

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

June 7, 2006

1. Call to Order.
THE CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION OF THE COUNTY OF NAPA MET IN REGULAR SESSION, WEDNESDAY, JUNE 7, 2006, AT 9:00 A.M. THE MEETING WAS CALLED TO ORDER BY CHAIR JAGER AT 9:02 A.M.
2. Roll Call.
THE FOLLOWING MEMBERS WERE PRESENT: CHAIR RICH JAGER, COMMISSIONERS DAVID GRAVES, AND BOB FIDDAMAN. COMMISSIONERS TERRY SCOTT AND JIM KING WERE EXCUSED.
3. Pledge of Allegiance.
DIRECTOR OF CONSERVATION, DEVELOPMENT AND PLANNING HILLARY GITELMAN LED THE SALUTE TO THE FLAG.
4. Citizen Comments and Recommendations.
NONE
5. Closed Session.

A. CONFERENCE WITH LEGAL COUNSEL Significant Exposure to Litigation
Pursuant to (GC § 54956.9 (b): (2 cases)
NOT HELD
6. Approval of Minutes.
NONE
7. Director's Report / Deputy Director's Report

DIRECTOR GITELMAN UPDATED THE COMMISSION ON STAFF DISCUSSIONS WITH THE FLEA MARKET (NEAR AMERICAN CANYON) OPERATORS/PROPERTY OWNERS AND THE PROGRESS OF THE GENERAL PLAN UPDATE.
8. Agenda Review.
AGENDA REVIEWED – NO CHANGES

Public Hearings
9. Items to be decided without additional testimony.
SEE ITEM 17.

10. **PETRUS JAKOBUS BEKKER & MURIEL HORTENSE TR / BEKKER WINERY – VARIANCE REQUEST #P05-0138-VAR**
California Environmental Quality Act (CEQA) Status: See Item #11.
Request: Approval of a Variance to permit the conversion and expansion of the existing structures by adding a crush pad area, fermentation tank pad area and outside work area for winery related uses approximately 68-77 feet from the centerline of Spring Mountain Road where 300 feet is required. The project site is located on a ±15.90-acre parcel intersected by Spring Mountain Road approximately three miles west of its intersection with Madrona Road within an AW (Agricultural Watershed) zoning district. (Assessor’s parcel #: 022-260-004 (SFAP) & 022-260-005 (SFAP)). 3505 Spring Mountain Road, St. Helena.
SEE ITEM #11
11. **PETRUS JAKOBUS BEKKER & MURIEL HORTENSE TR / BEKKER WINERY - USE PERMIT REQUEST #P05-0137-UP**
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: biology, geology and soils.
Request: Approval of a Use Permit to establish a new 15,000 gallon per year winery that includes: (1) conversion of four structures to the following: a 1,078 square foot office and cellar building (currently a guest unit); a 1,225 square foot tasting room, storage, shipping and receiving building with a bathroom addition of 50 sq. ft.(currently a guest unit and garage); and a 1,045 square foot barrel storage building (currently a barn) for a winery totaling 3,348 square feet; (2) addition of a 2,100 square foot crush pad and outside work area and a 700 square foot fermentation tank area; with two 1500 gallon tanks (3) one full-time and one part-time employee; (4) five parking spaces; (5) tours and tastings by appointment only with a maximum of four visitors per day; (6) a marketing plan with: two private wine and food events per year that include meals for trade persons for a maximum of 15 people (weekends only); two private wine and food events for a maximum of 25 people (weekends only); and, one private harvest event per year for a maximum of 50 people (weekends only). (No event shall occur at the same time); (7) a new engineered septic system; and, (8) associated driveway improvements. The project site is located on a ±15.90-acre intersected by Spring Mountain Road approximately three miles west of its intersection with Madrona Road within an AW (Agricultural Watershed) zoning district. (Assessor’s parcel #: 022-260-004 (SFAP) & 022-260-005 (SFAP)). 3505 Spring Mountain Road, St. Helena.
ITEM #10 AND #11 HEARD TOGETHER

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION APPROVED ENVIRONMENTAL RECOMMENDATIONS #1 THROUGH #6, ADOPTED THE MITIGATED NEGATIVE DECLARATION INCLUDING THE PROJECT REVISION STATEMENT WITH INCORPORATED MITIGATED MEASURES AND THE MITIGATION MONITORING AND REPORTING PROGRAM.

