

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

March 1, 2006

1. Call to Order.
THE CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION OF THE COUNTY OF NAPA MET IN REGULAR SESSION, WEDNESDAY, MARCH 1, 2006 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, AND JIM KING. COMMISSIONER DAVID GRAVES WAS EXCUSED.
3. Pledge of Allegiance.
DEPUTY DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING STEVE LEDERER LED THE SALUTE TO THE FLAG.
4. Citizen Comments and Recommendations.
NONE
5. Election of Officers.
THE COMMISSION ELECTED RICH JAGER TO SERVE AS CHAIR.
TS-BF-RJ-JK-DG
N X

THE COMMISSION ELECTED DAVID GRAVES TO SERVE AS VICE-CHAIR.
JK-TS-RJ-DG-BF
X

DEPUTY DIRECTOR LEDERER PRESENTED OUTGOING CHAIR FIDDAMAN WITH A PLAQUE FROM COUNTY STAFF THANKING HIM FOR SERVING AS CHAIR DURING THE PAST YEAR.

COMMISSIONER KING COMMENDED COMMISSIONER FIDDAMAN AS A GOOD FACILITATOR WHO SHOWED RESPECT FOR THE PUBLIC, APPLICANTS AND STAFF DURING HIS TERM AS CHAIR.
6. Closed Session.
 - A. Conference with Legal Counsel – Significant Exposure to Litigation Pursuant to (GC § 54956.9 (b) (1 case):
CLOSED SESSION HELD – NO REPORTABLE ACTION
7. Approval of Minutes.
APPROVED MINUTES OF MARCH 16, 2005
JK-RJ-DG-TS-BF
X A

7. Continued.

APPROVED MINUTES OF APRIL 6, 2005

JK-TS-RJ-DG-BF

A X

APPROVED MINUTES OF APRIL 20, 2005

TS-RJ-DG-JK-BF

X A

8. Director's Report / Deputy Director's Report
DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING HILLARY GITELMAN REPORTED ON THE DISCUSSIONS HELD AT PUBLIC WORKSHOPS REGARDING THE GENERAL PLAN UPDATE.

DEPUTY DIRECTOR STEVE LEDERER REPORTED THAT THE BOARD OF SUPERVISORS DENIED THE WOODBRIDGE APPEAL (COMMISSIONER GRAVES RECUSAL) AND THE APPEAL OF THE ZONING ADMINISTRATOR ACTION ON VILLA BERRYESSA PROJECT.

9. Agenda Review.
REVIEWED – NO CHANGES

Public Hearings

10. Items to be decided without Additional Testimony.
NONE

11. **TRINCHERO FAMILY ESTATES / SUTTER HOME WINERY INC. – USE PERMIT MAJOR MODIFICATION REQUEST #P05-0329-MODMAJOR**
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: aesthetics, biological resources and traffic.
Request: Approval to modify Use Permit #: 18182-U (formerly Folie A Deux Winery) with no change to the approved 100,000 gallon winery capacity but with major site and infrastructure improvements to include: (1) demolition and replacement of the existing approximately 12,932 square foot winery facility (production, sales/office and accessory buildings) with a new, two-story, 20,792 square foot winery production building, a 7,208 square foot hospitality/office building, a 5,136 square foot sales/tasting room, three miscellaneous accessory buildings of approximately 2,075 square feet and maintaining an existing 2,296 square foot cave for a winery totaling 37,507 square feet; (2) an increase in full-time employees from five to nine and part-time employees from five to eleven; (3) an increase in the number of existing parking spaces from 30 to 42; (4) a reduction in the public drop-in visitors to the tasting room from an average of 1,000 per week to 930 per week and an addition of four tours and tastings by appointment only per week for trade and invited guests (25 visitors maximum, 15 average); (5) amendment of the marketing plan as follows: eliminate 10 educational seminars per year (5 -25 visitors per event, 10 average) and 6 -12 promotional events per year (up to 25 visitors per event, 9 average) and add four indoor/outdoor events per year (100 visitors maximum, 75 average) and 3 indoor/outdoor events

11. Continued.

per year (200 visitors maximum, 150 average) both with or without food service; (6) revise the entry structure and gate. The project is located on a 21.03 acre parcel on the east side of St. Helena Highway North (State Highway 29), within an AW (Agricultural Watershed) zoning district (Assessor’s Parcel # 022-100-010) 3070 St. Helena Highway North, St. Helena.

PUBLIC HEARING HELD – NO TESTIMONY PRESENTED

THE COMMISSION APPROVED ENVIRONMENTAL RECOMMENDATIONS #1 THROUGH #7 AND ADOPTED THE MITIGATION MONITORING PROGRAM AND NEGATIVE DECLARATION.

TS-RJ-DG-JK-BF

X

THE COMMISSION APPROVED USE PERMIT # P05-0329-UP-MODMAJOR BASED ON FINDINGS #9 THROUGH #13 AND THE REVISED CONDITIONS OF APPROVAL #1 THROUGH #24.

