

MINUTES OF THE MEETING OF THE
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
COUNTY OF NAPA

June 15, 2005

1. Call To Order.
THE CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION OF THE COUNTY OF NAPA MET IN REGULAR SESSION, WEDNESDAY, FEBRUARY 2, 2005 AT 9:00 A.M. THE MEETING WAS CALLED TO ORDER BY CHAIR SCOTT AT 9:04 A.M.

2. Roll Call.
THE FOLLOWING MEMBERS WERE PRESENT: CHAIRMAN TERRY SCOTT, COMMISSIONERS RICH JAGER, BOB FIDDAMAN, DAVID GRAVES AND JIM KING.

3. Pledge of Allegiance.
JOHN MCDOWELL, PROGRAM PLANNING MANAGER, CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT, LED THE SALUTE TO THE FLAG.

4. Citizen Comments and Recommendations.
RONALD LEWIS ASKED THE BOARD TO CONSIDER RESCHEDULING THE HEARING DATE FOR THE RENTERIA WINERY FROM JULY 20, 2005 TO AUGUST 17, 2005 DUE TO A MISCOMMUNICATION OF DATES AND HIS LEGAL REPRESENTATION NOT BEING AVAILABLE. THIS REQUEST WAS PREVIOUSLY FAXED TO COMMISSIONER FIDDAMAN.

COMMISSIONER FIDDAMAN INFORMED MR. LEWIS THAT A DECISION COULD NOT BE MADE ON THE MATTER AT THIS TIME BUT WOULD BE DISCUSSED IN THE FUTURE.

DONNA OLDFORD, PLANNING CONSULTANT REPRESENTING RENTERIA WINERY, STATED SHE WOULD LIKE TO MOVE FORWARD WITH HEARING DATE OF JULY 20, 2005.

COMMISSIONER FIDDAMAN STATED THE HEARING WOULD REMAIN AS SCHEDULED BUT THE POSSIBILITY OF THE HEARING BEING CONTINUED DID EXIST.

5. Approval of Minutes.
NONE

6. Director's Report.
HILARY GITELMAN, DIRECTOR, CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT, REPORTED THE BOARD OF SUPERVISORS PASSED THE DEPARTMENT BUDGET WITHOUT INCIDENT.

SHE ALSO REPORTED SUBSTANTIAL PROGRESS WAS BEING MADE IN FILLING STAFF VACANCIES. TWO ADDITIONAL PLANNERS WOULD SOON BEGIN WORKING FOR NAPA COUNTY. DON BARRELLA WILL JOIN THE CONSERVATION STAFF NEXT WEEK AND RON GEE WILL JOIN THE PLANNING STAFF MID-JULY. NEW ADMINISTRATIVE STAFF HAS BEEN ADDED. STAFF WILL BE INTERVIEWING INDIVIDUALS FOR THE POSITIONS OF TEMPORARY PARKS PLANNER AND CHIEF BUILDING OFFICIAL IN THE NEAR FUTURE.

MS. GITELMAN RECOMMENDED STAFF AGENDIZE THE RENTERIA WINERY HEARING ON JULY 20, 2005 AS SCHEDULED AND DECIDE ON MR. LEWIS' REQUEST TO CHANGE THE DATE AT THAT TIME. THE COMMISION AGREED TO FOLLOW THE RECOMMENDATION.
7. Agenda Review.
AGENDA REVIEWED – NO CHANGES
8. Items to be decided without additional testimony.
SEE ITEM NO. 12

Public Hearing

9. **JOSEPH A. GONSALVES – USE PERMIT EXCEPTION REQUEST #P04-0388-UP**
California Environmental Quality Act (CEQA) Status: 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: hydrology & water quality, biological resources.
Request: Approval of an exception to the Conservation Regulation in the form of a Use Permit, and associated Erosion Control Plan, Special Design Septic System, Building Permit and Grading Permit to authorize an existing single family residence and associated site improvements previously constructed without benefit of required permits located within the required stream setback of Sarco Creek. The project includes: 1) approval of the existing 2,074 square foot two-story residence with 423 square foot deck and 132 square foot covered porch, existing cave portal, and existing retaining wall; 2) improvements to the existing access driveways to meet standards located outside of the stream setback; 3) replacement of the existing sub-standard septic system with a new special design septic system located outside of the stream setback; and, 4) restoration and enhancement of portions of Sarco Creek including removal of invasive exotic plant species, removal of pre-existing man-made impediments within the stream channel, and stabilization of areas where unauthorized grading previously occurred. The project is located on a 90.43-acre

parcel on the south side of Monticello Road, approximately 1.25 miles east from its intersection with Atlas Peak Road within an Agricultural Watershed (AW) zoning district (Assessors Parcel #: 033-050-046) 2590 Monticello Road, Napa.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION APPROVED ENVIRONMENTAL RECOMMENDATIONS 1 THROUGH 6, ADOPTED THE MITIGATED NEGATIVE DECLARATION, AND THE MITIGATION MONITORING AND REPORTING PROGRAM.