**BF-DG-TS-JK-RJ
X X**

11. Continued.

THE COMMISSION APPROVED VARIANCE #P05-0138-VAR AND USE PERMIT #P05-0137-UP BASED ON FINDINGS #10 THROUGH #19 AND SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #22.

BF-DG-TS-JK-RJ

X X

12. **ST. HELENA HOSPITAL – USE PERMIT REQUEST #P05-0139-UP**

CEQA Status: Subsequent Negative Declaration Prepared. According to the proposed Subsequent Negative Declaration, the proposed project would have no potentially significant environmental impacts.

Request: Approval of a Use Permit to modernize the St. Helena Hospital in four to five phases over the next 20 - 25 years. Phase 1 includes: (1) constructing a new two-story 24,000 square foot outpatient services building / cancer center; (2) a 4,400 square foot cogeneration power plant; and, (3) a 1,200 square foot chiller plant. Approximately 114 new parking spaces will be provided along Hillcrest Road, east of the hospital. A shuttle service will provide access from the parking areas to the hospital buildings. Approximately 89 of the new parking spaces will be temporary until the parking structure, included in Phase 2, is completed. Two existing buildings totaling 1,705 square feet will be demolished to accommodate the new outpatient services building / cancer center. Exterior building materials will be stucco or cement plaster. The site currently has 370,748 square feet of floor area, including 19 residential structures with 43,168 square feet of floor area occupied by hospital employees. Phase 1 would add 27,895 square feet of floor area and impervious surfaces. No changes are proposed to the number of hospital beds, the number of full and part-time employees (during the highest shift), the number of visitors, the number of deliveries and pickups, days of operation, hours of operation, water use, or waste disposal as part of the modernization plan. (The Planning Commission will only be requested to act on phase 1)

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION APPROVED ENVIRONMENTAL RECOMMENDATIONS #1 THROUGH #6 AND ADOPTED THE NEGATIVE DECLARATION.

BF-DG-TS-JK-RJ

X X

THE COMMISSION APPROVED USE PERMIT #P05-0139-UP BASED ON FINDINGS #25 THROUGH #29 AND SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #17.

BF-DG-TS-JK-RJ

X X

13. **CINGULAR WIRELESS / JIM AND ELLA MOON / DUHIG ROAD - USE PERMIT REQUEST #P05-0299-UP**

CEQA Document: Categorically Exempt pursuant to Section 15303 (Class 3 – new construction or conversion of small structures) of the California Environmental Quality Act.

Request: Approval of a Use Permit for: (1) the installation of four panel antennas to an existing 62 foot 11 inches tall PG&E transmission tower; (2) temporary installation of an approximate 5 foot diameter solid mesh antenna; (3) installation of ground mounted equipment in a leased area measuring 16 feet by 16 feet; (4) installation of a 6 foot wooden fence around the ground mounted equipment; (5) placement of emergency back-up batteries on the site; (6) adding small GPs

13. Continued.

antennas to the facility; (7) underground trenching; and (8) installation of facility identification signs in an AW (Agricultural Watershed) zoning district. The applicant is requesting a waiver of the requirement for an on-site 24-hour emergency power supply as required by Section 18.119.080 (A) (5) of the Napa County Zoning Ordinance. The project is located on a 10.17 acre parcel on the west side of Duhig Road approximately 3/4 mile southwest of its intersection with Sonoma Highway (State Highway 12) within an AW (Agriculture Watershed) zoning district. (Assessor's Parcel #: 047-120-013) at 1299 (C) Duhig Road, Napa.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION FOUND THE PROJECT CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTION 15303 AS A CLASS 3 EXEMPTION, CONSTRUCTION OF NEW SMALL STRUCTURES.

**BF-DG-TS-JK-RJ
X X**

THE COMMISSION APPROVED USE PERMIT #P04-0458-UP BASED ON FINDINGS #6 THROUGH #10 AND SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #17.

