351, or [ronald.gee@countyofnapa.org](mailto:ronald.gee@countyofnapa.org)

**B. SCOTT YOUNG / SANDPOINT WINES LLC / SANDPOINT WINERY - USE PERMIT P09-00516-UP and VARIANCE P09-00535-VAR**

**CEQA Status:** Negative Declaration Prepared. According to the proposed negative declaration, the project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

**Request:** Variance to allow construction of a new winery within required road setbacks (300 feet required, 82 feet proposed). Use Permit to establish a new 30,000 gallon per year winery with: 1.) +/- 10,700 sq. ft. two story winery building with cellar and second-story deck; 2.) winery storage shed and at-grade courtyard improvements; 3.) three full-time and three part-time employees; 4.) by-appointment tours and tastings with a maximum of 16 visitors per day and 42 per week; 5.) annual marketing plan with 24 20-person events, three 60-person events, a 125-person (non-Auction Napa Valley) auction event, and participation in Auction Napa Valley; and 6.) four new 15 foot tall water tanks totaling +/- 80,000 gallons. The project is located on a 16 acre parcel located on the south side of Inglewood Avenue, approximately ½ mile west of its intersection with CA-29 (the St. Helena Highway) and within the AP (Agricultural Preserve) zoning district. APN: 027-120-056. 1919 Inglewood Avenue, St. Helena, Calif., 94574

**Staff Recommendation:** Adopt the negative declaration and approve the requested variance and use permit as conditioned.

**Staff Contact:** Chris Cahill, 253-4847 or [chris.cahill@countyofnapa.org](mailto:chris.cahill@countyofnapa.org)

## 10. ADMINISTRATIVE ITEMS

### A. 2009 WINERY PRODUCTION AUDIT

Presentation, discussion and possible action regarding the outcome of a confidential review of wine production capacity at wineries selected anonymously by the Planning Commission in 2009, followed by selection of 2010 audit participants. Direct staff to review the selected 2010 wineries for compliance with their approved allowances for visitation and marketing as well as production.

**Staff Recommendation:** Review and comment on the results of the 2009 winery production monitoring program and select 2010 participants. Direct staff to formulate a program to monitor approved visitation for Tours & Tasting and Marketing Events.

**Staff Contact:** Patricia Hornisher, 299-1349 [Trish.Hornisher@countyofnapa.org](mailto:Trish.Hornisher@countyofnapa.org)

### B. DESIGN REVIEW STUDY SESSION

**Request:** Information item and possible action concerning Commission's request that Staff present options for establishing a limited design review evaluation process to apply to projects requiring Commission review.

**Staff Recommendation:** Information item. Commission may provide direction.

**Staff Contact:** John McDowell, 299-1354 or [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org) or Hillary Gitelman, 253-4805 or [hillary.gitelman@countyofnapa.org](mailto:hillary.gitelman@countyofnapa.org)

## 11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **JULY 21, 2010** REGULAR 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
- | #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

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 JULY 1, 2010 AT 10:00 A.M. A HARDCOPY 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