

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
MINUTES

OCTOBER 17, 2007

1. **CALL TO ORDER**
Meeting called to order @ 9:03 am.
2. **ROLL CALL**
All Present.
3. **PLEDGE OF ALLEGIANCE**
Trish Hornisher led the salute to the flag.
4. **CITIZEN COMMENTS AND RECOMMENDATIONS**
None.
5. **APPROVAL OF MINUTES**
Approval of June 15, 2005, July 6, 2005, August 17, 2005, September 7, 2005, October 11, 2005, October 19, 2005, November 2, 2005 and November 16, 2005 Minutes as presented.
TS-BF-HP-RJ-JK
A
Approval of September 21, 2005 and December 7, 2005 Minutes as presented.
TS-RJ-JK-BF-HP
A A
Approval of July 20, 2005 Minutes as presented.
TS-BF-RJ-JK-HP
A A
Approval of October 4, 2005 Minutes as presented.
RJ-JK-BF-HP-TS
A A
Approval of June 1, 2005 Minutes as presented.
BF-RJ-JK-HP-TS
A A
6. **DIRECTOR'S REPORT**
 - BOARD OF SUPERVISORS ACTIONS
 - OTHER DEPARTMENT ACTIVITIES
Hillary Gitelman presented report including the Frank Family appeal.
Code Enforcement rescheduled for the November 7, 2007 meeting.
7. **AGENDA REVIEW**
John McDowell reviewed the agenda. No changes.

Public Hearings:

8. **ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY - item**
None.

9. **THOMAS AND DANIEL GIOVANNONI & ALBERT GIOVANNONI / NAPA VALLEY MARINA / NAPA VALLEY MARINA EXPANSION – USE PERMIT MODIFICATION #03026-UP**

CEQA STATUS: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: biological resources, air quality, cultural resources, hazardous materials, hydrology and water quality, and transportation and traffic.

REQUEST: Approval to modify Use Permit #U-438283 to include the following: (1) expand the harbor basin by 3.2 acres by removing an existing levee and dredging and excavating the existing “construction and sediment operations” basins; (2) add up to five additional employees for a total of 15; (3) relocate boat fuel tanks from their current position adjacent to the Napa River entrance to a location further within the harbor; and, (4) construct: six new docks with a total of 100 additional boat slips, ancillary boardwalks and foot docks in the expanded basin; a 2,145 square foot clubhouse for marina members with two restrooms, clubroom and office; a new 2,860 square foot, 50-seat restaurant; a 150 square foot outdoor covered grill area; a 260 square foot stand alone restroom facility; 2.2 acres of additional dry boat storage; an additional 132 parking spaces for a total of 267 spaces; a left hand turn lane and subsequent intersection improvements at State Highway 12 / 121 and Cuttings Wharf Road; a new 470 foot long driveway and access road to the proposed restaurant and associated parking area; increases to the existing wastewater ponds on the adjoining parcel from approximately 291,000 gallons to approximately 1,122,750 gallons to accommodate increased septic demand; and, add a new boat elevator. **(Continued from October 3, 2007)** **KS**

Commission voted to adopt the Mitigated Negative Declaration and approve Use Permit #03026-UP based on findings 1-9, subject to conditions of approval.

TS-HP-JK-RJ-BF

ITEM 10 & 11 WILL BE HEARD TOGETHER

10. **ALLEN AND JACALYN SPENCE TRUST – AN EXCEPTION FROM THE NAPA COUNTY ROAD AND STREET STANDARDS REQUEST #P07-00091-UP**

CEQA STATUS: See item #11.

REQUEST: Approval of an Exception from the Napa County Road and Street Standards to allow a short portion of the proposed one-way access drive to the project to have a nonconforming width of 13 feet where 14 feet is required. The project is located on a 10.13 acre parcel on the east side of North White Cottage Road, directly across from its intersection with Summit Lake Drive, within the AW (Agricultural Watershed) zoning district. (Assessor’s Parcel #: 024-064-016) 920 North White Cottage Road, Angwin. **CC**

Commission voted to approve an exception to Napa County Road and Street Standards to allow a portion of the proposed one-way access drive between the entry gate and the primary residence to have a nonconforming width of 13 feet, based on findings 13 and 14 and the Conditions of Approval and subject to the review and approval of the Department of Public Works.

BF-TS-JK-RJ-HP

11. **ALLEN AND JACALYN SPENCE TRUST - USE PERMIT REQUEST #P07-00091-UP**
CEQA STATUS: Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act and Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B (Class 3 – New Construction or Conversion of Small Structure).
REQUEST: Approval of a Use Permit to establish a new 5,000 gallon per year winery with: (1) a 560 square foot winery production facility in the lower level of an existing guesthouse structure and a 196 square foot winery office in an existing detached structure for a winery totaling 756 square feet; (2) a 1,215 square foot outdoor crush and fermentation pad; (3) no permanent full-time or part-time employees; (4) five parking spaces, including two accessible spaces; (5) no tours or tastings; (6) a marketing plan with a maximum of four, 16 person events per year; and, (7) installation of one additional 5,000 gallon water tank. The project is located on a 10.13 acre parcel on the east side of North White Cottage Road, directly across from its intersection with Summit Lake Drive, within the AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 024-064-016). 920 North White Cottage Road, Angwin. **CC**
 Commission voted to find the project is Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3 – New Construction or Conversation of Small Structures) and Napa County's Local Procedures for Implementing CEQA, Appendix B, Section 10 (Class 3 – New Construction of Small Wineries).
 BF-TS-JK-RJ-HP
 Commission voted to approve Use Permit #P07-00091-UP to establish the Spence Winery, based on findings 8-12 and subject to the Conditions of Approval.
 BF-TS-JK-RJ-HP

