



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday February 18, 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, on and after 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](http://www.co.napa.ca.us)**

**1. CALL TO ORDER / ROLL CALL****2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS (10 Minutes)**

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:  
January 21, 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 - None****9. PUBLIC HEARING ITEMS****10:30 A.M. SET MATTER****A. LAKE LUCIANA LLC. – LAKE LUCIANA GOLF COURSE - USE PERMIT APPLICATION P07-00398-UP  
CEQA Status:** Final Environmental Impact Report Prepared.

A Draft EIR was prepared and a public hearing was held on the Draft EIR during the 78 day public comment and review period. Written responses to comments received during the public review period have been incorporated into a Final EIR consisting of the Draft EIR, public and agency comments, responses to comments, and required clarifications and changes to the text of the Draft EIR. The Planning Commission will consider approval or denial of the project following certification of the Final EIR.

**Request:** Approval of a request to construct an 18-hole championship golf course, attendant buildings and site improvements including lake side recreational uses with a small boat dock and boat storage pavilion and to improve existing dirt access roads to serve the golf course and nearby parcels. Proposed activities associated with the golf course would include the following: 1) Removal of existing vegetation and grading of fairways, cart paths and ancillary buildings including installation of landscaping and irrigation systems; 2) construction of a new clubhouse building with kitchen and eating area for golfers; 3) construction of a swimming pool, small boat dock and provision of canoes, kayaks and small sailboats for use on Lake Luciana; 4) construction of a golf cart storage cave and maintenance building; 5) construction of approximately 25 stream, lake and wetland crossings including riparian habitat restoration; and 6) construction, widening and improvement of the primary access road from Lake Luciana to Pope Valley Road intersecting approximately 1,000 ft. north of Ink Grade to 20 feet except in areas where widening would impact sensitive environmental features. The proposal further includes a request for a Use Permit exception to the County's Conservation

Regulations to allow portions of existing roads to encroach into the required stream setbacks and a request for an exception to the County's Road and Street Standards. The proposed golf course is located on approximately 226 acres along the northern edge of Weeks Lake in Pope Valley. The applicant has also proposed reconfiguration of 17 adjacent parcels which occupy approximately 1,180 acres generally north and east of Lake Luciana. Reconfiguration of the parcels is within the scope of the Final EIR prepared for this project, although the proposed lot line adjustments do not require Commission approval. The parcels would be sold individually following execution of a conservation easement or similar deed restriction to protect the northern ridgeline of 15 of the adjacent parcels from future development. The project site is located approximately one mile northeast of the terminus of Barnett Road within an Agricultural, Watershed and Open Space land use designation and an Agricultural Watershed zoning district. (Assessor's Parcel #'s: 018-260-017, 018-290-001 to -013, 018-080-056 to -058, -061 and -062, 018-270-013 and -054, 018-240-009, 018-080-063 and -064) Pope Valley.

**Staff Recommendation:** That the Planning Commission adopt a motion of intent to certify the Final Environmental Impact Report and approve the project with conditions of approval.

**Staff Contact:** Ronald Gee 299-1351, rgee@co.napa.ca.us

**CONTINUED FROM THE JANUARY 21, 2009 AND FEBRUARY 4, 2009 REGULAR MEETINGS.**

**1:30 P.M. SET MATTER**

**B. NAPA COUNTY HOUSING ELEMENT UPDATE - DRAFT ENVIRONMENTAL IMPACT REPORT PUBLIC COMMENT HEARING**

**CEQA Status:** The Draft EIR identifies potentially significant environmental impacts (project-specific and/or cumulative) in a variety of topic areas including land use, population, transportation, cultural resources, visual/aesthetics, public services, biology, fisheries, hydrology and geology, human health, air quality (including green house gas emissions), and noise. Mitigation measures have also been identified where feasible.

**Request:** Public hearing to receive comments on the Draft Environmental Impact Report (EIR) prepared regarding the 2009 Housing Element Update. Copies of the Draft EIR are available for review at the Napa County Department of Conservation, Development & Planning and on the County website at [www.co.napa.ca.us](http://www.co.napa.ca.us).

**Recommendation:** Staff will summarize the status of the 2009 Housing Element Update, including comments received from the State Department of Housing and Community Development (HCD) and conforming amendments proposed to other sections of the General Plan, and requests that the Commission then accept public comments on the Draft EIR and provide their own comments to staff. All comments will be responded to in the Final EIR.

**Staff Contact:** Hillary Gitelman, 253-4805 hgitelman@co.napa.ca.us

**10. ADMINISTRATIVE ITEMS**

**9:00 A.M. SET MATTER**

**A. NAPA REDEVELOPMENT PARTNERS, LLC. - NAPA PIPE PROJECT PRESENTATION - GENERAL PLAN AMENDMENT P07-00230-GPA**

**CEQA Status:** Notice of Preparation (NOP) of an Environmental Impact Report (EIR) was issued January 2, 2009. The 30-day public comment period on the NOP closed February 2, 2009. Comments received during the public comment period are attached to this report and will be used to inform

preparation of a Draft EIR.

**Request:** The project applicant and representatives will provide a presentation regarding the proposed development including the evolution of the current site plan and smart growth concepts incorporated into the proposal. Staff will summarize comments received in response to the NOP and discuss the next steps in the planning and review process. The basic concept for the project is to build 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 50 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:** Informational presentation and discussion only. No action is requested.

**Staff Contact:** Sean Trippi, 299-1353 strippi@co.napa.ca.us, or Hillary Gitelman, Director, 253-4805 hgitelman@co.napa.ca.us

#### **B. WATERSHED INFORMATION CENTER AND CONSERVANCY AND AIRPORT ADVISORY COMMISSION APPOINTMENTS**

Commission discussion and recommendations to the Board of Supervisor concerning appointments of a Planning Commission representative to the Watershed Information Center and Conservancy, and the Airport Advisory Commission.

**Staff Recommendation:** That the Commission make separate recommendations to the Board of Supervisors for a member to serve on each Commission.

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

### **11. DEPUTY DIRECTOR'S REPORT**

- | DISCUSSION OF THE **MARCH 4, 2009** CDPC MEETING
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATORS ACTIONS
- | OTHER PENDING PROJECTS' STATUS

### **12. COMMISSIONER COMMENTS / COMMITTEE REPORTS**

### **13. FUTURE AGENDA ITEMS**

- | #00338-UP, 1 year after opening - Caldwell Winery
- | #02082-UP, June 2009 - Del Dotto Winery
- | #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- | #P06-0102-MOD, 2 years after opening - Frank Family Winery
- | #P07-00869-UP, September 2010 - Alpha Omega

### **14. ADJOURNMENT**