



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday, August 03, 2011
9:00 AM**

COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>VICE-CHAIR</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>CHAIR</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.

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

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:
July 6, 2011 (Commissioner Phillips excused).

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. W. CLARKE SWANSON, JR. / W. CLARKE SWANSON, JR. / SWANSON WINERY - USE PERMIT P08-00550 & VARIANCE P08-00551**

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Biological Resources; Hazards and Hazardous Materials. 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 winery road setbacks (Money Road- 300 feet required, 56 feet proposed) and construction of a retaining wall within combined road and front yard setbacks (48 feet required, 30 feet proposed). **Use Permit** to establish a new 100,000 gallon per year winery with: 1.) an approximately 35,500 sq. ft. two story production building; 2.) an approximately 3,000 sq. ft. single story hospitality building; 3.) approximately 14,680 sq. ft. of covered and uncovered patio areas; 4.) up to 30 full-time employees (35 during harvest); 5.) 44 customer and 25 employee parking spaces, for a total of 69 spaces; 6.) by-appointment tours and tastings including food/wine pairings with a maximum of 200 visitors per day; 7.) sale of wine by the glass or bottle for on-premise consumption in winery buildings and covered and uncovered patio areas; 8.) an annual marketing plan with private promotional tastings and meals including 156 36-person events, 4 100-person events, 1 250-person event, and participation in Auction Napa Valley; 9.) new winery domestic and process wastewater treatment systems including a 3,550 linear foot septic disposal system; 10.) approximately 6,600 cubic yards of net fill to raise the proposed

structures above the 100-year floodplain; 11.) potential demolition of an existing residence and agricultural barn following their public offering for relocation; 12.) removal of an existing irrigation pond; 13.) removal of all vehicular access to Money Road and construction of a new winery driveway off of Oakville Cross Road; and 14.) construction of a left turn lane on Oakville Cross Road at the proposed project driveway. The 74 acre project parcel is located on the north side of Oakville Cross Road, adjacent to and directly northwest of its intersection with Money Road, within the AP (Agricultural Preserve) zoning district. APN: 031-040-033. Current address: 7711 Money Road, Oakville, Calif., 94562

Staff Recommendation: Adopt the mitigated negative declaration and approve the requested variances and use permit as conditioned.

Staff Contact: Chris Cahill, 253-4847 or chris.cahill@countyofnapa.org

B. PAVITT FAMILY WINERY/ONE YEAR STATUS REPORT - USE PERMIT #P06-01426 UP

CEQA Status: The proposed action is not a project as defined by 14 California Code of Regulation 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Request: Use Permit compliance review for Pavitt Family Winery. Pursuant to the project's adopted conditions of approval, a compliance audit is required one year after the issuance of a certificate of occupancy subject to review by the Planning Commission. The project site is located on a 22.84-acre site on the east side of Silverado Trail, approximately 600 feet north of its intersection from Dunawear lane within an AW (Agricultural Watershed zoning district. (APN: 020-350-026) 4660 Silverado Trail, Calistoga.

Staff Recommendation: Take public testimony, evaluate the project's compliance with conditions of approval and applicable standards, and provide direction to staff on any outstanding compliance issues.

Staff Contact: Mary Doyle 299-1350 or mary.doyle@countyofnapa.org

10. ADMINISTRATIVE ITEMS - None

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **AUGUST 17, 2011 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
- #P09-00185-UP, 1 year after opening - Ca' Nani Winery
- #P10-000206-UP, 1 year after opening for visitation - Caravan Serai Winery
- #P10-00123-MOD, August 2011 - MJA Vineyards
- #P10-00177-MOD, November 2011 Kelham 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 27, 2011 AT 4:00 P.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