TS-JK-RJ-BF-DG

THE COMMISSION APPROVED USE PERMIT P04-0388-UP BASED ON FINDINGS 8 THROUGH 14 AND SUBJECT TO CONDITIONS OF APPROVAL AS AMENDED.

TS-JK-RJ-BF-DG

10. **ONE TRUE VINE, LLC. - USE PERMIT REQUEST #P04-0551**

CEQA Status: Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures).

Request: Approval of a Use Permit to establish a 19,000-gallon per year winery to include the following: (1) use of 10,985 square feet of caves for winery production activities, crushing, fermentation, barrel aging and storage, bottling, case good storage, administration offices and laboratory for a winery totaling 10,985 square feet; (2) two full-time employees; (3) two parking spaces; (4) installation of a waste disposal system including a "Hold and Haul" program or vineyard application of processes wastewater; and, (5) improvements to the project access road (widening and paving). The project is located on a 40 acre parcel on the west side Crystal Springs Road approximately one mile southeast of its intersection with Silverado Trail, within an AW (Agricultural Watershed) zoning district, Napa County (Assessor's Parcel #: 021-072-044) 565 Crystal Springs Road, St. Helena.

PUBLIC HEARING OPENED – TESTIMONY PRESENTED

PUBLIC HEARING CONTINUED TO JULY 6, 2005.

JK-TS-RJ-BF-DG

11. **JOHN & MAGGIE KONGSGAARD / KONGSGAARD WINERY, LLC. / KONGSGAARD WINERY / – USE PERMIT REQUEST #P05-0110-UP**

CEQA Status: Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures).

Request: Approval of a Use Permit to establish a new 12,000 gallon per year winery with: (1) 7,000 square feet of caves and construction of a 700 square foot accessory structure for office and mechanical use for a winery totaling 7,700 square feet; (2) five full-time and two part-time employees; (3) four parking spaces; and, (4) construction of a special designed sewage system requiring a permit. The project is located on a 148-acre parcel on the west side of Atlas Peak Road approximately 6.5 miles from its intersection with Old Soda Springs Road within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 032-540-042).

THE COMMISSION FOUND THE PROJECT EXEMPT FROM CEQA PURSUANT TO SECTION 15303: NEW CONSTRUCTION OF SMALL STRUCTURES, AND NAPA COUNTY'S LOCAL PROCEDURES CLASS 3, SECTION 10: SMALL WINERIES.

DG-TS-RJ-BF-JK

**THE COMMISSION APPROVED USE PERMIT #P05-0110-UP BASED ON FINDINGS 7 THROUGH 14 AND SUBJECT TO CONDITIONS OF APPROVAL 1 THROUGH 22.
DG-TS-RJ-BF-JK**

12. **SCOTT DUNCAN – FINAL MAP AMENDMENT REQUEST #W05-00222**

CEQA Status: Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures).

Request: Approval to eliminate the slope easement for Lot #115 shown on the Final Subdivision Map of Berryessa Highlands Unit No. 2. The parcel is located on the northwest side of Steele Canyon Road approximately 160 feet southwest of its intersection with Cape Cod Court within a PD (Planned Development) zoning district. (Assessor's Parcel #019-471-011) 1123 Steele Canyon Road, Napa.

APPROVED WITHOUT ADDITIONAL TESTIMONY

JK-TS-RJ-DG-BF

13. City Referrals.

NONE

14. Discussion of Items for the July 6, 2005 Meeting.

STEVE LEDERER, DEPUTY PLANNING DIRECTOR, ADVISED OF THE FOLLOWING:

ONE TRUE VINE, LLC. - USE PERMIT REQUEST #P04-0551

COSENTINO WINERY, LLC. – USE PERMIT MODIFICATION REQUEST #03474-UP

15. Commissioner Comments.

COMMISSIONER FIDDAMAN ASKED IF THE AMERICAN CANYON GENERAL PLAN NEEDED TO BE DISCUSSED.

