

**NAPA COUNTY**  
**CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION**

**MINUTES**  
**NOVEMBER 3, 2010**

**1. CALL TO ORDER/ROLL CALL**

Meeting was called to order by Chair Heather Phillips.  
Commissioners Basayne, Fiddaman, Scott, Pope, Phillips present.

**2. PLEDGE OF ALLEGIANCE**

Ron Gee led the salute to the flag.

**3. CITIZEN COMMENTS AND RECOMMENDATIONS**

None.

**4. APPROVAL OF MINUTES**

Minutes were approved as presented.  
MB-TS-BF-MP-HP

**5. DIRECTOR'S REPORT**

• **BOARD OF SUPERVISORS ACTIONS**

- ▶ BOS adopted the rooster ordinance which will go into effect on September 1, 2011
- ▶ First hearing on Building Code adoption, County Facilities Planning, and Proximity Housing
- ▶ Wind Energy Ordinance
- ▶ Relic & Dunphy Appeals
- ▶ Climate Action Change and Napa Pipe Adhoc meetings to be scheduled.

• **OTHER DEPARTMENT ACTIVITIES**

**6. AGENDA REVIEW**

John McDowell gave the review.  
Commission voted to move item 10A to the consent calendar.  
TS-MB-MP-BF-HP

**7. DISCLOSURES**

Commissioners reported.

**8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY**

**A. SUSANNA ROGERS KELHAM TR/ KELHAM VINEYARDS - KELHAM VINEYARDS WINERY USE PERMIT MODIFICATION #P010-00177-MOD**

**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 lists of hazardous waste sites enumerated under Government Code Section 65962.5

**Request:** Approval of a major modification to Use Permit # 98372-UP to 1) convert an existing 1,576 sq. ft. residence to be used for wine tasting, sales, and marketing; 2) convert 1,641 sq. ft. of second floor area of the existing winery to be used as a residence; 3) include a 1,254 sq. ft. outdoor trellised area for wine tasting and marketing; and 4) adoption of a marketing plan that proposes ten additional visitors per day, for a maximum of 20 per day/140 per week for food and wine pairing, and six events per year for up to 80 people. The project site is located on a 10.9 acre parcel on the north side of Zinfandel Lane, approximately 0.75 of a mile east of its intersection with State Route 29 within an Agricultural Preserve (AP) Zoning District (Assessor's Parcel Number 030-260-029) 360 Zinfandel Lane, St. Helena.

Staff Recommendation: Continue item to November 17, 2010 hearing.

**(CONTINUED FROM OCTOBER 20, 2010 REGULAR COMMISSION MEETING)  
(TO BE CONTINUED TO NOVEMBER 17, 2010 REGULAR COMMISSION MEETING)**

Commission voted to continue item 8A to the November 17, 2010 meeting.

TS-MB-MP-BF-HP

- B. Commission voted to move item 10A to the consent calendar to be decided without additional testimony.**

TS-MB-MP-BF-HP

Commission voted to approve the consent calendar.

TS-MB-MP-BF-HP

## **9. PUBLIC HEARING ITEMS**

### **A. SMALL WIND ENERGY SYSTEM ZONING ORDINANCE, COUNTY-INITIATED ZONING CODE TEXT AMANDMENT P10-00243-ORD**

**CEQA Status:** Negative Declaration Prepared. According to the proposed negative declaration, the project would not have any potentially significant environmental impacts. This project is applicable to parcels greater than 2 acres in size zoned Agricultural Preserve (AP), Agricultural Watershed (AW) and Industrial District (I), a number of which are included on the lists of hazardous waste sites numerated under Government Code §65962.5.

**Request:** First reading and recommendation of adoption of an ordinance, as provided for under California Assembly Bill 45 (Blakeslee. Distributed generation: Small Wind Energy Systems (2009)), permitting the installation of small wind energy systems in the unincorporated areas of Napa County that are outside urbanized areas, on parcels greater than 2 acres in size in the AP, AW, I zoning districts. The ordinance establishes a process for the issuance of administrative and conditional use permits for these systems, subject to specified conditions regarding aspects of the system's location so as to be protective of Napa County's unique and diverse environmental resources. By providing for the safe and effective use of small wind energy systems to foster the local production of renewable energy, there should be reduced local consumption of centralized utility-supplied electricity.

