

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

October 19, 2005

1. Call To Order.
THE CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION OF THE COUNTY OF NAPA MET IN REGULAR SESSION, WEDNESDAY, OCTOBER 19, 2005 AT 9:00 A.M. THE MEETING WAS CALLED TO ORDER BY CHAIR FIDDAMAN AT 9:01 A.M.
2. Roll Call.
THE FOLLOWING MEMBERS WERE PRESENT: CHAIR BOB FIDDAMAN, COMMISSIONERS RICH JAGER, TERRY SCOTT, DAVID GRAVES AND JIM KING.
3. Pledge Of Allegiance.
COMMISSIONER TERRY SCOTT LED THE SALUTE TO THE FLAG.
4. Citizen Comments and Recommendations.
NONE
5. Approval of Minutes.
NONE
6. Director's Report / Deputy Director's Report.
**HILLARY GITELMAN, DIRECTOR , CONSERVATION, DEVELOPMENT AND PLANNING, EXTENDED HER THANKS TO THEIR PARTICIPATION IN THE JOINT MEETING WITH THE BOARD OF SUPERVISORS.
MS. GITELMAN ALSO REPORTED ON THE BASE LINE DATA REPORT AS IT RELATES TO THE ENVIRONMENT IMPACT REPORT PROCESS.**

**STEVE LEDERER, DEPUTY DIRECTOR, CONSERVATION, DEVELOPMENT AND PLANNING, REPORTED THE BOARD OF SUPERVISORS TOOK FINAL ACTION TO ADOPT THE PROCESS IMPROVEMENT ORDINANCE WITH A MINOR CHANGE. THE SIZE ALLOWANCE FOR POLITICAL SIGNS ADOPTED WAS 120 FEET. THE BOARD ALSO TOOK ACTION ON THE CONSERVATION REGULATION CHANGES WITH A FEW MINOR WORDING CHANGES. THE FINAL ADOPTION WILL TAKE PLACE OCTOBER 25, 2005.
ACTION ON THE HOUCK PROJECT WAS DEFERRED UNTIL A REPORT IS RECEIVED FROM THE CALIFORNIA STATE DEPARTMENT OF FISH AND GAME REGARDING POSSIBLE IMPACT ON NESTING FALCONS.
COMPLIANCE REPORTS: MR. LEDERER REPORTED ON TWO WINERIES, WOODBRIDGE AND CALDWELL, INVESTIGATION NOT COMPLETED YET. REPORTS ARE THEY HAVE COMMENCED WINERY OPERATIONS.
CAFÉ 29 HAS NOT UPGRADED THEIR SEPTIC SYSTEM AND SHOULD NOT BE SERVING DINNERS. IT WILL BE INVESTIGATED AND A REPORT WILL BE MADE.**

7. Agenda Review.
ITEM 11- REICHERS VIEWSHED REQUEST TO CONTINUE TO DECEMBER 7, 2007.
ITEM 13- MOVED TO 1:30 P.M. TODAY.
ITEM 11- SHOULD BE HEARD AFTER THE MARKETING ITEM.
TS-BF-RJ-DG

Public Hearings

8. **PROPOSED ORDINANCE No. 1267** Amending Section 18.08.370 of the Napa County Code relating to the education, development and marketing of wine. The proposed ordinance expands the definition of “marketing of wine” by allowing certain cultural, social or business events to be conducted at a winery under special conditions. CEQA Status: Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts.
PUBLIC HEARING HELD – TESTIMONY PRESENTED.

THE COMMISSION RECOMMENDS TO THE BOARD OF SUPERVISORS THAT THE CURRENT PROPOSAL NOT BE APPROVED AND FURTHER RECOMMENDS A COMPREHENSIVE REVIEW OF THE MARKETING ASPECT OR ENTIRE WINERY DEFINITION ORDINANCE (WDO) BE TAKEN EITHER UNDER THE CURRENT GENERAL PLAN UPDATE COMMITTEE OR ANOTHER FASHION THEY DEEM APPROPRIATE.

JK-TS-RJ-DG-BF

9. **STANLEY R. & JANE C. BOYD– USE PERMIT REQUEST #04056-UP**
CEQA Status: Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3-New Construction or Conversion of Small Structures) and Categorically Exempt pursuant to Napa County’s Local Procedures for Implementing CEQA Appendix B Class 3 – Section (10).
Request: Approval of a Use Permit to establish a new 25,000 gallon per year winery to include: (1) construction of a new one-story winery building for a winery totaling 4,200 square feet; (2) an attached 2,800 square foot covered crush pad; (3) a maximum of six full-time and four part-time employees during crush and special events; (4) tours and tasting by appointment only for a maximum 15 visitors per day with an average of 40 visitors per week (not to exceed 39 vehicle trips per day and five peak hour trips, except when marketing events are occurring); (5) a marketing plan with four activities per year consisting of three annual events with a maximum of 30 people and one Wine Auction open house with a maximum of 100 people; and, (6) road improvements, parking, landscaping, a well and a new wastewater system. The project is located on a 20.41 acre parcel on the east side of Big Ranch Road, ±365-feet north of Salvador Avenue within an AP (Agricultural Preserve) zoning district. (Assessor’s Parcel #: 036-190-003) 4042 Big Ranch Road, Napa.
PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION FOUND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15303 OF THE CEQA CLASS 3, NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES OF NAPA COUNTY CEQA AND CATEGORICALLY EXEMPT CLASS 3, NEW STRUCTURES.

