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Recommended Findings
Suscol Headwaters Park
P19-00482-UP

**PLANNING COMMISSION HEARING – FEBRUARY 19, 2020
RECOMMENDED FINDINGS**

**SUSCOL HEADWATERS PARK
USE PERMIT #P19-00482-UP
APN 045-360-013, 045-360-014, 045-360-022, 057-030-014**

USE PERMIT

The Commission has reviewed the use permit request in accordance with the requirements of Napa County Code §18.124.070 and makes the following findings:

1. The Commission has the power to issue a use permit under the zoning regulations in effect as applied to the Property.

Analysis: The project is consistent with AW (Agricultural Watershed) and AW:AC (Airport Compatibility Combination) zoning district regulations. **Parks and Rural Recreation Uses and Facilities** (N.C.C. § 18.08.428, " ...a place or facility where outdoor recreational uses that are generally unsuitable for urbanized areas are conducted, with structural development limited to customarily accessory structures which are necessary to conduct the outdoor use. Parks and rural recreational uses does not include campgrounds or overnight lodging. Parks and rural recreational uses includes motorized activities only in connection with lakes and rivers, or as required by the Americans with Disabilities Act of 1990, as amended.") are allowed within the AW district pursuant to N.C.C. § 18.20.030(A) and subject to the findings and performance measures specified at N.C.C. § 18.104.340 *et seq.* All required findings can be made and all required performance measures can be met and the project complies with the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), as applicable.

2. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code have been met.

Analysis: The use permit application has been filed and noticing and public hearing requirements have been met. The hearing notice was posted on February 8, 2020 and copies of the notice were forwarded to property owners within 1,000 feet of the Property. The Napa County Regional Park and Open Space District (NCRPOSD) is acting as lead agency on this project consistent with State CEQA Guidelines § 15051(a) and adopted the Mitigated Negative Declaration on January 13, 2020.

3. The grant of a use permit, as conditioned, will not adversely affect the public health, safety, or welfare of the County of Napa.

Analysis: Various County departments have reviewed the project and commented regarding water, access, building permits, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the ongoing protection of public health and safety.

4. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

Analysis: The project complies with the requirements of the 2009 Omnibus Parks and Open Space Ordinance (Ord. No. 1326, 2009) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), all as applicable.

The subject parcel is located on land designated Agriculture, Watershed, and Open Space (AWOS) on the County's adopted **General Plan Land Use Map**. This project is comprised of a public park with purposes restricted to habitat preservation, open space protection, and public access including passive recreation. The approved use serves to preclude any urbanizing, structural, intensive, or otherwise non-passive recreational uses which might otherwise conflict with the requirements of the Napa County Code and Napa County General Plan.

The proposed Suscol Headwaters Park use permit is consistent with and actively implements the following **General Plan Recreation and Open Space Policies**:

ROS-1: The County encourages the acquisition... and operation of recreational open space and facilities... The County shall coordinate with and support the Napa County Regional Park and Open Space District in implementing this policy.

ROS-11: Increase by 2030 the amount of dedicated open space available... by selective public acquisition from willing landowners of fee title ownership, easements, and/or license agreements over high priority open space lands.

ROS-15: The County, in coordination with and... working through the Napa County Regional Park and Open Space District, shall plan for... and encourage non-commercial recreational development, including both parks and a comprehensive system of trail ... The following recreational opportunities are the County of Napa's priorities... by the Napa County Regional Park and Open Space District:... implement sections of a Napa Valley Crest Trail that provides scenic overlooks and recreational opportunities among the ridge lands surrounding the Napa Valley...

ROS-22: Nature-based recreational opportunities should be provided...

As analyzed at item № 5, below, Suscol Headwaters Park will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. The project is consistent with **General Plan Conservation Policies CON-53** and **CON-55**, which require that applicants for discretionary land use approvals prove the availability of adequate water supplies which can be appropriated without significant negative impacts on shared groundwater resources.

The project site is partially within **Compatibility Zone E** of the **Napa County Airport Land Use Compatibility Plan**, in which "most land uses are normally acceptable." The proposed use is fully consistent with both the Airport Land Use Compatibility Plan and its partial **:AC** (Airport Compatibility) zoning designation.

