



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday August 05, 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

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 meetings held on:
November 19, 2008 (Commissioners Scott, King, Fiddaman, Phillips present)
April 1, 2009 (Commissioners Scott, Phillips, Basayne, Pope present)
July 15, 2009 Special Meeting (Commissioners Scott, Fiddaman, Phillips, Basayne, Pope 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. LAKE RIDGE WINERY / EDWARDS FITTS - USE PERMIT #P09-00039 UP**

CEQA Status: Negative Declaration prepared. According to the proposed negative declaration the proposed project would have no potentially significant environmental impacts. 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 establish the following: (1) a 10,000 gallon per year winery to include covered crush area/pad, fermentation, barrel storage and mobile bottling; (2) a 6,800 square foot winery/production 2-story building to include laboratory, office space, tasting/conference room, case and barrel storage, restroom, employee kitchen, (3) installation of domestic and winery wastewater systems, (4) 6,700 square feet of caves; (5) 1 full time employee, 1 part time employee and an additional 5 seasonal employees during harvest/crush; (6) six parking spaces for employees and visitors; (7) one loading area; and (8) days of operations Monday-Saturday from 10 am-5 pm with appointment only tours and tastings for a maximum of 10 visitors per week. The project is located on a 40-acre parcel on the west side of Long Ranch Road approximately 1 mile from its intersection of Sage Canyon Road and within the Agricultural Watershed (AW) zoning district. APN: 032-010-068. 90 Long Ranch Road.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit with proposed conditions of approval.

Staff Contact: Mary Doyle, 299-1350, mdoyle@co.napa.ca.us

B. NUSTAD REVOCABLE TRUST / STEVEN SCHERNER - TENTATIVE PARCEL MAP P09-00210-PM and MAJOR MODIFICATION P09-00211-MOD

CEQA Status: A Mitigated Negative Declaration was previously adopted for the project site in conjunction with the approval of Use Permit Major Modification # P05-0382-MOD on October 4, 2006. The site is presently developed with two office/industrial buildings and has an entitlement for the construction a third, replacement building. The proposed tentative map and modification of site development standards do not result in any new physical changes to the developed and entitled site, and therefore the requested actions are within the scope of the previously adopted Mitigated Negative Declaration, since no changes to the physical environment will result from the creation of new property lines. No new potential environmental effects have been identified that were not previously addressed in the Mitigated Negative Declaration, and therefore no further environmental documentation is necessary pursuant to State CEQA Guidelines Section 15162. 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 Tentative Parcel Map to subdivide a developed general industrial parcel into three parcels of approximately 0.80 acre, 0.83 acre and 0.92 acre in size and a Use Permit Major Modification to grant variations from Airport Industrial Area Specific Plan site development standards to reduce required setbacks to facilitate the parcel subdivision. The project is located on an approximately 2.55 acre parcel on the northeast side of Camino Oruga, within the GI:AC (General Industrial, Airport Compatibility) zoning district and the General Industrial area of the Napa County Airport Industrial Area Specific Plan. (Assessor's Parcel # 057-152-006). 152 Camino Oruga, Napa

Staff Recommendation: Find the project within the scope of the previously adopted Mitigated Negative Declaration and approve both the Tentative Map and Use Permit Major Modification subject to conditions of approval.

Staff Contact: Ronald Gee, 707-299-1351, rgee@co.napa.ca.us

10. ADMINISTRATIVE ITEMS

A. NAPA - VALLEJO FLEA MARKET / TOM HARDING; HARRY HARDING AND SONS; NELSON HARDING - ONE YEAR STATUS REPORT / USE PERMIT P06-01511-UP

CEQA Status: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Request: One year use permit compliance review for the Napa-Vallejo Flea Market located on a 20.21+/- acre parcel on the east side of State Route 29 between Café Court, South Kelly Road and Case Court within the IP (Industrial Park) and GI (General Industrial) zoning districts (Assessor's Parcel Numbers: 057-420-004, -007, -032, -033, -039, -041, -059, and -061) in American Canyon.

Staff Recommendation: Conduct a one year use permit compliance review of the Napa-Vallejo Flea Market (Use Permit P06-01511-UP), and find project in substantial compliance with the conditions of approval.

Staff Contact: Kirsty Shelton (707) 299-1377, kshelton@co.napa.ca.us

B. REQUEST FOR BOARD OF SUPERVISORS TO CONSIDER CREATION OF DESIGN REVIEW PROCEDURES

CEQA Status: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Request: Commissioner Scott requests that the Planning Commission forward a recommendation to the Board of Supervisors to have Staff research and report back on options for creating a Design Review process.

Staff Recommendation: Consider Commissioner Scott's proposal and forward a recommendation to the Board of Supervisors if a majority of the Commission supports further review of this topic.

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

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **AUGUST 19, 2009** CDPC MEETING
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATOR ACTIONS
- | OTHER PENDING PROJECTS' STATUS

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. FUTURE AGENDA ITEMS

- | #00388-UP, 1 year after opening - Caldwell Winery
- | #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