**BF-DG-TS-JK-RJ
X X**

14. **CINGULAR WIRELESS / GREGORY AND LORI GELOW / MONTICELLO ROAD - USE PERMIT REQUEST #P05-0402-UP**

CEQA Document: Categorically exempt pursuant to Section 15303 (Class 3 – new construction of conversion of small structures) of the California environmental Quality Act.

Request: Approval of a Use Permit for: (1) the installation of twelve panel antennas to be located on a monopole with a total of 12 antennas attached to the monopole with a height of 50 feet designed as a faux pine tree; (2) installation of ground mounted equipment in a leased area measuring approximately 30 feet by 24.5 feet; (3) installation of an emergency generator and propane fuel tank; (4) underground trenching; (5) installation of a 7 foot chain link fence surround the lease area; and (6) installation of required facility identification signs in a RC (Residential Country) zoning district. A Use Permit is required pursuant to Section 18.64.030 (D), which requires grant of a Use Permit to install major telecommunication facilities in the RC (Residential Country) zoning district. The project is located on a 2.5 acre parcel on the northwest side of Monticello Road approximately 500 feet west of its intersection with Atlas Peak Road within an RC:AH (Residential County: Affordable Housing) zoning district. (Assessor's Parcel #: 039-320-006) at 1810 (C) Monticello Road, Napa.

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION FOUND THE PROJECT CATEGORICALLY EXEMPT TO STATE CEQA GUIDELINES, SECTION 15303 (CLASS 3- NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES).

**BF-DG-TS-JK-RJ
X X**

THE COMMISSION APPROVED USE PERMIT P05-0402-UP BASED ON FINDINGS #6 THROUGH #10 AND SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #17.

**BF-DG-TS-JK-RJ
X X**

15. **NICK & CARA NAYLOR / NICHOLAS NAYLOR ETAL - VARIANCE REQUEST #P05-0461-VAR**
CEQA Status: See Item #16.
Request: Approval of a Variance to reduce the combined minimum 48 foot road and side yard setbacks to 22 feet and reduce the designated slope easement from Stagecoach Canyon Road from 50 feet to 13 feet. The project is located on a 0.51 acre parcel on the northwest side of Stagecoach Canyon Road approximately 200 feet southwest of Harness Drive within a PD (Planned Development) zoning district. (Assessor's Parcel #: 016-191-003) Pope Valley.
SEE ITEM #16

16. **NICK & CARA NAYLOR / NICHOLAS NAYLOR ETAL - USE PERMIT EXCEPTION REQUEST #P05-0462-UPCONSETB**
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 area: biological resources.
Request: Approval of an exception to the Conservation Regulations in the form of a Use Permit to reduce the 65 to 85 foot required stream setback to zero feet to allow construction of a new single-family home. The project is located on a 0.51 acre parcel on the northwest side of Stagecoach Canyon Road approximately 200 feet southwest of Harness Drive within a PD (Planned Development) zoning district. (Assessor's Parcel #: 016-191-003) Pope Valley.
ITEMS #15 AND #16 HEARD TOGETHER

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.

**BF-DG-TS-JK-RJ
X X**

THE COMMISSION APPROVED BOTH VARIANCE REQUEST #P05-0461-VAR AND USE PERMIT EXCEPTION REQUEST #P05-0462-UPCONSETB TO ALLOW CONSTRUCTION OF A NEW SINGLE-FAMILY HOME AND DETACHED GARAGE BASED ON FINDINGS #5 THROUGH #16 AND SUBJECT TO THE CONDITIONS OF APPROVAL # 1 THROUGH #14.

**BF-DG-TS-JK-RJ
X X**

17. **NAPA POINTE COMPREHENSIVE SIGN PROGRAM / ARCHITECTURAL SIGNS & ASSOCIATES / NAPA POINTE, LLC. – USE PERMIT MODIFICATION #P06-0144-MOD**
CEQA Status: Categorically exempt pursuant to Section 15311(a) (Class 11 – on-premise signs) and Section 15301 – minor changes to existing facilities) of the California Environmental Quality Act.
Request: approval of a use permit modification to approve various building and ground signage for an existing 38,912 square foot multi-tenant industrial office building located on a 4.58 acre parcel on the east side of State Highway 29 immediately south of its intersection with North Kelly Road within the Napa Valley Airport Industrial Area and the IP: AC (Industrial Park: Airport Compatibility) zoning district. (Assessor's Parcel #: 057-100-021), 1901 North Kelly Road, Napa.

