

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

**MINUTES**  
**DECEMBER 1, 2010**

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

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

**2. PLEDGE OF ALLEGIANCE**

Jessica Jordan led the salute to the flag.

**3. CITIZEN COMMENTS AND RECOMMENDATIONS**

None.

**4. APPROVAL OF MINUTES**

None.

**5. DIRECTOR'S REPORT**

Hillary Gitelman gave the report.

- **BOARD OF SUPERVISORS ACTIONS**

- ▶ Relic & Dunphy Appeals
- ▶ Small Wind Ordinance
- ▶ RHNA process- Housing Element

- **OTHER DEPARTMENT ACTIVITIES**

- ▶ Trish Hornisher retiring

**6. AGENDA REVIEW**

Jessica Jordan gave the review.

**7. DISCLOSURES**

Commissioners reported.

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

None.

**9. PUBLIC HEARING ITEMS**

**A. KRUPP FAMILY CEMETERY / JAN KRUPP - USE PERMIT #P10-00137-UP**

**CEQA Status:** The project is Categorically Exempt pursuant to Section 15304 of the California Environmental Quality Act (Class 4 - Minor public or private alterations to land) and Appendix B, Class 4 of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. Class 4 exemption allows of minor alterations to the conditions of land under which this small private cemetery with a maximum 10 burial site qualify. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval to establish a small private cemetery to include the following: (1) 8,000 square feet (0.18-acre) earth interment area for a maximum of 10 burial plots; (2) no structures, landscaping, lighting or signage; and (3) replacement in-kind of trees and/or other natural vegetation on a one-one ratio of any existing vegetation removed. The cemetery site is located in the southeast corner of a 160-acre parcel approximately 2 miles northwesterly off of Soda Canyon Road, approximately 6 miles north of the Soda Canyon Road intersection with Silverado Trail and within the Agricultural Watershed (AW) zoning district. (Assessor's Parcel Number: 032-030-010) Soda Canyon Road, Napa, Ca. 94558

**Staff Recommendation:** Find the project categorically exempt and approve the Use Permit with proposed conditions of approval.

**Commission voted to:**

1. Find the project Categorical Exempt pursuant to Section 15304 of the California Environmental Quality Act (Class 4-Minor private alteration to the conditions of land); and
2. Approve Use Permit no. P10-00137 UP based on findings 2-6 of Exhibit A and subject to the attached conditions of approval (Exhibit B).

MB-BF-MP-TS-HP

**B. VINEYARD 22 WINERY / TFC - VINEYARD 22 LLC - USE PERMIT EXCEPTION #P10-00180-UP, VIEWSHED #P10-00181-VIEW, AND USE PERMIT #P10-00034-UP**

**CEQA Status:** A Mitigated Negative Declaration was previously adopted for the project site in conjunction with the approval of Agricultural Erosion Control Plan #P09-00465-ECPA (State Clearinghouse No. 2008012010 adopted July 28, 2010). The site is currently being developed with 9.7 acres of vineyard in reliance of #P09-00465-ECPA. The proposed winery project is consistent with the winery analyzed in the previously adopted Mitigated Negative Declaration, and therefore the requested actions are within the scope of the previously adopted Mitigated Negative Declaration. 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.

**Request:** This item requires three approvals: **A.) Conservation Regulations Use Permit Exception (#P10-00180-UP)** to allow the construction of the proposed winery facility on a building site slope averaging 35.5% - pursuant to Napa County Code section 18.108.040 (B) a use permit is required for development on slopes of 30% or greater. **B.) Viewshed Protection Program (#P10-00181-VIEW)** to allow the construction of the proposed winery facility on a building site with a slope greater than 15% that is visible from a designated viewshed road (Deer Park Road) - pursuant to Napa County Code section 18.106.030 (A). **C.) Winery Use Permit (#P10-00034-UP)** to establish a new 10,000 gallon per year winery with: 1) approximately 10,050 sq. ft. of caves, 2) approximately 3,400 sq. ft. of outdoor work area, of which 1,400sq. ft would be covered, 3) approximately 1,565 sq. ft. of winery structures, 4) a 1,300 sq. ft. hospitality patio, 5) one full-time and two part-time employees, 6) a parking area that includes nine parking spaces, 7) installation of drainage improvements and subsurface detention facility, 8) by appointment tours and tastings with a maximum of 15 visitors per day and 50 per week, 9) a marketing plan with nine 30-person marketing events, 10) installation of a winery access road, and 11) installation of a new domestic and process wastewater treatment systems with subsurface disposal. The proposed project would occur on a 22.61-acre parcel located on the east side of Deer Park Road approximately 0.75 miles north of its intersection with Sanitarium Road, within an Agricultural Watershed (AW) zoning district. Assessor's Parcel #021-420-015, 1156 Deer Park Road, Deer Park.

**Staff Recommendation:** Find the project within the scope of the previously adopted Mitigated Negative Declaration and approve the application as proposed, subject to the mitigation measures and conditions of approval.

Commission voted to:

1. Finds the project within the scope for the previously adopted Mitigated Negative Declaration for the Vineyard 22 Erosion Control Plan (P09-00465-ECPA) adopted on July 28, 2010, as set forth in findings 1-6 of attached Exhibit A;
2. Approve a slope exception to the Conservation Regulations (Use Permit #P10-00180-UP) based on findings 7-13 of Exhibit A and subject to the attached conditions of approval (Exhibit B);
3. Approve Viewshed application #P10-00181-VIEW based on findings 14-20 of Exhibit A and subject to the attached conditions of approval (Exhibit B), and;
4. Approve Winery Use Permit #P10-00034-UP based on findings 21-25 of Exhibit A and subject to the attached conditions of approval (Exhibit B) as revised.

TS-MB-MP-BF-HP

## 10. ADMINISTRATIVE ITEMS

### **ITEM 10.A - SET MATTER - 9:10 A.M.**

#### **A. PROMOTING HEALTHIER COMMUNITIES STUDY SESSION**

**Request:** Presentation by County Public Health Officer Karen L. Smith, M.D. M.P.H., and Commission discussion concerning land use planning and its relationship to public health.

Dr. Smith gave the report. No action taken.

#### **B. ADOPTION OF 2011 PLANNING COMMISSION MEETING CALENDAR**

**Staff Recommendation:** Adopt regular meeting schedule for 2011.

Commission voted to adopt the regular meeting schedule for 2011.

TS-MB-Bf-MP-HP

## 11. DEPUTY DIRECTOR'S REPORT

John McDowell gave the report.

- DISCUSSION OF ITEMS FOR THE **December 1, 2010 PC** MEETING
  - ▶ Cancellation of the December 15, 2010 PC meeting
  - ▶ Rocca Winery
  - ▶ Rogers Ghost Winery
  - ▶ Bremmer Winery
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
  - ▶ Roberts - CLN

## 12. COMMISSIONER COMMENTS / COMMITTEE REPORT

## 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
- # P10-00123-MOD, August 2011 - MJA Vineyards
- #P06-0102-MOD, December 2010 - Frank Family Winery
- #P06-01426-UP, 1 year after opening - Pavitt Winery
- #P010-00177-MOD, December 2011 - Kelham Vineyards

#### 14. ADJOURNMENT

Adjourned to the regular meeting of the Conservation Development and Planning meeting of January 5, 2011.

  
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