Napa County's adopted General Plan reinforces the County's long-standing commitment to agricultural preservation, urban centered growth, and resource conservation. On balance, this

project is consistent with the General Plan's overall policy framework and with the Plan's specific goals and policies.

5. The proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin.

Analysis: The project will not result in any appreciable increase in water usage. No new or additional water use is proposed at this time and any new water use in the future would be limited to stock watering, drinking fountains, and/or environmental restoration and native plant propagation activities. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

OUTDOOR RECREATION – FINDINGS

The Commission has reviewed the use permit request in accordance with the requirements of Napa County Code §18.104.390 and makes the following findings:

6. The use is shown by evidence in the record to be appropriately located.

Analysis: The project would occur in the AW (Agricultural Watershed) zoning district, which allows parks and rural recreational uses with an approved use permit. The proposed Suscol Headwaters Park is located adjacent to Skyline Park and will synergistically capacitate passive recreational opportunities across these two neighboring holdings, totaling more than 1,550 acres when combined. Because Suscol Headwaters would be located directly adjacent to existing publicly-held open space, in an area in which public recreation has long been an accepted part of the use mix, the potential for conflict with other uses is minimized. The passive recreational uses proposed by the NCRPOSD are appropriate to the proposed park's rural location.

7. There is a demonstrated need for wilderness-style parks within Napa County.

Analysis: Use patterns at existing open space/wilderness parks within the county (for example, Skyline Wilderness Park, Moore Creek Park, and the Oat Hill Mine Trail) indicate that there exists a significant reservoir of local demand for the sorts of passive recreational uses proposed in this application. The Suscol Headwaters Park use permit will expand passive recreational uses in very close proximity to the many existing recreational resources of Skyline Park.

8. The use will not significantly affect the ability to conduct existing agriculture uses on site or nearby.

Analysis: Suscol Headwaters Park, which is currently being managed as the Suscol Headwaters Preserve, already provides appropriate buffer zones and/or fencing to avoid adverse impacts to adjoining agricultural activities. A long-term grazing lease exists on the property and it is grazed by the same cattle company that grazes many of the neighboring parcels.

9. The use does not significantly affect potential agricultural operations on site or nearby.

Analysis: As noted at Finding № 8, above, grazing activities are proposed to continue on property. The duration and intensity of future grazing activities will be based on best management practices developed as a component of an approved Erosion Control Plan. The very low intensity of use proposed by NCRPOSD and the de minimis structural development proposed for Suscol Headwaters will combine to ensure that the property and surrounding properties remain available for agricultural use on an ongoing basis.

10. The use itself will not be adversely affected by adjacent agricultural activities.

Analysis: Most of the property adjacent to Suscol Headwaters is either parkland or is used for cattle grazing or ridgetop irrigated vineyard. These existing use patterns are expected to continue and the proposed project is not expected to have any significant impact thereon. As controlled by the scope of the proposed use permit Suscol Headwaters Park will solely offer passive recreational opportunities. These uses, including hiking, biking, horseback riding, and environmental education are not significantly affected by adjacent agricultural uses. In fact, many passive recreationalists are attracted by landscape views of grazing cattle and/or vineyards.

11. The use is not growth-inducing.

Analysis: The project as proposed would not, in and of itself, induce growth of any kind. This project would not build new housing, establish new businesses, nor would it induce substantial population growth in or near the project site. Because the proposed park will be lightly developed and focused on open space and passive recreational uses it would not include or necessitate any meaningful increase in public services, infrastructure, or facilities. As a primarily non-structural and non-urban-type park use, Suscol Headwaters Park is appropriately located in a rural area of the County. The wildland and passive recreational uses proposed are inconsistent with urban development and, as a result, the project effectively limits future growth in the vicinity.

12. Suscol Headwaters Park will serve local needs.

Analysis: According to the Recreation and Open Space Element of the 2008 General Plan, the County's growing urban population has increased demand for opportunities to recreate in and enjoy the natural open spaces that surround urbanized areas. Suscol Headwaters Park will provide needed new park and open space resources and represents a meaningful step in the direction of meeting the County's General Plan-identified passive outdoor recreational needs.