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Recommended Findings

**ZONING ADMINISTRATOR HEARING – JUNE 30, 2021
RECOMMENDED FINDINGS**

**KALLWEIT VIEWSHED PERMIT & EXCEPTION TO RSS
APPLICATION No. P20-00100
OAKVILLE RIDGE ROAD, NAPA, 94559
APN 027-340-024-000**

ENVIRONMENTAL:

The Zoning Administrator has received and reviewed the Mitigated Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The Zoning Administrator has read and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) prior to taking action on said Mitigated Negative Declaration and the proposed project.
2. The Mitigated Negative Declaration and MMRP are based on the independent judgment exercised by the Zoning Administrator.
3. The Mitigated Negative Declaration and MMRP were prepared and considered in accordance with the requirements of CEQA.
4. There is no substantial evidence in light of the whole record that the project will have a significant effect on the environment, provided that measures to mitigate potentially significant impacts to biological resources are incorporated in the project approval.
5. There is no evidence, in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
6. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 and is not within the boundaries of any airport land use plan.
7. The Secretary of the Zoning Administrator is the custodian of records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building and Environmental Services Department, 1195 Third Street, Second Floor, Napa, California.

EXCEPTION TO ROAD AND STREET STANDARDS:

The Zoning Administrator has reviewed the attached described Road and Street Standards (RSS) Exception request in accordance with Road and Street Standards Section 3 and makes the

following findings:

8. The exception will preserve unique features of the natural environment including but not limited to steep slopes, heritage oak trees or other trees of at least 6 inches in diameter at breast height and found by the decision-maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like.

Analysis: Strict application of the requirement to improve the existing driveway to current standards will result in mature oak tree removal on steeply sloping hillsides. It will also increase the need for grading on steep slopes. Granting of the exception will minimize impacts to biological resources. As discussed in the Biological Resources section of the Initial Study/Mitigated Negative Declaration, all potential biological resources related impacts will be less than significant with implementation of mitigation measures. The exception request has been reviewed by the County Engineering Services Division and Fire Marshal who have found that the request will preserve unique features in the natural environment and recommend approval.

9. Grant of the Road and Street Standards Exception will provide the same overall practical effect as the Standards do in providing defensible space and does not adversely affect the life, safety and welfare of the public or persons coming to the property.

Analysis: The County Engineering Services Division has discussed the request with the Napa County Fire Department and has conducted a site visit. Engineering staff recommends approval of the requested road exception, subject to the recommendations included in the Memorandum dated February 11, 2021. The proposal has been determined to meet the same overall practical effect of the RSS while protecting the life, safety and welfare of the public by providing road improvements designed with the appropriate number of fire turnouts.

VIEWSHED PERMIT:

10. The project as designed is consistent with Chapter 18.108, Conservation Regulations, of Napa County Code.

Analysis. The project incorporates best management practices and will be constructed consistent with the Napa County Stormwater Ordinance to address sediment and erosion control, and dust control, as applicable. Development on the project site will not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit will ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50(c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50- and 100-year events following development is not greater

than predevelopment conditions. The preliminary grading and drainage plans have been reviewed by the Engineering Division. The proposed project will implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features will ensure that the proposed project will not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that will degrade water quality. As such, the project is designed consistent with the Napa County Conservation Regulations.

11. If the highest point of the proposed project is located more than twenty-five (25) vertical feet below a major or minor ridgeline, that measures have been included in the project to reduce its visual impact on the major or minor ridgeline through use of existing natural vegetation, landscaping, topographical siting, architectural design, and color tone; or, if the highest point of the proposed structure is within twenty-five (25) vertical feet of a major or minor ridgeline, that the existing vegetation, proposed landscaping, topographical siting, architectural design and color tone screen the predominant portion of the proposed structures.

Analysis: As discussed in the staff report, the highest point of the proposed development falls within twenty-five (25) vertical feet of a minor ridgeline. The project has been designed in substantial conformance with the County's viewshed protection manual as the predominant portions of the proposed structures will be screened by existing vegetation and supplemental tree plantings (two 15-gallon oak trees). The project will continue to be screened in perpetuity because the project proponent will record a use restriction requiring maintenance of the viewshed screening vegetation. The project includes a one-story residence with a flat, low profile roof, with a maximum height of 17 feet above natural grade. The residence and accessory structures will be dark gray in color to blend into the natural environment and will be constructed with non-reflective windows. As such, the project will be consistent with the standards set forth in the Viewshed Protection Program.

12. The proposed structures, access roads and other site improvements are sited and designed to minimize adverse effects on views from designated viewshed roads.

Analysis: As designed, the proposed structures and driveway improvements will be screened from nearby viewshed roads with existing vegetation and the addition of two, 15-gallon oak trees. This screening will be enhanced by the one-story architectural design of the structure, the non-reflective windows and the gray color-tone. As such, the project design will minimize adverse effects on views.

13. The proposed structures, access road and other site improvements, including earthmoving or grading, and benches or shelves minimize the removal of vegetation.

Analysis: A total of 26 trees (oak and conifer) will be removed to accommodate the road and driveway improvements and the structural development of the project. The project site consists of 46 acres, and 95 percent of those acres are deed restricted and cannot be

developed. The development will occur on the remaining two (2) developable acres on the project site, most of which has been previously disturbed and contains minimal tree coverage. As such, site improvements, earthmoving and grading have been sited to ensure minimization of vegetation removal.

14. The siting and design of site improvements and access roads minimize grading and alteration of natural landforms and topography.

Analysis: Proposed grading will occur in areas that have been previously disturbed, including the housing pad and the existing road and driveway. Proposed grading will follow the natural contours of the site and will avoid steep slopes on the site to minimize the required grading and alterations of the natural landforms and topography. The siting and design of improvements and access roads minimize grading and alteration of natural landforms and topography.

15. A landscape and/or vegetation retention plan in conformance with the Design Manual has been submitted and approved for the site that will provide maximum screening from designated viewshed roads through preservation of existing vegetation and the planting of new vegetation and provide for defensible space in conformance with state law.

Analysis: A screening and vegetation retention plan consistent with the Design Manual has been submitted and approved for the site, and will provide maximum screening from designated viewshed roads with preservation of existing vegetation and the planting of new vegetation. The structures will be substantially screened via retention of the existing, natural vegetation and with augmentation of the existing vegetation with the planting of two additional 15-gallon oak trees. The design and location of the proposed vegetation allows for the required defensible space.

16. The proposed structures and associated improvements substantially conform to the Design Manual in order to reduce their visual impact on the views of major and minor ridgelines as viewed from any designated viewshed road and unique topographic or geologic features as viewed from any county road. The following landforms will be considered to be unique topographic or geologic features for the purposes of this subsection: Mt. St. Helena, Stag's Leap, Calistoga Palisades, Round Hill, Mt. George and Mt. St. John (all of which are not applicable to this site).

Analysis: The proposed structures and site development are designed in a manner to reduce visual impacts on views of major and minor ridgelines as viewed from any county road. The project is architecturally designed to be low profile and not visually obtrusive with a proposed gray earth tone and non-reflective windows. As designed, the proposed project and associated improvements substantially conform to the County's Design manual and thereby reduce visual impacts on ridgelines. No unique topographic or geologic features are applicable to the project site.