

# **NAPA COUNTY**

## **CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION**

### **MINUTES**

**FEBRUARY 2, 2011**

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

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

**2. CITIZEN COMMENTS AND RECOMMENDATIONS**

None.

**3. APPROVAL OF MINUTES**

Minutes of January 5, 2011 and January 19, 2011 approved as corrected.  
MB-BF-HP-MP-TS  
X

**4. DIRECTOR'S REPORT**

- BOARD OF SUPERVISORS ACTIONS
  - ▶ BV Gardens appeal pending regarding limitations
  - ▶ Draft Climate Action Plan out for review
  - ▶ Napa Pipe documents out shortly
- OTHER DEPARTMENT ACTIVITIES
  - ▶ Plaque presented to past Chair Phillips
  - ▶ Commission is invited to attend the special groundwater meeting February 14, 2011 at the library.

**5. AGENDA REVIEW**

John McDowell gave the review.

**6. DISCLOSURES**

Commissioners reported.

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

None.

**8. PUBLIC HEARING ITEMS**

**A. ROGERS WINERY / GARY AND KATHLEEN ROGERS – USE PERMIT AND LOCAL LANDMARK DESIGNATION REQUEST - #P10-00337-UP**

**CEQA Status:** Categorically Exempt pursuant to Section 15303, 15305 and 15331 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures, Class 5 – Minor Alteration in Land Use Limitations and Class 31 - Historical Resource Restoration/Rehabilitation) and Appendix B, Class 3 (New Construction or Conversion of Small Structures Item #10: Construction and Operation of Small Wineries) of the Napa County's Local Procedures for Implementing the California Environmental Quality Act.

**REQUEST: (A.)** Approval to designate the Rogers Winery (formerly known as the Mountain Cove Ranch Winery) built in 1887, as a Local Napa County Landmark. **(B.)** Approval of a Use Permit to establish a 30,000 gallon per year winery within the existing two-story, historic winery structure to include: (1) restoration, rehabilitation and reuse of the existing 4,773 sq. ft. historic Mountain Cove Ranch winery building as a winery production building and construction of a new 225 sq. ft. covered crush pad for a winery totaling 4,998 sq. ft.; (2) two full-time employees; (3) five parking spaces (incl. one ADA space); (4) tours and tasting by prior appointment only with a maximum of 20 visitors per day (maximum of 120 visitors in a proposed six day week); (5) a provision for on-premise wine consumption consistent with Assembly Bill 2004 (Evans) within the tasting room and patio area; (6) a marketing plan with: ten private food and wine tasting events per year with 30 persons per event (all food service to be catered by Napa County licensed operators) and participation in one Napa Valley Wine Auction Event (100 person maximum) using shuttle buses and off-site parking; (7) installation of a new combined process and domestic wastewater system using a multistage treatment process with final disposal via a trench pressure dispersal system; and, (8) civil improvements to the existing private driveway to comply with County Road & Street Standards for one-way loop roads. The winery project is located on a 55.30 acre parcel off a private driveway on the east side of Conn Valley Road approximately 1.5 miles northeast of its intersection with Howell Mountain Road within an Agricultural Watershed (AW) zoning district; Assessor's Parcel #: 025-180-069; 970 Conn Valley Road, St. Helena.

**Staff Recommendation:** Find the project Categorically Exempt and approve the Use Permit and Local Landmark Designation as proposed with conditions of approval.

**Commission voted to:**

1. Find the project Categorically Exempt based on finding 1 of Exhibit A;
2. ☒ Approve Use Permit #P10-00337-UP based on findings 2 - 6 of Exhibit A and designate the former Mountain Cove Ranch Winery structure, a local Napa County Landmark based on findings 7 - 12 Exhibit A subject to the recommended Conditions of Approval (Exhibit B); and
3. ☒ Direct staff to place the former Mountain Cove Ranch Winery on the Napa County Historic Resources Inventory.

MB-HP-BF-MP-TS

→ X

## 9. ADMINISTRATIVE ITEMS

### A. FRANK FAMILY VINEYARDS / TWO YEAR STATUS REPORT - USE PERMIT MODIFICATION #P06-0102-MAJ MOD

**CEQA Status:** The proposed action is not a project as defined by 14 California Code of Regulation 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**Request:** Use Permit compliance review and possible action for Frank Family Vineyards. Pursuant to the project's adopted conditions of approval, a compliance audit is required two years after the issuance of a certificate of occupancy for the tasting room subject to review by the Planning Commission. The project site is located on a ±5.15-acre site on the east side of Larkmead Lane, between Silverado Trail and State Highway 29,

approximately 2,400 feet north of State Highway 29 and approximately 100 to 200 feet south of the Napa River. (APN: 20-290-007) 1091 Larkmead Lane, Calistoga.

**Staff Recommendation:** Take public testimony, evaluate the project's compliance with conditions of approval and applicable standards, and provide direction to staff on any outstanding compliance issues.

**Commission voted to:**

1. Find the Frank Family Vineyard Winery in substantial compliance with the Conditions of Approval of the use permit;
2. Determine that monthly submittal of visitor logs is no longer required, but shall be made available to the Planning Division upon request pursuant to Use Permit Conditions of Approval #3.
3. Determine that well monitoring be reduced pursuant to Public Works requirements, and, that monitoring of waste water flows occur bi-annual or quarterly pursuant to Environmental Management requirements.

MB-BF-HP-MP-TS

X

## **B. WILLIAMSON ACT UPDATE**

**Request:** Presentation regarding the current status of the California Land Conservation (Williamson)

Act of 1965 and discussion on the County's administration of the Williamson Act.

Informational item only. No action taken.

## **11. DEPUTY DIRECTOR'S REPORT**

John McDowell gave the report.

- DISCUSSION OF ITEMS FOR THE **February 16, 2011 PC MEETING**
  - ▶ Napa Valley Gateway office building project
  - ▶ Metro Van Storage 170,000 sq ft building
  - ▶ Bremmer Family Winery affordable housing unit project /fee waiver
  - ▶ Climate Action Plan overview
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS

## **12. COMMISSIONER COMMENTS / COMMITTEE REPORT**

- ▶ Thank you to Commissioner Phillips for duties as Chair for 2010
- ▶ Invitation to NCTPA for presentation at Planning Commission

## **13. FUTURE AGENDA ITEMS**

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

#### 14. ADJOURNMENT

Adjourned to the regular meeting of the Conservation Development and Planning meeting of February 16, 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