

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION



A Tradition of Stewardship  
A Commitment to Service

**Wednesday**  
**September 21, 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](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 meetings held on:  
August 3, 2011 (All Commissioners present)  
August 17, 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. VISTA CORPORATION - ROBERT PESTONE / CLOVER FLAT RESOURCE RECOVERY PARK - USE PERMIT MAJOR MODIFICATION # P09-00511-UP**

**CEQA Status:** Mitigated Negative Declaration has been 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: Agriculture & Forest Resources, Biological Resources. The project is considered a hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval for a Use Permit Major Modification to modify existing landfill and recycling operations, add a new biomass power generator, extend the lifetime of the Clover Flat Landfill and convert the facility to a Resource Recovery Park. Proposed operational changes include but are not limited to: 1) Relocation/expansion of the gate operations and recycling area from 1.4 acres to 2.1 acres; 2) Increase the permitted Solid Waste Facility boundary by 1.0 acre (79.0 acre total); 3) Permit grading in the proposed gate operations area of 70,000 cubic yards of cut material to create the proposed 2.1 acre area; 4) Amend the Final Fill Plan (landfill design) to retain an existing concrete operations pad; 5) Extend the landfill closure date from 2021 to 2044; 6) Decrease the permitted landfill capacity from 5.1 million cubic yards to 4.9 million cubic yards; 7) Allow use of new inert alternative daily cover (ADC) material types including glass chards and diatomaceous earth; 8) Relocate the material recovery facility; 9) Expand in-vessel food waste composting and recycling operations; and 10) Add a biomass power generation plant using 40 tons per day of wood waste. Other than expansion of the existing gateway and recycling operations area, no other physical

changes to the Clover Flat Landfill are proposed as part of this Use Permit application as there will be minor or no changes to the following operations: tonnage amount or waste types; traffic counts; employees; operating hours; or disposal footprint of the landfill. The project involves modification of operations within an approximately 2.14 acre area at the southeast portion of the existing 78 acre Clover Flat Landfill, located on a 179.97 acre parcel, approximately 0.38 mile (2,000 feet) north of Silverado Trail and 1.0 mile east of Dunaweal Lane, within the AW (Agricultural Watershed) zoning district. (Assessor's Parcel Numbers: 020-120-020 and -021) 4380 Clover Flat Road, Calistoga, CA 94515.

**Recommendation:** Adopt the Mitigated Negative Declaration and approve the requested use permit as conditioned.

**Staff Contact:** Ronald Gee, 707.299.1351, ronald.gee@countyofnapa.org

**B. FAUST HOUSE LLC / FAUST HOUSE WINERY - USE PERMIT # P11-00060-UP, CONSERVATION SETBACK EXCEPTION USE PERMIT # P11-00164-UP AND ROAD AND STREET STANDARDS EXCEPTION**

**CEQA Status:** Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no 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:** To establish a new 10,000 gallons per year, 7,085 sq. ft. Ghost Winery (pre-Prohibition Carbone Winery) by: 1) converting the two-story main residence (Faust House) to a 3,000 sq. ft. winery building with a 1,499 sq. ft. barrel room and 96 sq. ft. accessory barrel tasting area on the first floor and the 1,591 sq. ft. second floor with a 923 sq. ft. tasting room, 277 sq. ft. kitchen, 161 sq. ft. pantry and 156 sq. ft. hallway; 2) converting a 288 sq. ft. carriage house to an accessory event-support building with two rest rooms, utility closets, storage and a 110 sq. ft. staging kitchen; 3) converting a 618 sq. ft. accessory, creek-side building to a 222 sq. ft. laboratory, 330 sq. ft. of storage area and 66 sq. ft. employee rest room; 4) constructing a 2,993 sq. ft. covered production building with a 943 sq. ft. crush pad and 1,025 sq. ft. production area; 5) maintaining an existing residence (former duplex converted to single-family residence); 6) upgrading the existing sanitary and wastewater treatment system; 7) installing a new 7-space parking lot with 2 additional spaces at the south residence and improved access/circulation area from the west-side driveway; 8) authorize one full-time and 2 part-time employees; and 9) establish by prior appointment visitation at a maximum of 15 persons per day and maximum of 100 persons per week; 10) establish a winery marketing plan with 12 events per year for a maximum of 25 persons, 4 events per year with a maximum of 50 persons, 2 events per year with a maximum of 100 persons, and participation in the Napa Valley Wine Auction. The concurrent Conservation Setback Exception Use Permit would allow limited earth disturbing activities necessary to convert the existing historic structures located within the required creek setback to winery-related purposes. The Exception to Established Napa County Road Standards would reduce the minimum 30 ft. turning radius onto the site from eastbound Coombsville Road to 13 ft. to preserve two historical entrance pylons located at the main driveway entrance. The approximately 6.35 acre winery parcel is located on the south side of Coombsville Road, approximately 900 feet west of the intersection with 2nd Avenue, within the AW (Agricultural Watershed) zoning district, (Assessor's Parcel Number: 045-250-030) 2031 Coombsville Road, Napa.

**Staff Recommendation:** Adopt the Negative Declaration and approve the requested use permits with exceptions to conservation setback and road and street standards as conditioned.

**Staff Contact:** Ronald Gee, 707.299-1351 or ronald.gee@countyofnapa.org

**C. EAGLE EYE WINERY/ WILLIAM & ROXANNE WOLF - USE PERMIT P11-00168 UP**

**CEQA STATUS:** Negative Declaration prepared. According to the Negative Declaration, the proposed project would not have the potential for significant environmental effects. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**REQUEST:** Approval of use permit for a 30,000 gallon per year winery including: 1) new construction consisting of a 3,600 sq. ft. production and accessory use building, a 3,600 sq. ft. barrel storage building, a 2,400 sq. ft. covered outdoor area, a 1,600 sq. ft. outdoor crush pad and tank storage area, a winery wastewater system, a 29,311 sq. ft. winery access road and 6 parking spaces; 2) a less than 10 employee facility; 3) a marketing program including 4 events per month with 24 guests per event, 4 events per year with 50 guests per event, and 2 events per year with 100 guests; 4) 2 private tours & tastings per day with a maximum of 8 guests per tour/tasting; and (5) on-premise consumption consistent with Assembly Bill 2004 (Evans). The project is located on an 13-acre parcel on the west side of Gordon Valley Road, approximately 1,600 feet north of its intersection with Wooden Valley Cross Road within the Agricultural Watershed (AW) zoning district. (Assessor's Parcel Number: 033-160-018) Napa.

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

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

**10. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **OCTOBER 5, 2011 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

**11. COMMISSIONER COMMENTS / COMMITTEE REPORTS****12. FUTURE AGENDA ITEMS**

- #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- #P09-00185, 1 year after opening - Ca' Nani' Winery
- #P10-00123, 1 year after opening - MJA Vineyard
- #P10-00206, 1 year after opening for visitation - Caravan Serai Winery
- #P10-00177 - MOD, November 2011 - Kelham Winery

**13. 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 SSEPTEMBER 15, 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