12. **CHRISTOPHER & PAULINE CULLEN TILLEY / V MADRONE CELLARS / AUGUST HIRSCH WINERY – LANDMARK DESIGNATION REQUEST #P07-00656-LDMK**
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 [Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)] ;and, Categorically Exempt pursuant to Sections: 15308 (Class 8- Actions by Regulatory Agencies for Protection of the Environment); and, 15331 (Class 31- Historical Resource Restoration / Rehabilitation) of the California Environmental Quality Act State Guidelines.
REQUEST: Approval to recognize the Tilley property and particularly the primary residence, once a winery, as a Local Napa County Landmark. The site was formerly known as V Madrone Cellars and historically as the August Hirsch Winery built in 1883. The project is located on a 7.85 acre parcel on the west side of St. Helena Highway North (St. Highway 29) approximately 100 feet north of its intersection with Ehlers Lane within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 022-080-025) 3199 St. Helena Highway North, St. Helena. **TH**
 Commission voted to find the project is Categorically Exempt pursuant to Sections: 15308 (Class 8 – Actions by Regulatory Agencies for Protection of the Environment); and 15331 (Class 31 – Historical Resource Restoration / Rehabilitation) of the California Environmental Quality Act State Guidelines.
 TS-HP-JK-RJ-BF
 Commission voted to find that the Planning Commission has read and considered Section 15.52.030 Landmark designation criteria and procedures section (B.) listing the factors to be considered that the proposed landmark has special historical, architectural, cultural aesthetic or engineering interest or value of an historical nature; and

Find that the proposed landmark designation meets one or more of the special historical

criteria specifically, 15.52.030 (B) (1); Its character, interest or value as part of the local, regional, state, or national history, heritage or culture: (c) its exemplification of the cultural, economic, social or historical heritage of the county; and

Find the Structure(s) or building(s) is at least fifty years old; and

Designate the August Hirsch Winery of 1883 (currently known as the V Madrone Cellars/Tilley Winery) structures as a Local Napa County Historic Landmark based on findings contained herein, and subject to the Conditions of Approval; and

Direct the August Hirsch Winery of 1883 designation is placed on the Napa County Historic Resources Inventory and that if approved the letter of approval and relevant documentation for its placement on the California Register of Historic Places is forwarded to the California State Office of Historic Preservation.

TS-HP-JK-RJ-BF.

Other Business: (The following matters, unless otherwise noted, may be heard at any time during the meeting at the discretion of the Chairperson).

13. **DRAFT GENERAL PLAN UPDATE – DISCUSSION OF PROPOSED REVISIONS TO THE AGRICULTURAL PRESERVATION AND LAND USE ELEMENT** – Staff presentation / overview, public testimony, Commission discussion and possible direction to staff regarding proposed revisions to the Agricultural Preservation and Land Use Element based on public comments received on the Draft General Plan Update. **HG**
Director presented the report. No action taken.
14. CITY REFERRALS:
None.
15. DEPUTY DIRECTOR'S REPORT
John McDowell presented report.
 - ▶ Reminder of Special Luncheon at the Airport
 - DISCUSSION OF ITEMS FOR THE **NOVEMBER 7, 2007** MEETING
 - ▶ Leaning towards canceling the ALUC portion of the meeting.
 - ▶ No General Plan item
 - ▶ Sattui, Conservation Regulation, Pavitt Winery, Code Compliance Report Presentation.
 - ▶ November 21, 2007 and December 19, 2007 meeting will be canceled.
 - ▶ December 5, 2007 – Annual commission holiday lunch
 - CODE COMPLIANCE REPORT
 - ▶ Del Dotto Winery
 - ▶ Meuler Lot Line Adjustment and possible vacation rentals.
 - ZONING ADMINISTRATOR ACTIONS
16. COMMISSIONER COMMENTS / COMMITTEE REPORTS

17. FUTURE AGENDA ITEMS

- #00338-UP, 1 year after opening – Caldwell Winery
- #02082-UP, 6 months after opening – Del Dotto Winery
- #03457-UP, 1 year after opening – Kendal – Jackson (Formerly Pecota) Winery
- #P06-0102, 2 years after opening – Frank Family Winery

18. ADJOURNMENT

Adjourned to the regular meeting of the Conservation Development and Planning Commission meeting of November 7, 2007

JIM KING, Chairperson

ATTEST: _____
HILLARY GITELMAN, Secretary-Director

C. RENEE LEDERER, Clerk

Key

Vote: RJ = Rich Jager; JK = Jim King; BF = Bob Fiddaman; TS = Terry Scott; HP = Heather Phillips;

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused