

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION



A Tradition of Stewardship  
A Commitment to Service

# Wednesday February 16, 2011 9:00 AM

### COMMISSION MEMBERS

<i>CHAIRPERSON</i> Heather Phillips District # 1	<i>COMMISSIONER</i> Michael Basayne District # 2	<i>COMMISSIONER</i> Terry Scott District # 4	<i>COMMISSIONER</i> Bob Fiddaman District # 3	<i>VICE-CHAIRPERSON</i> Matt Pope District # 5
<i>COMMISSION COUNSEL</i> Laura Anderson		<i>SECRETARY-DIRECTOR</i> Hillary Gitelman		<i>COMMISSION CLERK</i> Melissa Gray

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 - None****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****A. NAPA EXECUTIVE CENTER / NAPA OFFICE LLC - USE PERMIT (P08-00555-UP)**

**CEQA Status:** Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Greenhouse Gas Emissions and Transportation/Traffic. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a use permit for the construction and operation of a three-story multi-tenant office building totalling 67,930 square feet of floor area. Site improvements include a Variation to the Airport Industrial Area Specific Plan design standards for a 15% reduction of required parking spaces for a total number of 203 spaces. Access will be provided from a new driveway on Gateway Road East. The project site is comprised of two parcels that are split for assessment purposes and will be combined. The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District, respectively. The proposed project is located on a 4.3 acre site at the terminus of Gateway Road East, within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN's: 057-200-001 SFAP (Split For Assessment Purposes) and -009 SFAP. Napa.

**Staff Recommendation:** Continue item to date uncertain.

**Staff Contact:** Kirsty Shelton, (707) 299-1377 or [kirsty.shelton@countyofnapa.org](mailto:kirsty.shelton@countyofnapa.org)

**(DROP ITEM FROM THE AGENDA FOR RENOTICING)**

**9. PUBLIC HEARING ITEMS**

**A. METROPOLITAN VAN & STORAGE / E & P PROPERTIES - USE PERMIT (P10-00348-UP)**

**CEQA Status:** Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following area: Transportation/Traffic. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a use permit to construct concrete tilt-up building with 107,424 square feet of floor area for warehousing, shipping/receiving and administrative office area. The building owner stores the personal belongings of military personnel deployed overseas. Containers are shipped to the facility from across the country and are stored until such time as the deployed personnel return. Access would be provided from new driveways on Airpark Road and Alexis Court. On-site parking for 106 vehicles, landscaping, and signage are also included with the proposal. The project site is comprised of two parcels that will be combined. The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District, respectively. The proposed project is located on a 6.2 acre site on the northeast corner of Airport Boulevard and Airpark Road within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN's: 057-220-026 & 029. Napa.

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

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

**B. DRAFT CLIMATE ACTION PLAN**

**Request:** Presentation and discussion of the proposed Climate Action Plan. Commission and public comments are requested.

**CEQA Status:** In accordance with CEQA and the State CEQA Guidelines (Sections 15168), the County is proposing to use the program level Environmental Impact Report (EIR) for the General Plan Update (SCH# 2005102088, certified June 2008) as the EIR for the Climate Action Plan. As discussed in a memorandum and initial study checklist dated January 28, 2011, this approach is consistent with CEQA and the State CEQA Guidelines because (1) the proposed plan is within the scope of the General Plan approved in 2008, and (2) the program EIR prepared for the General Plan Update adequately describes the activity for purposes of CEQA. In addition, (3) the County has not identified any changes in the General Plan, changes in circumstances under which the General Plan Update was adopted, or new information of substantial importance that would necessitate subsequent environmental review pursuant to CEQA Guidelines Section 15162. A copy of the General Plan Update EIR may be reviewed during business hours at the offices of the Department of Conservation, Development and Planning, 1195 Third Street in Napa, or on the County's website at <http://www.countyofnapa.org/Pages/DepartmentDocuments.aspx?id=4294967660>. Reviewers are particularly directed to Section 3.4.4 of the Final EIR (on the website, see the document called "FEIR Responses Intro" and scroll to p. 3.0-49).

**Staff Recommendation:** Conduct a public hearing, discuss the proposal and provide direction to staff. No formal action is requested at this time.

**Staff Contact:** Hillary Gitelman 253-4805 or [hillary.gitelman@countyofnapa.org](mailto:hillary.gitelman@countyofnapa.org).

**10. ADMINISTRATIVE ITEMS****A. BREMER FAMILY WINERY/ NEW AFFORDABLE HOUSING UNIT AND HOUSING FEES REFUND - BUILDING PERMIT B08-01030**

**CEQA Status:** Categorically Exemption pursuant to Class 3, Section 15303 of the California Environmental Quality Act and Class 3, Item 9, Farmworker Housing, of Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project will result in construction of a farmworker dwelling unit within a previously graded and developed portion of the subject property. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**REQUEST:** Approval a refund of \$16,839 of Affordable Housing fees paid December 3, 2010 on commercial building permit B08-01030 in exchange for construction of an approximately 600 square foot one bedroom, one bathroom, deed restricted affordable housing unit located on a 43.8 acre property on the east side of Deer Park Road approximately 1,600 ft. south of its intersection with Sanitarium Road within the AW (Agricultural Watershed) zoning district (Assessor's Parcel Number 0250-370-058) 150 Pine Place, Deer Park.

**Staff Recommendation:** Approve the refund of Affordable Housing Fees contingent upon execution of a long term affordability agreement with County.

**Staff Contact:** Nancy Johnson, 299-1352 or [nancy.johnson@countyofnapa.org](mailto:nancy.johnson@countyofnapa.org)

## 11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **MARCH 2, 2011** 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
- | #P06-1426-UP, 1 year after opening - Pavitt Winery
- | #P10-00123-MOD, August 2011 - MJA Vineyards
- | #P10-00177-MOD, December 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 *FEBRUARY 9, 2011 AT 4:45 PM*. 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