

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
MINUTES

SEPTEMBER 16, 2009

1. CALL TO ORDER / ROLL CALL

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

2. PLEDGE OF ALLEGIANCE

Deborah Dohman led the salute to the flag.

3. CITIZEN COMMENTS AND RECOMMENDATIONS (10 minutes)

None.

4. APPROVAL OF MINUTES

None.

5. DIRECTOR'S REPORT

Hillary Gitelman gave the report.

• **BOARD OF SUPERVISORS ACTIONS**

BOS heard discussions on:

- ▶ Work force housing issues.
- ▶ Long term strategy for addressing RHNA allocations from the state.
- ▶ Public request to broaden the definition of marketing in the Winery Definition Ordinance.
- ▶ Joint meeting with the BOS and the Planning Commission will be held on Tuesday October 6, 2009 at 9:30 a.m.

• **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 9B to the consent calendar. See Item 9B.

TS-MB-MP-BF-HP

X

9. PUBLIC HEARING ITEMS

A. WHEELER WINERY / KOHALA INVESTMENT WORKS INC. – VARIANCE REQUEST #P09-00347- VAR AND USE PERMIT REQUEST #P08-00672-UP

CEQA Status: Negative Declaration prepared. According to the proposed Negative Declaration the proposed project would have no potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

Request: (A) Approval of a Variance (#P09-00347-VAR) from the required road setbacks set forth in Napa County Code section 18.104.230 (A.) (1.) & (2.) to allow a winery to be constructed 200 ft. from the centerline of Zinfandel Lane where 600 ft. is required and 168 ft. from the centerline of a shared private easement where 300 ft. is required; and, **(B)** Approval of a Use Permit (#P08-00672-UP) to establish a new winery in two phases as follows: Phase I: Demolish three of the four existing on-site residential structures and in the same location, construct a new 50,000 gallon per year winery that includes: (1) a two-story fermentation building with a below ground barrel storage cellar totaling 14,479 sq. ft., a two-story administrative/hospitality building with a covered breezeway totaling 4,083 sq.ft., and a 2,680 sq.ft. covered crush pad for a winery totaling approx. 21,242 sq. ft.; (2) two full-time and two part-time employees; (3) six parking spaces; (4) Tours and Tasting By Appointment Only for a maximum of 32 visitors per day (224 per week); (5) a Marketing plan with four 24-person events per month, four 75-person events per year and participation in the Napa Valley Wine Auction; (6) installation of a pressure distribution type wastewater disposal system; (7) construction of a main access and a secondary access for winery production use only that includes an Exception to the Napa County Road and Street Standards to allow 12 ft. of surfaced roadway with 2 ft. shoulders (18 ft. of surfaced roadway plus two ft. shoulders required). Phase II: Construction of a separate 4,000 sq. ft. two-story barrel storage building located 70 feet to the east of the proposed Phase I winery structure bringing the winery total to approximately 25,242 sq. ft. The project is located on an 11.66 acre parcel on the northwest side of Zinfandel Lane approximately 2,200 ft. east of its intersection with St. Helena Highway (St. Highway 29) and approximately 1.33 miles south of the City of St. Helena within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel #: 030-260-016). 588 Zinfandel Lane, St. Helena.

Staff Recommendation: Adopt the Negative Declaration and approve the Variance, the Exception to the Napa County Road & Street Standards and the Use Permit with the proposed Conditions of Approval.

Commission voted That the Planning Commission adopt the Negative Declaration for the Wheeler Winery, based on the findings 1-6 of Exhibit A; and approve Variance #P09-00347-VAR based on the attached findings 7-12 of Exhibit A; and approve the requested Road and Street Standards Exception based on findings 18-19 of Exhibit A; and, approve Use Permit #P08-00672-UP based on the attached findings 13-17 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B) as revised.

MB-MP-TS-BF-HP

X

B. MARKHAM VINEYARDS / DAVID FLANARY - TENTATIVE PARCEL MAP #P09-00150-PM

CEQA Status: Negative Declaration prepared. According to the proposed Negative Declaration, the proposed project does not have any potential for significant environmental impacts. 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 tentative parcel map to subdivide an existing 86.3 acre parcel into two parcels: one parcel of 42.7 acres and the other of 43.6 acres. The existing parcel is located at the north end of Napa Nook Road approximately 600 feet north of its intersection with Madison Avenue and within the Agricultural Preserve (AP) zoning district. (Assessor's Parcel Number: 027-411-001) Yountville.

