



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday July 21, 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 &amp; 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](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**

Clerk of the Commission requests approval of Minutes for the meeting held on:  
June 16, 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 34 HOLDINGS COMMERCE CENTER / KRISTEN PIGMAN / NAPA 34 HOLDINGS - USE PERMIT #P09-00329-UP & TENTATIVE PARCEL MAP #P09-00330-TPM.**

**CEQA Status:** Recirculated Revised Mitigated Negative Declaration Prepared. According to the proposed revised mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Air Quality, Biological Resources, Hydrology and Water Quality, Public Services, Transportation/Traffic, and Utilities and Service Systems. The 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 allow the construction and operation of an industrial park totaling 490,503 square feet of new development in eight buildings. Approximately 73% percent of the total development floor area would be dedicated to warehousing uses, while the remaining 27% would be utilized as office space. Access would be provided from three new driveways located off of an extension of Devlin Road and a single right-in right-out driveway off of Airport Boulevard. Roadway improvements and the preservation and enhancement of approximately 3 acres of existing on-site wetlands are also proposed. The project would connect to the City of American Canyon municipal water system and sewer service would be provided by the Napa Sanitation District. The following approvals are also requested: (1) Lot Line Adjustment to transfer 1.10 acres from the subject property (currently APN 057-210-056) to the property directly to the west (currently APN 057-210-055) to relocate the shared property line to the centerline of the extension of Devlin Road; (2) Tentative Parcel Map to allow the creation of eight industrial parcels ranging in size from 0.60 to 7.18 acres and three

wetland/drainage parcels ranging in size from 0.23 to 5.35 acres. Dedication of the Devlin Road right-of-way is also proposed, as is the reduction of an existing utility easement at the abandoned Aviation Way right-of-way from 60' to 15' in width; (3) Use Permit Variation to Airport Industrial Area Specific Plan standards to allow driveway access onto Airport Boulevard and a reduced parking ratio at proposed parcel "F" (88 required, 78 proposed). The project is located in the Napa Airport Industrial Area on a 33.9 acre parcel located at the southwest corner of the intersection of State Route 29 and Airport Boulevard, within an IP:AC (Industrial Park: Airport Compatibility Zone D) zoning district. (Assessor's Parcel No.: 057-210-056). No Current Address, the Napa-Vallejo Highway, Napa, Calif. 94558

**Staff Recommendation:** Adopt the recirculated revised mitigated negative declaration and mitigation monitoring and reporting plan and approve the requested use permit, variation to development standards and tentative parcel map as conditioned.

**Staff Contact:** Chris Cahill, 253-4847 or [chris.cahill@countyofnapa.org](mailto:chris.cahill@countyofnapa.org)

**B. NAPA SOLAR FARM/GREENTECH POWER GROUP, LLC - USE PERMT P10-00139-UP**

**CEQA Status:** Negative Declaration prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a use permit to construct a 6.7 Mega-Watt solar electric power generation facility. The proposed facility will consist of approximately 50,000 photovoltaic modules assembled into large scale solar arrays mounted on pre-cast concrete pads. The facility will be constructed on about 50 acres of the 80-acre site. The overall height of the arrays will be approximately 5 to 6 feet above existing grade. There will generally be no employees on-site except for maintenance as needed. There is no expected water use or sewage disposal. Access would be provided from an existing gated access point at the west end of Eucalyptus Drive. The facility would be fenced. The 80 acre project site is located on the west end of Eucalyptus Drive within an Agricultural Watershed: Airport Compatibility (AW:AC) zoning district. APN's: 058-020-012 (S.F.A.P.) and 058-050-042 (S.F.A.P.). American Canyon.

**Staff Recommendation:** Adopt the 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)

**CONTINUED FROM THE JULY 7, 2010 REGULAR MEETING**

**C. ROOSTER ORDINANCE - ZONING ORDINANCE TEXT AMENDMENT P10-00237-ORD**

**CEQA Status:** 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:** County-sponsored ordinance to limit the number of roosters permitted per parcel in agricultural areas.

**Ordinance Title:** AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING CERTAIN SECTIONS OF TITLE 18 OF THE NAPA COUNTY CODE REGULATING THE KEEPING OF ROOSTERS

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

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

**D. NAPA COUNTY LOCAL PROCEDURES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**CEQA Status:** Procedures by definition do not change the law, but provide for its implementation. Therefore the proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and CEQA is not applicable. Also, 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 pursuant to the General Rule contained in the Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).

**Request:** County-sponsored resolution rescinding prior resolutions and revising Napa County's local procedures for implementing CEQA and the State CEQA Guidelines, eliminating unnecessary duplication between the local procedures and the State CEQA Guidelines, updating the procedures in a variety of ways, eliminating unnecessary appendices, and substituting a revised version of the Initial Study checklist derived from (but not identical to) Appendix G of the State CEQA Guidelines as amended by the State in December 2009.

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

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

**10. ADMINISTRATIVE ITEMS**

**11. DEPUTY DIRECTOR'S REPORT**

- | CANCELLATION OF THE **AUGUST 4, 2010 ALUC** REGULAR MEETING
- | DISCUSSION OF ITEMS FOR THE **AUGUST 4, 2010** REGULAR MEETING
- | CODE COMPLIANCE REPORT
  - | CALDWELL WINERY USE PERMIT #003318 STATUS 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
- | #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 JULY 14, 2010 AT 4:45 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