

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

MINUTES
APRIL 6, 2011

1. CALL TO ORDER/ROLL CALL

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

2. PLEDGE OF ALLEGIANCE

Don Barella led the salute to the flag.

3. CITIZEN COMMENTS AND RECOMMENDATIONS

None.

4. APPROVAL OF MINUTES

None.

5. DIRECTOR'S REPORT

- BOARD OF SUPERVISORS ACTIONS
 - ▶ Helene de Pins Estate Appeal
 - ▶ Morlet Winery Appeal
- 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

None.

9. PUBLIC HEARING ITEMS

A. BLACK FOREST VINEYARD / ANTHONY PEJU - USE PERMIT EXCEPTION #P09-00243-UP and AGRICULTURAL EROSION CONTROL PLAN #P09-00385-ECPA

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 to Biological Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: This item requires two approvals:

A.) Conservation Regulations Use Permit Exception #P09-00243-UP: to reduce the stream setbacks required pursuant to Chapter 18.108.025 of the Napa County Code (Conservation Regulations - Stream setbacks) ranging from 85 to 105 feet down to between 61 and 42 feet to allow the retention of approximately 0.44-acres (19,170 square feet) to 0.5-acres (21,780 square feet) of existing vineyard and associated improvements developed within required stream setbacks without the benefit of a Use Permit Exception.

B.) Agricultural Erosion Control Plan #P09-00385-ECPA: required pursuant to Chapter 18.108.080 of the Napa County Code (Conservation Regulations - Agricultural erosion control plans) for land disturbing activities on slopes greater than 5% to allow the retention and development of approximately 14.2-acres of vineyard consisting of the following: 1) maintenance of erosion control measures associated with approximately 7.8-acres of existing vineyard planted without benefit of an erosion control plan; and 2) earthmoving activities and installation and maintenance of erosion control measures associated with the development of approximately 6.4-acres of new vineyard (5.5-acres of which has already been cleared of vegetation). The project is located on a 87.86-acre parcel located on Dutch Henry Canyon Road approximately 0.25 miles north of its intersection with the Silverado Trail and within the AW (Agricultural Watershed) zoning district. APN: 018-060-068, 321 Dutch Henry Canyon Road, Calistoga.

Staff Recommendation: Adopt the mitigated negative declaration and mitigation monitoring and reporting plan and approve the requested use permit and erosion control plan as mitigated and conditioned.

Commission voted to adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Peju Black Forest Vineyard, based on findings 1-6 of Exhibit A; and approve Use Permit Exception No. P09-00243 based on findings 7-10 of Exhibit A and subject to the recommended conditions of approval (Exhibit B); and, approve Agricultural Erosion Control Plan #P09-00385-ECPA subject to the recommended conditions of approval (Exhibit B) as modified.
BF-MB-HP-MP-TS

X

**B. QUINTESSA WINERY / HUNEEUS CHANTRE PROPERTIES LLC – USE PERMIT
MAJOR MODIFICATION REQUEST - #P10-00358**

CEQA Status: Negative Declaration prepared. According to the Negative Declaration, the proposed project will not have a significant environmental impact. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

REQUEST: Approval to modify previous use permit approval for the Quintess Winery: (1) increase the number of daily visitors from 10 per day to 100 per day; increase the number of weekly visitors from 25 per week to 500 per week; (2) increase the hours of operation from 8:00 am - 5:00 pm to 7:30 am - 6:30 pm; (3) add three 50-person marketing events to the previously approved marketing plan; (4) increase the number of onsite parking spaces from 18 parking spaces to 24 parking spaces within the existing paved area onsite; (5) remove the previous condition of approval regulating custom crush activities at the winery with no increase in overall production; (6) upgrades to the existing wastewater treatment plant. The winery project is located on a 17.66 acre parcel on the southwest side of Silverado Trail, approximately 580 feet north of its intersection with State Highway 128 within an Agricultural Preserve (AP) zoning district; Assessor's Parcel #: 030-060-061; 1601 Silverado Trail, Rutherford.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit Major Modification as proposed with conditions of approval.

Commission voted to adopt the Negative Declaration for the Quintessa Winery Use Permit Major Modification, based on Findings 1-6 of Exhibit A; and approve Use Permit Major Modification (P10-

00358-MOD) based on Findings 7-11 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B).

HP-MB-BF-MP-TS

X

10. ADMINISTRATIVE ITEMS

None.

11. DEPUTY DIRECTOR'S REPORT

John McDowell gave the report.

- DISCUSSION OF ITEMS FOR THE **APRIL 20, 2011 PC** MEETING
 - ▶ Continuum Winery
 - ▶ St. Helena Hospital
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS

12. COMMISSIONER COMMENTS / COMMITTEE REPORT

12. FUTURE AGENDA ITEMS

- #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- #P09-00185-UP, 1 year after opening - Ca' Nani' Winery
- #P10-00123, MOD, August 2011 - MJA Winery
- #P06-01426, December 2011 - Pavitt Winery
- #P10-00177 - MOD, December 2011 - Kelham Winery

13. ADJOURNMENT

Adjourned to the Regular Meeting of the Conservation Development and Planning meeting of April 20, 2011.



MATT POPE, 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