TS-RJ-DG-JK-BF

X

12. **CONSIDERATION OF REVOCATION OF USE PERMIT # U-5-68**

(10:30 a.m.) The project approved was to establish an auto dismantling yard on a 9.42 acre parcel issued on July 20, 1967. Revocation is requested on the grounds that following the grant of the Use Permit in 1967 compliance with the conditions of approval were not met and/or have not been subsequently maintained, by any/all of the subsequent owners of the parcel and use permit holder. Additionally, other County departments, most noticeably, Environmental Management and Fire Department, have cited the dismantling yard (both under Mr. Green, the original permit holder and Mr. Lewis the permit holder, since 1990) on numerous inspections for non-compliance with applicable Code regulations. The violations generally are the same on each inspection and remain outstanding.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION APPROVED COMMENCEMENT OF FORMAL REVOCATION PROCEEDINGS PURSUANT TO SECTION 18.124.120 OF THE NAPA COUNTY CODE.

JK-TS-RJ-DG-BF

X

13. **VIEWSHED ORDINANCE** – Commission to hold public hearing on sections of the Viewshed Ordinance per the Commission’s workplan (adopted at the January 4th meeting) for clarifying (but not making weaker or stronger) the subject Ordinance.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

14. **PROPOSED ORDINANCE #P06-0060-ORD** of the Board of Supervisors of the County of Napa, State of California, adding a new section 18.104.400 (hot air balloon launching site - findings) and amending sections 18.120.010, 18.126.030, 18.126.060 and 18.126.070 of the Napa County code to allow: (1) balloon launching sites in any zone upon grant of a use permit; and, (2) allow a maximum of thirty balloon launchings per year at the same location in any zone upon issuance of an administrative permit.

CEQA Status: Categorically Exempt pursuant to Section 15305 of the California Environmental Quality Act. (Class 5 - Minor Alterations in Land Use Limitations) [See Guidelines for the

14. Continued.

implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.] Upon receipt of the Planning Commission’s recommendation on the proposed ordinance, if the Board of Supervisors decides to approve the proposed ordinance, it may have a first reading and adoption of the proposed ordinance on March 21, 2006.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

ITEM CONTINUED TO MARCH 15, 2006 AT 9:00 A.M.

JK-TS-RJ-DG-BF

X

15. **PROPOSED ORDINANCE #P06-0061-ORD** of the Board of Supervisors of the County of Napa, State of California, amending sections 18.16.030 and 18.20.030 (to allow certain small agricultural processing facilities in the agricultural preserve (AP) and agricultural watershed (AW) zoning districts upon grant of a use permit) and section 18.104.090 (to allow storage, warehousing and manufacturing of less than 200 gallons of wine under a home occupation permit) of the Napa County code.

CEQA Status: Categorically Exempt pursuant to Section 15305 of the California Environmental Quality Act. (Class 5 - Minor Alterations in Land Use Limitations) [See Guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.] Upon receipt of the Planning Commission’s recommendation on the proposed ordinance, if the Board of Supervisors decides to approve the proposed ordinance, it may have a first reading and adoption of the proposed ordinance on March 21, 2006.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION RECOMMENDED THE ORDINANCE TO THE BOARD OF SUPERVISORS FOR CONSIDERATION AND ADOPTION.

TS-RJ-DG-JK-BF

X

Other Business

16. City Referrals.
NONE

17. Commission requests an update from the owner of the Bayleaf Restaurant on various (9:10 a.m.) issues, including, but not limited to storage trailers, illegally constructed bathroom, lack of wastewater monitoring reports. (Continued from January 18, and February 1, 2006)
UPDATE PRESENTED – DISCUSSION HELD

18. Commission request an update from the Department of Public Works on the Inglewood Avenue area drainage problems.
UPDATE PRESENTED

19. Department Work Program and Budget Review.
REPORT PRESENTED

20. Discussion of Items for the March 15, 2006 Meeting.
DEPUTY DIRECTOR STEVE LEDERER ADVISED THAT THE FOLLOWING MATTERS WOULD BE DISCUSSED:
 - **WOODBRIGE REVOCATION HEARING;**
 - **USE PERMIT FOR NEW WINERY (CHECKERBOARD);**
 - **USE PERMIT MODIFICATION FOR CUIVAISON CARNEROS FACILITY OFF DUHIG ROAD;**
 - **HONIG WINERY REQUEST FOR MODIFICATION TO INCREASE PRODUCTION;**
 - **CONTINUED HEARING ON BALLOON ORDINANCE; AND,**
 - **CONSENTINO WINERY (NOISE ISSUE).**

21. Commissioner Comments.
NONE

22. Zoning Administrator Actions For February, 2006.
NONE

23. Future Agenda Items.
 - #03409-UP, 5/17/06
MATCH WINERY

 - #P04-0551-UP, 6/21/06
ONE TRUE VINE

 - #03318-UP, 10/4/06
JOHN CALDWELL & VINEYARDS, LLC

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

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

24. Adjournment.

**ADJOURNED TO THE REGULAR MEETING OF THE CONSERVATION,
DEVELOPMENT AND PLANNING COMMISSION, WEDNESDAY,
MARCH 15, 2005 AT 9:00 A.M.**

TERRY SCOTT, Chair

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