

# NAPA COUNTY

## CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

### MINUTES

**APRIL 21, 2010**

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

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

**2. PLEDGE OF ALLEGIANCE**

Rex Stultz 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**

- ▶ BOS will be considering guidelines related to Affordable Housing Funds
- ▶ Fee Schedule adjustments
- ▶ Analysis of proponents alternatives on Vacation Rental Ordinance
- ▶ Joint meeting with the BOS & Planning Commission on May 18, 2010

- **OTHER DEPARTMENT ACTIVITIES**

**6. AGENDA REVIEW**

John McDowell gave the review.

**7. DISCLOSURES**

Commissioners reported.

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

Commission voted to move Item 9C to the consent calendar and continue the item to the May 5, 2010 regular meeting.

TS-MB-MB-HP-MP

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See item 9C

**9. PUBLIC HEARING ITEMS**

- A. 2009-2010 WINERY-RELATED ZONING ORDINANCE AMENDMENTS and ASSOCIATED INTERPRETIVE GUIDANCE RESOLUTION, COUNTY-INITIATED**

**ZONING CODE TEXT AMENDMENT No. P10-00098-ORD**

**CEQA Status:** Negative Declaration Prepared. According to the proposed negative declaration, the project would not have any potentially significant environmental impacts. This project is applicable to all parcels zoned and sized to allow wine production, a number of which are included on the lists of hazardous waste sites enumerated under Government Code §65962.5.

**Request:** County-sponsored ordinance to: 1.) amend Napa County Code §18.08.370 "Marketing of wine," to clarify existing limitations on where, when, how, and for whom allowed winery marketing may occur; 2.) amend Napa County Code §18.08.620 "Tours and tastings," to clarify existing limitations on food and wine pairings at wineries; and 3.) amend §18.16.030 (H) and §18.20.030 (J) to allow the sale of wine related products as a winery-accessory use within the AP (Agricultural Preserve) and AW (Agricultural Watershed) zoning districts. The project also includes adoption of a resolution establishing interpretive guidance related to winery activities within the AP and AW zoning districts.

Proposed Zoning Ordinance text amendments and associated policy interpretations would apply to unincorporated areas countywide, and in particular to those parcels zoned and sized to allow wine production. In staff's view, the proposal would update but not substantively change provisions of the Winery Definition Ordinance (WDO) adopted in 1990.

**Ordinance Title:** *AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING SECTIONS 18.08.370, 18.08.620, 18.16.030, AND 18.20.030 OF THE COUNTY CODE AS THEY RELATE TO THE MARKETING OF WINE, FOOD AND WINE PAIRINGS CONDUCTED AS PART OF TOURS AND TASTINGS AND THE MARKETING OF WINE RELATED PRODUCTS PERMITTED AT WINERIES IN THE AGRICULTURAL PRESERVE (AP) AND AGRICULTURAL WATERSHED (AW) ZONING DISTRICTS.*

**Resolution Title:** *A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, ESTABLISHING INTERPRETIVE GUIDANCE ON MARKETING ACTIVITIES FOR WINERIES.*

**Staff Recommendation:** That the Planning Commission conduct a public hearing and recommend that the Board of Supervisors adopt the proposed negative declaration, adopt the proposed ordinance, and adopt the proposed resolution. Commission voted to:

1. Recommend Board of Supervisors adoption of the proposed negative declaration, finding that the proposed ordinance and resolution would have no potentially significant environmental impacts.;  
BF-MB-MP-HP-TS  
A N
2. Recommend Board of Supervisors adoption of the proposed ordinance, finding that the proposed ordinance is consistent with the Napa County General Plan, and does not result in internal inconsistencies within Napa County zoning regulations.  
BF-MB-MP-HP-TS  
A N
3. Recommend Board of Supervisors adoption of the proposed resolution, finding that it would interpret and not conflict with provisions of the ordinance.  
BF-MB-TS-MP-HP  
A



**B. WALLIS FAMILY ESTATE WINERY / EDWARD & MARILYN WALLIS TRUST- USE PERMIT #P08-00197-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: Aesthetics, Biological Resources, Cultural Resources and Hydrology & Water Quality. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

**Request:** Approval of a Use Permit, including application for a County Historical Landmark Designation, to establish a 30,000 gallon per year winery to include: (1) seismic retrofit, restoration and rehabilitation of the existing 6,711 sq. ft. historic Pacheteau's Castle for reuse as a wine barrel storage, office, tasting room and sales building and the existing 5,000 sq. ft. historic Carriage House for reuse as a winery production building and rehabilitation of an existing 1,200 sq. ft. concrete area for use as a crush pad for a winery totaling 12,911 sq. ft.; (2) two full-time and three part-time employees; (3) 27 parking spaces; (4) tours and tasting by prior appointment with a maximum of 18 visitors per day (maximum of 108 visitors in a proposed six day week); (5) a marketing plan with: three private food and wine tasting events per year with 75 persons per event (all food service to be catered by Napa County licensed operators) and participation in one Napa Valley Wine Auction Event; (6) installation of a new combined process and domestic wastewater system using a standard gravity distribution type septic disposal system; (7) alterations to the two existing wells to eliminate their interconnectivity; (8) widening the existing private driveway to the winery site; and, (9) a Lot Line Adjustment to bring the winery production and accessory buildings onto a single parcel. The winery project is located on two parcels of 33.49 and 12.34 acres (pending Lot Line Adjustment) with access off a private driveway on the north side of Pacheteau Road, approx. 680 feet northwest of its intersection with Diamond Mountain Road and about 1.5 miles west of the City of Calistoga within an Agricultural Watershed (AW) zoning district; Assessor's Parcel #: 020-450-013 SFAP, 020-450-014, 020-450-015 SFAP, 016 SFAP & 017 SFAP (pending a Lot Line Adjustment); 1670 Diamond Mountain Rd., Calistoga.