17. Continued.

ITEM PLACED ON CONSENT CALENDAR.

THE COMMISSION FOUND THE PROJECT CATEGORICALLY EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTIONS 15311 (A), CLASS 11, ON-PREMISE SIGNS, AND 15301, CLASS I, MINOR ALTERATIONS TO EXISTING FACILITIES, AND APPROVED USE PERMIT MODIFICATION #POD-O144-MOD BASED ON ENVIRONMENTAL FINDINGS #6 THROUGH #10 AND SUBJECT TO THE CONDITIONS OF APPROVAL #1 THROUGH #6.

**BF-DG-TS-JK-RJ
X X**

18. **PROPOSED ORDINANCE #P06-0060-ORD** of the Board of Supervisors of the County of Napa, State of California, amending certain sections of Chapter 18.106 (Viewshed Protection Program) of the Napa County Code. The purpose of the proposed amendments is to provide clarification of the requirements projects must meet to comply with the ordinance and the manner in which certain projects are reviewed.

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.]

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION RECOMMENDED THE ORDINANCE BE FORWARDED TO THE BOARD OF SUPERVISORS FOR APPROVAL.

**DG-BF-TS-JK-RJ
X X**

19. **REVOCAION OF USE PERMIT NO. U-5-68 - VALLEJO PULL-A PART / ISIAH LEWIS** located at 2744 Green Island road, American Canyon, CA; APN 058-060-001 is requested on the grounds that a person making use of the use permit is violating or has violated conditions thereof; the use for which the use permit was granted is being, or has been, exercised contrary to the terms or conditions of such approval; the use for which the approval was granted is being exercised as to be detrimental to the public health, safety or general welfare; the use for which the approval was granted is being exercised in such a manner as to constitute a nuisance. (APN 058-060-001-000, 2744 Green Island Road) (Continued from May 17, 2006)

CONTINUED TO JULY 5, 2006 AT 1:30P.M.

**BF-DG-TS-JK-RJ
X X**

Other Business

20. City Referrals: Requested Use Permit (City File #06-02) for Charles Krug Winery
DISCUSSION HELD

21. Status Review and Possible Action on Compliance with The Revised Conditions of Approval Adopted by The Commission on March 15, 2006, for Jayson Woodbridge / One True Vine #P04-0551-Up, 565 Crystal Springs Road, St. Helena Ca. (APN 021-072-044-000)
DISCUSSION CONTINUED TO JULY 5, 2006 AT 2:00 P.M.
22. Discussion of items for the June 21, 2006 meeting.
DEPUTY PLANNING DIRECTOR LEDERER ADVISED THAT THE FOLLOWING MATTERS WERE SCHEDULED FOR DISCUSSION:
 - **THREE PUBLIC HEARINGS CONCERNING WINERIES INCLUDING POE WINERY, ULITIN WINERY AND FULTON WINERY; AND,**
 - **A DISCUSSION REGARDING CREATING A STANDARD CONDITION FOR BUILDING COLORS.**
23. Commissioner Comments.
COMMISSIONER GRAVES ADVISED THAT HE WOULD NOT BE PRESENT AT THE MEETING ON JUNE 21, 2006.
24. Zoning Administrator Actions for May 2006.
NO ADDITIONAL COMMENTS
25. Future Agenda Items.
 - STANDARD CONDITION REGARDING BUILDING COLORS, 6/21/06
 - #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
 - #03409-UP, May, 2007
MATCH WINERY

26. Adjournment.

**ADJOURNED TO A REGULAR MEETING OF THE CONSERVATION, DEVELOPMENT
AND PLANNING COMMISSION, WEDNESDAY, JUNE 21, 2006 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