

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION



A Tradition of Stewardship
A Commitment to Service

**Wednesday
February 02, 2011
9:00 AM**

COMMISSION MEMBERS

<i>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>COMMISSIONER</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>VICE-CHAIRPERSON</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.countyofnapa.org

1. CALL TO ORDER / ROLL CALL**2. 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.

3. APPROVAL OF MINUTES

Clerk of the Commission requests approval of Minutes for the meetings held on:
January 5, 2011 (All Commissioners present)
January 19, 2011 (Commissioners Phillips and Scott excused)

4. DIRECTOR'S REPORT

- | BOARD OF SUPERVISORS ACTIONS
- | OTHER DEPARTMENT ACTIVITIES

5. AGENDA REVIEW**6. DISCLOSURES****7. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY - None****8. PUBLIC HEARING ITEMS****A. ROGERS WINERY / GARY AND KATHLEEN ROGERS – USE PERMIT AND LOCAL LANDMARK DESIGNATION REQUEST - #P10-00337-UP**

CEQA Status: Categorically Exempt pursuant to Section 15303, 15305 and 15331 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures, Class 5 – Minor Alteration in Land Use Limitations and Class 31 - Historical Resource Restoration/Rehabilitation) and Appendix B, Class 3 (New Construction or Conversion of Small Structures Item #10: Construction and Operation of Small Wineries) of the Napa County's Local Procedures for Implementing the California Environmental Quality Act.

REQUEST: (A.) Approval to designate the Rogers Winery (formerly known as the Mountain Cove Ranch Winery) built in 1887, as a Local Napa County Landmark. **(B.)** Approval of a Use Permit to establish a 30,000 gallon per year winery within the existing two-story, historic winery structure to include: (1) restoration, rehabilitation and reuse of the existing 4,773 sq. ft. historic Mountain Cove Ranch winery building as a winery production building and construction of a new 225 sq. ft. covered crush pad for a winery totaling 4,998 sq. ft.; (2) two full-time employees; (3) five parking spaces (incl. one ADA space); (4) tours and tasting by prior appointment only with a maximum of 20 visitors per day (maximum of 120 visitors in a proposed six day week); (5) a provision for on-premise wine consumption consistent with Assembly Bill 2004 (Evans) within the tasting room and patio area; (6) a marketing plan with: ten private food and wine tasting events per year with 30 persons per event (all food service to be catered by Napa County licensed operators) and participation in one Napa Valley Wine Auction Event (100 person maximum) using shuttle buses and off-site parking; (7) installation of a new combined process and domestic wastewater system using a multistage treatment process with final disposal via a trench pressure dispersal system; and, (8) civil improvements to the existing private driveway to

comply with County Road & Street Standards for one-way loop roads. The winery project is located on a 55.30 acre parcel off a private driveway on the east side of Conn Valley Road approximately 1.5 miles northeast of its intersection with Howell Mountain Road within an Agricultural Watershed (AW) zoning district; Assessor's Parcel #: 025-180-069; 970 Conn Valley Road, St. Helena.

Staff Recommendation: Find the project Categorical Exempt and approve the Use Permit and Local Landmark Designation as proposed with conditions of approval.

Staff Contact: Jessica Jordan 299-1355 or Jessica.Jordan@countyofnapa.org

9. ADMINISTRATIVE ITEMS

A. FRANK FAMILY VINEYARDS / TWO YEAR STATUS REPORT - USE PERMIT MODIFICATION #P06-0102-MAJ MOD

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 and possible action for Frank Family Vineyards. Pursuant to the project's adopted conditions of approval, a compliance audit is required two years after the issuance of a certificate of occupancy for the tasting room subject to review by the Planning Commission. The project site is located on a ±5.15-acre site on the east side of Larkmead Lane, between Silverado Trail and State Highway 29, approximately 2,400 feet north of State Highway 29 and approximately 100 to 200 feet south of the Napa River. (APN: 20-290-007) 1091 Larkmead Lane, 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: Sean Trippi 299-1353 or sean.trippi@countyofnapa.org

B. WILLIAMSON ACT UPDATE

Request: Presentation regarding the current status of the California Land Conservation (Williamson) Act of 1965 and discussion on the County's administration of the Williamson Act.

Staff Contact: Don Barrella, (707) 299-1338 or donald.barrella@countyofnapa.org

10. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **FEBRUARY 16, 2011** 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-UP, 1 year after opening - Ca' Nani Winery
- | #P06-01426, 1 year after opening - Pavitt Winery
- | #P10-00123-MOD, August 2011 - MJA Vineyards
- | #P10-00177-MOD, December 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 *JANUARY 26, 2011 BY 5:00 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