Staff Recommendation: Adopt the proposed Negative Declaration and approve the Tentative Parcel Map with conditions of approval.

Item 9B was moved and approved on the consent calendar.

Commission voted to adopt the Negative Declaration for the Markham Vineyards Tentative Map, based on findings 1-6 of Exhibit A (attached); and approve Tentative Parcel Map P09-00150 based on findings 7-13 of Exhibit A and subject to the Conditions of Approval contained in Exhibit B.

TS-MB-MP-BF-HP

X

C. MANSFIELD WINERY / MANSFIELD RICHARD & LESLIE - ZONING ORDINANCE TEXT AMENDMENT P09-00344-ZOA AND USE PERMIT P09-00171-UP

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, the project would have potentially significant environmental impacts within the areas of: Cultural Resources and Geology and Soils. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5

Request: A) Proposal to amend Section 18.104.245 of County Code to reduce the minimum required parcel size for reestablishment of historically significant, pre-prohibition wineries from 5 acres to 2 acres; and **B)** Upon adoption of the zoning ordinance amendment, approval of a Use Permit for: (1) a 20,000 gallon per year historic, pre-prohibition winery within an existing three story 13,034 sq. ft. structure and a 2,054 sq. ft. existing barn to be rehabilitated in accordance with historic standards; (2) construction of a new 600 sq. ft. mechanical building; installation of a new waste water treatment system; (3) demolition of approximately 7,500 sq. ft. of non-historic structures; (4) relocation of an existing residential septic system located on the subject property to the residential property located directly across Conn Valley Road (1291 Conn Valley Road, Assessor's Parcel Number 024-180-029); (5) improvement of the two existing driveways and construction of 11 new parking spaces; (6) one part-time and two full-time employees; (7) Tours and Tasting By Appointment Only for a maximum of 20 visitors per day (120 per week); and (8) a Marketing plan with five 36-person private food and wine events per year, twelve 12-guest dinners per year, one 150-person release party per year and participation in the Napa Valley Wine Auction. The project site is located on the east side of Conn Valley Road, approximately 1.5 miles south of its intersection with Howell Mountain Road, on a ± 2 acre site within an Agricultural Watershed (AW) Zoning District. Assessor's Parcel Number: 025-180-017, St. Helena.

Ordinance Title: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING SECTION 18.104.245 OF TITLE 18 (ZONING) OF THE NAPA COUNTY CODE RELATING TO EXCEPTIONS FOR PRE-PROHIBITION WINERIES.

Staff Recommendation: That the Planning Commission conduct a public hearing and forward a recommendation of approval to the Board of Supervisors.

Commission voted to recommend to the Board of Supervisors adoption of the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan, based on findings 1-5 of Exhibit A, and find the proposed Ordinance consistent with the Napa County General Plan and zoning regulations based on finding 6 of Exhibit A. Commission also recommends to the Board of Supervisors adoption of the proposed Ordinance with a recommendation that the Board of Supervisors approve the Mansfield Winery Use Permit based on finding 8-13 of Exhibit A and subject to conditions of approval attached as Exhibit B as amended.

TS-MP-MB-BF-HP

X

10. ADMINISTRATIVE ITEMS

None.

11. DEPUTY DIRECTOR'S REPORT

John McDowell gave the report.

- DISCUSSION OF ITEMS FOR THE **OCTOBER 6, 2009** SPECIAL MEETING
- DISCUSSION OF ITEMS FOR THE **OCTOBER 7, 2009** REGULAR MEETING
 - ▶ Beckstoffer Vineyards Parcel Map
- DISCUSSION OF ITEMS FOR THE **OCTOBER 7, 2009** ALUC SPECIAL MEETING
 - ▶ City of American Canyon Adult Entertainment Ordinance
 - ▶ Pre zoning properties
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS

12. COMMISSIONER COMMENTS / COMMITTEE REPORT

13. FUTURE AGENDA ITEMS

- #00388-UP, 1 year after opening - Caldwell Winery
- #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 special meeting of the Conservation Development and Planning Commission Meeting of October 6, 2009.

BOB FIDDAMAN, 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