



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday September 15, 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 meetings held on:  
August 4, 2010 (Commissioner Phillips excused)  
August 18, 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. YOUNTVILLE VINEYARDS, LLC / CA'NANI WINERY - USE PERMIT P09-00185-UP & VARIANCE P09-00492-VAR**

**CEQA Status:** Negative Declaration has been prepared. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not on any of the the lists of hazardous waste sites enumerated under Government Code Section 65962.5

**Request: (A)** Approval of a Use Permit to establish a new, 48,000 gallon per year winery with: 1) a two-story, 16,243 sq. ft. winery building with 5,800 sq. ft. of offices, 1,670 sq. ft. of tasting/sales area; 2,281 sq. ft. of barrel storage, total 2,410 sq. ft. roof deck areas and 15,970 sq. ft. of cave area with four portals for a winery totaling 56,370 sq. ft.; 2) conversion of an existing 1,460 sq. ft., detached garage to a farm equipment storage building and a new 375 sq. ft. utility building; 3) 13 full-time and 2 part-time employees; 4) 44 on-site parking spaces; 5) new entrance monument and sign; 6) up to 75 visitors per day (Fri-Sun) and 40 visitors per day (Mon-Thurs) by appointment only; 7) a marketing plan with 27 events per year with a maximum of 24 people (10 as evening events ending at 10:00 PM), two events per year with a maximum 49 people, one event per year with 100 people, and one event per year with 300 people; and 8) a new process wastewater septic system. **(B)** Approval of a Variance to reduce the minimum 600 foot winery setback from SR 29/St. Helena Highway to 235 feet. The project site is located on two parcels, approximately 14.11 acres total size (12.52 and 1.59 acres), on the southeast corner of the intersection at Yount Mill Road and SR-29/St. Helena Highway, within the AP (Agricultural

Preserve) zoning district. (Assessor's Parcel Numbers: 031-120-026 and 031-130-026) 7466 St. Helena Highway, Napa.

**Staff Recommendation:** Adopt the Negative Declaration and approve the Use Permit and Variance with the recommended Conditions of Approval.

**Staff Contact:** Ronald Gee, 707-253-4417, or [ronald.gee@countyofnapa.org](mailto:ronald.gee@countyofnapa.org)

**B. McBRIDE WINERY/ CHARLES & KATHLEEN McBRIDE - USE PERMIT P10-00049 UP AND VARIANCE P10-00050 VAR**

**CEQA STATUS:** Categorically Exempt pursuant to Section 15303 Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303, and Class 3 (New Construction or Conversion of Small Structures Item #10: Small Wineries) of the Napa County's Local Procedures for Implementing the California Environmental Quality Act.

**REQUEST: (A)** Approval of use permit for a 25,000 gallon per year winery within a new two story structure totaling 3,623 square feet which includes the following: approximately 2,000 square feet of production area (fermentation, bulk bottle storage, distribution area, equipment/maintenance area), an employee kitchen and laboratory, a 260 square foot tasting room, a 330 square foot office, 360 square feet of conference/meeting area, with approximately 3,450 square feet of outdoor work area including covered crush area, 1200sf outdoor tank area, and 5 parking spaces. The project includes two full time employees, one part-time employee; a marketing program with 6 private wine events per year with catered food for 25 guests maximum per event, and 1 private Harvest event per year for 100 guests maximum per event. **(B)** Approval of a variance to reduce the 300 ft. private road winery setback to 100 feet, and to reduce the 600 ft. major arterial road winery setback from State Highway 128 to 480 feet. The project is located on an 11-acre parcel on the west side of State Highway 128 approximately 1,200 feet north of its intersection with Bennett Lane within the Agricultural Watershed (AW) zoning district. (Assessor's Parcel Number: 017-110-049) Calistoga.

**Staff Recommendation:** Find the project Categorically Exempt and approve the Major Modification Use Permit with proposed conditions of approval.

**Staff Contact:** Mary Doyle, 299-1350 or [mary.doyle@countyofnapa.org](mailto:mary.doyle@countyofnapa.org)

## 10. ADMINISTRATIVE ITEMS

**A. DESIGN REVIEW STUDY SESSION**

**Request:** Information item and possible action concerning Commission's request that Staff present options for establishing a limited design review evaluation process for projects requiring Commission review. Commission will be presented with design review examples from other jurisdictions.

**Staff Recommendation:** Information item. Commission may provide direction.

**Staff Contact:** John McDowell, 299-1354 or [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org) or Hillary Gitelman, 253-4805 or [hillary.gitelman@countyofnapa.org](mailto:hillary.gitelman@countyofnapa.org)

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

- | DISCUSSION OF ITEMS FOR THE **OCTOBER 6, 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, November 2010 - Alpha Omega Winery
- | #P06-0102- MOD, December 2010 - Frank Family Winery
- | #P10-00123- MOD, August 2011 - MJA Vineyards

## **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 SEPTEMBER 8, 2010 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