**Ordinance Title:** AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, REPLACING REPEALED CHAPTER 18.117 WITH A NEW CHAPTER 18.117 TO TITLE 18 OF THE NAPA COUNTY CODE REGULATING THE INSTALLATION AND USE OF SMALL ENERGY WIND SYSTEMS OUTSIDE URBANIZED AREAS IN THE UNINCORPORATED PORTIONS OF NAPA COUNTY

**Resolution Title:** A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA,

ESTABLISHING PROCESSING FEES FOR PERMITTING SMALL WIND ENERGY SYSTEMS IN THE UNINCORPORATED PORTIONS OF NAPA COUNTY

Staff Recommendation: That the Planning Commission conduct a public hearing and recommend that the Board of Supervisors adopt the proposed negative declaration, adopt the proposed ordinance, and adopt the proposed resolution.

Commission voted to conduct a public hearing and recommend that the Board of Supervisors adopt the proposed negative declaration, adopt the proposed ordinance, and adopt the proposed resolution.

MB-MP-TS-BF-HP

## 10. ADMINISTRATIVE ITEMS

### A. ALPHA & OMEGA WINERY, LLC./ ONE YEAR STATUS REPORT USE PERMIT #P07-00869-MAJ MOD & #P08-00047 VAR

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

**Request:** Use Permit compliance review and possible action for Alpha Omega Winery located on the southeast side of Mee Lane approximately 760 feet northeast of its intersection with St Helena Highway (St Hwy 29) at 1155 Mee Lane, St Helena (APN: 030-080-046). Pursuant to the project's adopted conditions of approval, a compliance audit is required one year after completion of the facility subject to review by the Planning Commission.

**Staff Recommendation:** Take public testimony, evaluate the project's compliance with standards, and provide direction to staff on any outstanding compliance issues.

Patricia Hornisher gave the report.

See item 8B.

### B. PROPOSED USE PERMIT MODIFICATION FACTSHEET

**Request:** Informational item and Commission input on the proposed text of a factsheet addressing use permit modifications. While much of the document is a restatement of the Zoning Code and/or longstanding Departmental policy, the factsheet also addresses recent changes to the Winery Definition Ordinance (for example, new language allowing food pairings for winery tours and tastings visitors) and the ways in which the County proposes to process those requests. Staff is soliciting Commission feedback on the draft document.

**Staff Recommendation:** Informational item. Commission direction is welcomed.

Chris Cahill gave the report. No action taken.

### C. PLANNING FOR GREEN HOUSE GAS EMISSIONS REDUCTIONS

**Request:** Information item and discussion concerning planning for green house gas (GHG) emissions reductions in unincorporated Napa County. Staff will provide an overview of regional and local planning efforts and next steps.

Staff Recommendation: Information item and discussion.

Hillary Gitelman gave the report. No action taken.

## 11. DEPUTY DIRECTOR'S REPORT

John McDowell gave the report.

- DISCUSSION OF ITEMS FOR THE **November 17, 2010 PC MEETING**

- ▶ Kelham Winery
- ▶ CCBJ Properties
- ▶ Draft of Revised Use Permit Application

- CODE COMPLIANCE REPORT
  - ▶ Frank Family Winery 1 year Compliance report
- ZONING ADMINISTRATOR ACTIONS
  - ▶ V. Sattui Deli & Winery Minor Mod
  - ▶ Grieve Winery
  - ▶ 2 Certificates of legal non-conformity

## 12. COMMISSIONER COMMENTS / COMMITTEE REPORT

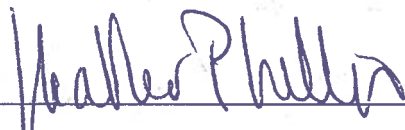
- Commissioner Terry Scott will be attending the California County Planning Commissioners Association Conference in Monterey .

## 13. FUTURE AGENDA ITEMS

- #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- #P09-00185-UP, 1 year after opening - Ca' Nani Winery
- #P06-0102-MOD, December 2010 - Frank Family Winery
- #P10-00123-MOD, August 2011 - MJA Vineyards

## 13. ADJOURNMENT

Adjourned to the regular meeting of the Conservation Development and Planning meeting of November 17, 2010.

  
HEATHER PHILLIPS, Chairperson

ATTEST: HILLARY GITELMAN, Secretary-Director

  
MELISSA GRAY, Clerk

### Key

Vote: MB = Mike Basayne; MP = Matt Pope; 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