JK-TS-DG-RJ-BF

Item 7. Continued

THE COMMISSION APPROVED USE PERMIT #04056-UP BASED ON FINDING 8 THROUGH 12 AND SUBJECT TO ATTACHED CONDITIONS OF APPROVAL AS RECENTLY REVISED.

JK-TS-DG-RJ-BF

10. **DONALD R. & HELEN R. JOHNSON – USE PERMIT EXCEPTION
#P05-0130-UP-CONSETB**

CEQA Status: Not Subject to CEQA. State CEQA Guidelines Section 15270 provides: (a) CEQA does not apply to projects which a public agency rejects or disapproves; and, (b) This section is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initialization of the CEQA process where the agency can determine that the project cannot be approved. A recommendation of denial is not subject to CEQA review.

Request: Approval of a Use Permit Exception to the Conservation Regulations to recognize construction of a RV storage garage at a setback of 23 feet where a minimum of 55 feet is required for Soda Canyon Creek. The project is located on a 2.05-acre parcel on the west side of Soda Canyon Road approximately 1.3 miles from its intersection with Silverado Trail within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 039-380-033). 1407 Soda Canyon Road, Napa.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

**THE COMMISSION DENIED THE USE PERMIT #P05-0130-UP-CONSETB.
DG-JK-TS-RJ-BF**

11. **Peter Riechers - VIEWSHED REQUEST #P05-0135-VIEW**

CEQA Status: Mitigated Negative Declaration previously prepared and adopted on April 10, 2002. The proposed modifications to this project are within the scope of the analysis of the previously adopted Mitigated Negative Declaration.

Request: Approval under the Viewshed Protection Program to construct a one-story 1,000 square foot guest cottage located on a major and minor ridgeline on the project site. The project site's ridgeline, as defined in 18.106.020 of the Napa County Code, is considered a major ridgeline when viewed from Silverado Trail and a minor ridgeline when viewed from State Highway 29. The proposed guest cottage replaces a second living unit that has a previously approved building permit. The project site is located on a 76.97-acre parcel approximately 1,000-feet west of Soda Canyon Road off a private driveway that is approximately 4.0 miles north of its intersection with Silverado Trail within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 032-060-029) 2297 Soda Canyon Road, Napa.

**THE COMMISSION CONTINUED THIS ITEM TO DECEMBER 7, 2005 AT 9:00 A.M.
TS-BF-DG-RJ-JK**

12. **MARC C. MONDAVI, ET AL / COLD SPRINGS VINEYARD PHASE II – USE PERMIT REQUEST #P05-0157-UP**

CEQA Status: Mitigated Negative Declaration Prepared and Adopted by the California Department of Forestry and Fire Protection (as lead agency) on May 9, 2005. According to the adopted Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: air quality, biological resources, cultural resources, geology and soils, hydrology, noise and transportation. Request: Approval of an exception to the Napa County Conservation Regulations in the form of a use permit Section 18.108.027B (“60/40 Rule”), of the County Code requires retention of a minimum of 60% of the tree canopy cover and 40% of the shrub/brush cover existing on the parcel as it was configured on June 16, 1993. This proposal is for an 8.78 acre vineyard (Phase II), which along with the previously approved Phase I vineyard (03454-ECPA, consisting of 23.12 acres), would convert approximately 31.9 acres (55.2%) of the existing tree canopy cover on the parcel that consisted of 57.8 acres in 1993. The project is located on two parcels that are approximately 58.58 acres combined, on the west side of the terminus of Cold Springs Road about one-half mile south of its intersection with Las Posadas Road within an Agricultural Watershed (AW) zoning district. (Assessor’s Parcel #'s: 024-340-010 & 011) 430 Cold Springs Road, Angwin.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION APPROVED USED PERMIT #P05-0157-UP BASED ON FINDING 10 THROUGH 18 AND SUBJECT TO ATTACHED CONDITIONS OF APPROVAL AS REVISED.

TS-RJ-DG-JK-BF

13. **BARREL TEN QUARTER CIRCLE LAND COMPANY, INC. – USE PERMIT REQUEST #P05-0241-UP**

CEQA Status: Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following area: transportation.

