



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday June 02, 2010
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 & Minh Tran</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. 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:
April 21, 2010 (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**

- A. NAPA INDUSTRIAL LLC / NAPA COMMERCE CENTER - DEVELOPMENT AGREEMENT P09-00546-DA**
CEQA Status: The entitlements were analyzed for purposes of the California Environmental Quality Act under an Addendum to a Final EIR for the Beringer Wine Estates Devlin Road Facility (State Clearinghouse No. 00034043) certified on January 7, 2009. The original Final EIR was certified on April 9, 2002. In approving the Use Permit and Tentative Parcel Map on January 7, 2009, the Planning Commission readopted the CEQA Findings of Fact and Rationale and Statement of Overriding Considerations contained in Board of Supervisors Resolution No. 02-72, and further adopted a Mitigation Monitoring and Reporting Program.

Request: Approval of a Development Agreement to grant a vested right for 20 years to construct a 646,734 sq. ft. industrial warehouse building previously entitled for development under Use Permit P08-00131-UP and Tentative Parcel Map P07-00412-UP approved by the Planning Commission on January 7, 2009. The project is located on a 218 acre property immediately south of the Napa County Airport and approximately 1,000 ft. southwest of the current southerly terminus of Devlin Road and South Kelly Road within the IP:AC - Industrial Park: Airport Compatibility Zoning District (Assessor's Parcel Number 057-090-069), American Canyon.

Ordinance Title: *An Ordinance of the Board of Supervisors of the County of Napa, State of California, approving the Development Agreement between the County of Napa and Napa Industrial LLC.*

Recommendation: That the Commission forward a recommendation for approval of the Development

Agreement and adoption of the Ordinance to the Board of Supervisors.

Staff Contact: John McDowell, 299-1354 or john.mcdowell@countyofnapa.org

10. ADMINISTRATIVE ITEMS

A. WATERSHED INFORMATION CENTER AND CONSERVANCY BOARD UPDATED WEBSITE PRESENTATION

Request: Information item to present updated website content concerning the Watershed Information Center & Conservancy (WICC) Board

Staff Contact: Jeff Sharp, 259-5936 or jeff.sharp@countyofnapa.org

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **JUNE 16, 2010 PC 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 - Kendal 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

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 WEDNESDAY, MAY 25, 2010 AT 4:30 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