**Recommendation:** Adopt the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program, Use Permit and Landmark Designation as proposed with conditions of approval.

Commission voted to Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Wallis Family Estate Winery, based on findings 1 - 6 of Exhibit A; and find the General Rule applies to the designation of a local Landmark under CEQA based on finding 12 of Exhibit A; and approve Use Permit #P08-00197-UP based on findings 7-11 of Exhibit A and designate the Wallis Family Winery, its site and associated historic resources a local Napa County Landmark based on findings 13-17 of Exhibit A subject to the recommended Conditions of Approval (Exhibit B); and direct Staff to place the Wallis Family Estate Winery site on the Napa County Historic Resources Inventory and forward relevant documentation to the California Office of Historic Preservation to be placed on the California Register of Historic Places.

TS-MB-MP-BF-HP

**C. NAPA 34 HOLDINGS COMMERCE CENTER / BRIAN KAUFMAN / NAPA 34 HOLDINGS - USE PERMIT #P09-00329-UP & TENTATIVE PARCEL MAP #P09-00330-TPM.**

**CEQA Status:** Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the

following areas: Air Quality, Biological Resources, Hydrology and Water Quality, Public Services, Transportation/Traffic, and Utilities and Service Systems. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

**Request:** Approval of a Use Permit to allow the construction and operation of an industrial park totaling 490,503 square feet of new development in eight buildings. Approximately 73% percent of the total development floor area would be dedicated to warehousing uses, while the remaining 27% would be utilized as office space. Access would be provided from three new driveways located off of an extension of Devlin Road and a single right-in right-out driveway off of Airport Boulevard. Roadway improvements and the preservation and enhancement of approximately 3 acres of existing on-site wetlands are also proposed. The project would connect to the City of American Canyon municipal water system and sewer service would be provided by the Napa Sanitation District. The following approvals are also requested: (1) Lot Line Adjustment to transfer 1.10 acres from the subject property (currently APN 057-210-056) to the property directly to the west (currently APN 057-210-055) to relocate the shared property line to the centerline of the extension of Devlin Road; (2) Tentative Parcel Map to allow the creation of eight industrial parcels ranging in size from 0.60 to 7.18 acres and three wetland/drainage parcels ranging in size from 0.23 to 5.35 acres. Dedication of the Devlin Road right-of-way is also proposed, as is the reduction of an existing utility easement at the abandoned Aviation Way right-of-way from 60' to 15' in width; (3) Use Permit Variation to Airport Industrial Area Specific Plan standards to allow driveway access onto Airport Boulevard and a reduced parking ratio at proposed parcel "F" (88 required, 78 proposed). The project is located in the Napa Airport Industrial Area on a 33.9 acre parcel located at the southwest corner of the intersection of State Route 29 and Airport Boulevard, within an IP:AC (Industrial Park: Airport Compatibility Zone D) zoning district. (Assessor's Parcel No.: 057-210-056). No Current Address, the Napa-Vallejo Highway, Napa, Calif. 94558.

**Staff Recommendation:** Adopt the mitigated negative declaration and mitigation monitoring and reporting plan and approve the requested use permit and tentative parcel map as conditioned.

Commission voted to continue the item to the May 5, 2010 meeting.

TS-MB-MB-HP-MP

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## 10. ADMINISTRATIVE ITEMS

### 11. DEPUTY DIRECTOR'S REPORT

John McDowell gave the report.

- DISCUSSION OF ITEMS FOR THE **May 5, 2010 ALUC** MEETING
  - ▶ Angwin Airport feasibility study
- DISCUSSION OF ITEMS FOR THE **May 5, 2010 PC** MEETING
  - ▶ Inglewood Village
  - ▶ Continued Napa Holdings 34 Commerce Center
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS

## 12. COMMISSIONER COMMENTS / COMMITTEE REPORT

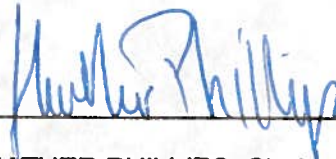
- ▶ Commissioners Bob Fiddaman and Mike Basayne requested additional information about Napa 34 Holdings lack of energy conservation.
- ▶ Commissioner Heather Phillips announced that on Saturday April 24, 2010 Earth day celebrations will be held downtown Napa.
- ▶ Commissioner Mike Basayne announced that leadership Napa Valley is celebrating its 5<sup>th</sup> year anniversary as part of the Earth day celebrations.

## 13. FUTURE AGENDA ITEMS

- #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- #P06-01426-UP, 1 year after opening - Pavitt Winery
- #02082-UP, September 2010 - Alpha Omega Winery
- #P06-0102-MOD, December 2010 - Frank Family Winery

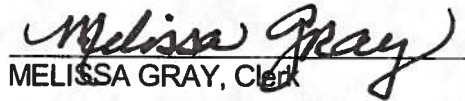
## 14. ADJOURNMENT

Adjourned to the regular meeting of the Airport Land Use Commission Meeting of May 5th, 2010.



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