Request: Approval of a Use Permit to construct a 68,500 square foot concrete tilt-up industrial building for wine-industry warehousing, including 2,500 square feet of ancillary office uses, and construction of an off-street loading and parking area for 34 trailer trucks and 15 automobile spaces; located on a 5.25 acre parcel on the west side of Devlin Road approximately 600 feet north of its intersection with Airpark Road within an IP:AC (Industrial Park: Airport Compatibility Combination) zoning district. (Assessor’s Parcel #: 057-240-018). JMc

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION APPROVED ENVIRONMENTAL FINDINGS 1 THROUGH 6 AND ADOPTED THE MITIGATED NEGATIVE DECLARATION.

TS-JK-DG-RJ-BF

THE COMMISSION APPROVED USE PERMIT #P05-0241-UP BASED ON FINDINGS 9 THROUGH 13 AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL AS REVISED.

TS-JK-DG-RJ-BF

14. **CALIFORNIA WAREHOUSE, LTD. / BERINGER-BLASS WINE ESTATES – USE PERMIT REQUEST #P05-0252-UP**

CEQA Status: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following area: transportation.

Request: Approval of Use Permit to convert an existing wine warehouse/distribution facility into a bottling facility in three phases as follows: (1) Phase I – conversion of the existing building interior, construction of a 12,190 square foot addition for office space and bottling equipment, addition of a new loading station with a covered 6,100 square foot loading dock and construction of a new looped access road; (2) Phase II – construction of a 21,917 square foot building addition and relocation of the covered loading dock and access road due to building expansion; and (3) Phase III – construction of a second 57,635 square foot addition to the building. The project is located on a 15.69 acre parcel on the southwest side of Airpark Road, approximately 840 feet south of Airport Boulevard, within the IP:AC (Industrial Park : Airport Compatibility) zoning district and the Business/Industrial Park area of the Napa County Airport Industrial Area Specific Plan. (Assessor’s Parcel #: 057-240-012) 655 Airpark Road, Napa.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION APPROVED ENVIRONMENTAL FINDINGS 1 THROUGH 6 AND ADOPTED THE MITIGATED NEGATIVE DECLARATION AND ATTACHED MITIGATED MONITORING AND REPORTING PROGRAM.

TS-RJ-DG-JK-BF

THE COMMISSION APPROVED USE PERMIT #P05-0252-UP BASED ON FINDINGS 9 THROUGH 13 AND SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL AS REVISED.

TS-RJ-DG-JK-BF

Other Business

15. Review and Adoption of Commission 2006 Schedule.
SCHEDULE REVIEWED AND ADOPTED.

TS-RJ-DG-JK-BF

16. City Referrals:
NONE

17. Discussion of Items for the November 2, 2005 Meeting.
**ALUC MEETING COVERING THE OATHILL STUDY AND PROPOSED WAREHOUSE IN AMERICAN CANYON;
HEARING ON MONTALCINO AND COMMENTS ON ENVIRONMENTAL IMPACT REPORT (EIR) ON THE PROJECT REVISION.**

18. Commissioner Comments.
COMMISSIONER KING ADVISED THAT HE WAS ASKED BY THE NAPA PILOTS’ ASSOCIATION TO REMIND ALL COMMISSIONERS OF THE “TAKING YOUR COMMUNITY’S GENERAL AVIATION AIRPORT IN TO THE 21ST CENTURY” CONFERENCE BEING HELD NOVEMBER 9, 2005 THROUGH NOVEMBER 10, 2005

AT THE SACRAMENTO RED LION INN. ALL COMMISSIONERS ARE ENCOURAGED TO ATTEND. .

COMMISSIONER GRAVES REPORTED ON A MEETING WITH CORBY ENGINEERING REGARDING THE CARNEROS INN PROJECT. HE REPORTED THAT A STOP LIGHT WILL BE INSTALLED AT OLD SONOMA ROAD AND HIGHWAY 12/121. THERE WILL ALSO BE A STOP LIGHT INSTALLED AT STANLEY LANE.

BOB NELSON REPORTED ON A CALTRANS IMPROVEMENT PROGRAM ON HIGHWAY 29 SOUTH OF ST. HELENA. HE ALSO STATED THAT THERE ARE FAR REACHING ENERGY REGULATION CHANGES IN BUILDING CODE REQUIREMENTS.

19. Future Agenda Items.

- #02082-UP, 1 YEAR AFTER OPENING
- #03457-UP, 1 YEAR AFTER OPENING
- #03318-UP, 1 YEAR AFTER OPENING
- #03409-UP, MAY 17, 2006
- #P04-0551-UP 6 MONTHS AFTER OPENING

20. Adjournment.

ADJOURNED TO THE REGULAR MEETING OF THE CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION, WEDNESDAY, NOVEMBER 2, 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