MR. LEDERER RESPONDED THE SITUATION HAD BEEN RESOLVED.

COMMISSIONER FIDDAMAN REPORTED HE AND JIM KING WERE INVITED TO APPLY TO SIT ON THE AMERICAN CANYON GENERAL PLAN ADVISORY COMMITTEE. THEY PASSED THE INVITATION ON TO THE AIRPORT LAND USE COMMISSION (ALUC).

MR. LEDERER COMMENTED HE WAS INFORMED THAT THE AIRPORT ADVISORY COMMISSION WOULD HAVE APPLICANTS EITHER FROM THE COMMISSION, A PILOT, OR A BUSINESS OWNER IN THE COMMUNITY. ALSO THE ALUC WOULD BE INVOLVED IN REVIEWS IN VARIOUS STAGES OF THE PROCESS.

15. Continued

COMMISSIONER KING COMMENTED HE FELT THEIR REQUEST SHOULD BE HONORED, BUT THAT IT WOULD NOT BE APPROPRIATE FOR A COMMISSIONER TO SERVE ON THE COMMITTEE BECAUSE THE AMERICAN CANYON GENERAL PLAN WOULD EVENTUALLY COME BEFORE THE ALUC. HE WAS GLAD THAT SOMEONE FROM THE AIRPORT ADVISORY COMMISSION WOULD BE APPLYING.

IT WAS A HUGE STEP FOR AMERICAN CANYON TO EXTEND THE INVITATION AND THE PLANNING COMMISSION SHOULD LET THEM KNOW EVEN THOUGH IT WILL DECLINE THE INVITE, THE COMMISSION APPRECIATES THE GESTURE AND WILL SUPPORT THEM IN THEIR EFFORTS.

COMMISSIONER JAGER DISCLOSED HE COMPLETED THE APPLICATION, BUT WOULD WITHDRAW HIS APPLICATION IF THE COMMISSION FELT IT WAS IMPROPER.

COMMISSIONER FIDDAMAN STATED HE DID NOT FEEL SUBMITTING THE APPLICATION WAS IMPROPER. THE ADVANTAGES TO HAVING AN ALUC COMMISSIONER ON THIS ADVISORY COMMITTEE MAY OUTWAY THE DISADVANTAGES.

COMMISSIONER KING COMMENTED IF ONE OR MORE PEOPLE FROM THE ALUC WERE TO SERVE ON THE ADVISORY COMMITTEE, IT MAY BE PERCEIVED THAT THOSE INDIVIDUALS WERE REPRESENTING THE ALUC AND RESULT IN A CONFLICT OF INTEREST.

COMMISSIONER JAGER COMMENTED THE APPLICATIONS WENT OUT TO INDIVIDUALS AS AIRPORT COMMISSIONERS AND NOT AS NAPA COUNTY PLANNING COMMISSIONERS.

MR. LEDERER STATED THERE WAS NO REASON FOR COMMISSIONER JAGER TO WITHDRAW HIS APPLICATION AS LONG HE MADE IT CLEAR HE WAS SERVING AS AN INDIVIDUAL, NOT REPRESENTING THE ALUC. COMMISSIONER FIDDAMAN AGREED.

COMMISSIONER JAGER STATED HE WOULD LEAVE HIS APPLICATION SUBMITTED.

16. Future Agenda Items.

- #02082-UP, 1 YEAR AFTER OPENING
DEL DOTTO

- #03457-UP, 1 YEAR AFTER OPENING
TWO SISTERS/PECOTA

- #03318-UP, 1 YEAR AFTER OPENING
JOHN CALDWELL & VINEYARDS, LLC
- VIEWSHED ORDINANCE REVIEW
- #03409-UP, MAY 17, 2006
MATCH WINERY ROAD IMPROVEMENT REVIEW

Adjournment.

**ADJOURNED TO THE REGULAR MEETING OF THE CONSERVATION, DEVELOPMENT
AND PLANNING COMMISSION, WEDNESDAY, JULY 6, 2005 AT 9:00 A.M.**

JIM KING, Chairperson

ATTEST:

HILLARY GITELMAN
Secretary-Director

GLADYS I. COIL, Clerk

Key

Vote: DG = David Graves; JK = Jim King; TS = Terrence Scott; RJ = Rich Jager; BF = Bob Fiddaman;

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