



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

Wednesday December 16, 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, 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**

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:
October 22, 2009 (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****9. PUBLIC HEARING ITEMS****A. NAPA COUNTY REGIONAL PARK & OPEN SPACE DISTRICT / JOHN & JUDY AHMANN - BERRYESSA PEAK TRAIL USE PERMIT # P09-00472-UP**

CEQA Status: Negative Declaration has been 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 the lists of hazardous waste sites enumerated under Government Code Section 65962.5

Request: Approval to allow construction and operation of an approximately 0.5-mile trail within a public right-of-way along the Blue Ridge, over Running Deer Ranch property, and to provide a pedestrian link between existing public land managed by the Bureau of Land Management & Department of Fish and Game. The project is located at 11080 Berryessa-Knoxville Road, across three parcels, 160.00, 27.68 and 520.00 acres in size, approximately 2.5 miles east of the intersection at Berryessa-Knoxville Road and Eastside Road, within the AW (Agricultural Watershed) zoning district, (Assessor's Parcel Numbers: 015-250-006, 015-260-004 and -010) Napa.

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

(CONTINUED FROM THE DECEMBER 2, 2009 REGULAR MEETING)

B. AFFORDABLE HOUSING AND INCENTIVES ORDINANCE - ZONING ORDINANCE TEXT AMENDMENT P09-00501-ORD

CEQA Status: The project is intended to implement some of the programs in the 2009 Housing Element Update and falls within the scope of the 2009 Housing Element Update adopted June 23, 2009 and the program-level Environmental Impact Report (EIR) prepared for the 2009 Housing Element Update certified on June 23, 2009 adequately describes the activity for the purposes of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15168(c); General Rule: It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

Request: The ordinance would reorganize existing County Code provisions regarding affordable housing and incentives for affordable housing development. Ordinance amendments would: 1) require that 20 percent of new single-family homes and 17 percent of condominiums and townhomes be affordable to moderate-income households; 2) require that moderate-income homes be built on site for developments with 5 or more for-sale units; 3) require payment of housing impact fees for rental housing developments; 4) allow alternative affordable housing proposals; 5) add application requirements for affordable housing; 6) modify housing trust fund procedures; 7) amend provisions for density bonuses and other incentives as required by State law; and 8) continue to require the payment of housing fees with respect to nonresidential development projects.

Ordinance Title: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, REPEALING CHAPTERS 15.60 (AFFORDABLE HOUSING) AND CHAPTER 18.107 (RESIDENTIAL DENSITY BONUS AND INCENTIVES) OF THE NAPA COUNTY CODE AND ADDING CHAPTER 18.107 (AFFORDABLE HOUSING AND INCENTIVES) TO IMPLEMENT THE 2009 HOUSING ELEMENT UPDATE OF THE NAPA COUNTY GENERAL PLAN AND MAKING VARIOUS ADDITIONAL TECHNICAL CHANGES

Staff Recommendation: That the Planning Commission conduct a public hearing and forward a recommendation of approval to the Board of Supervisors.

Staff Contact: Larry Florin, 253-4621 lflorin@co.napa.ca.us

(CONTINUED FROM DECEMBER 2, 2009 REGULAR MEETING)

C. NAPA REDEVELOPMENT PARTNERS, LLC. / NAPA PIPE PROJECT - GENERAL PLAN AMENDMENT P07-00230.

PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT REPORT.

APN's: 046-400-030 & 046-412-005, 1025 Kaiser Road, Napa.

Summary: This is a public hearing to receive comments regarding the Draft Environmental Impact Report (EIR) that has been prepared to analyze potential direct, indirect and cumulative environmental impacts as a result of the proposed Napa Pipe project. Concurrent with the Draft EIR, members of the public are invited to provide comments on the Developer's Comprehensive Development Application, which contains a draft development plan, draft design guidelines, a proposed General Plan amendment, and proposed zoning amendments.

CEQA Status: Draft EIR has been prepared. The Draft EIR prepared for the project was released for public and agency review and comment beginning October 23, 2009. The first public hearing to receive comments was conducted by the Conservation, Development and Planning Commission on November 17, 2009. This is the second public hearing. The third hearing will be tonight at 6:00 PM at the Office of Education, 2121 Imola Avenue in Napa. The public comment period is currently scheduled to end at the close of business on January 21, 2010. Interested agencies, organizations,

and members of the public are encouraged to submit written comments to planning staff prior to that date. All substantive comments on the Draft EIR must be responded to in a Final EIR before the Commission can consider the development application.

Project Description: The project applicant has proposed a General Plan amendment and phased development of a high density residential neighborhood with open space, neighborhood-serving retail and restaurants on the northern portion of the site (about 100 acres) and a business park with light industrial, R&D, warehousing, office space, public open space and a condominium hotel on the southern portion of the site (about 30 acres). The project is located on the west side of Kaiser Road southwest of its intersection with Syar Industrial Way within I:AC (Industrial: Airport Compatibility) zoning district. Assessor's Parcel Numbers: 046-100-030 & 046-412-005, 1025 Kaiser Road, Napa.

Staff Recommendation: Public hearing only. No action is requested.

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

10. ADMINISTRATIVE ITEMS

A. ADOPTION OF 2010 PLANNING COMMISSION MEETING CALENDAR

Staff Recommendation: Adopt regular meeting schedule for 2010.

Staff Contact: John McDowell 299-1354

B. ELECTION OF 2010 PLANNING COMMISSION OFFICERS

Staff Recommendation: Elect Chairperson and Vice-Chairperson for 2009 calendar year.

Staff Contact: John McDowell 299-1354, jmcowell@co.napa.ca.us

11. DEPUTY DIRECTOR'S REPORT

- | CANCELLATION OF THE **JANUARY 6, 2010** REGULAR MEETING
- | DISCUSSION OF ITEMS FOR THE **JANUARY 20, 2010** REGULAR 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
- | #02082-UP, September 2010 - Alpha Omega Winery
- | #P06-0102-MOD, December 2010 - Frank Family Winery

14. ADJOURNMENT