**MEMORANDUM**

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| To: | Napa County Board of Supervisors  Nancy Watt, County CEO  Steve Lederer, Public Works Director | From: | David Morrison, Director  Kelli Cahill, Planner III |
|  |  |  |  |
| Date: | March 5, 2015 | Re: | Berryessa Highlands Fire Station  General Plan Consistency Analysis |

**I. PURPOSE:**

On March 17, 2015, the Board will consider authorizing the Chair to sign the purchase and sale agreement to purchase the property located at APN 019-431-012 located within the unincorporated area of Upper northeast Napa County on the east side of Steele Canyon Road, approximately 600 feet southeast of its intersection with Nile Court, with the intention to construct the Berryessa Highlands Satellite Volunteer Fire Station. Prior to taking this action, the Board must consider whether the Project is consistent with the Napa County General Plan.

**II. BACKGROUND:**

The Project site is located in unincorporated Napa County, within the Berryessa Highlands community. The parcel currently has a General Plan designation of Rural Residential. A review of the Site’s consistency with the Napa County General Plan is provided below.

The parcel is located within the planned development of Berryessa Highlands. Berryessa Highlands is located northeast of the City of Napa, on the south shore of Lake Berryessa, and approximately 6.0 miles east of the intersection of Steele Canyon Road with State Route 128. The Berryessa Highlands was approved for the construction of 507 residential units in the 1960s; however, due to a variety of factors, development has been limited to the creation of 343 single family residences.

The Project site is zoned Planned Development, the intent of which, is to provide increased opportunity for diversified uses by providing the means for cluster housing in a desirable relationship to planned common use space, limited commercial, institutional, educational, cultural, recreational and other uses, while at the same time preserving the quality of urban environment fostered by the General Plan. (Napa County Code Section 18.48.010.) To the extent applicable, the Project would generally be consistent with current zoning, as the potential environmental impacts have been reviewed under CEQA, and found to be less intensive than defined planned development uses.

**III. CONSISTENCY ANALYSIS:**

This memorandum outlines the relevant goals and policies of the County’s General Plan, and analyzes whether the Project, including property acquisition, conforms with the plan as required by Government Code Section 65402.

**A. The Agricultural Preservation and Land Use Element:**

* **Policy AG/LU-20.5:** New public safety facilities shall be located within existing urbanized (i.e. non-agricultural) areas of the County and the County shall require site-specific analysis of new public safety facilities prior to their construction.
* **Policy AG/LU-35:** The following standards shall apply to lands designated as Rural Residential on the Land Use Map of this General Plan.

**Intent:** Provide for low density residential use in neighborhoods that are in proximity to existing urbanized areas but that are currently in agriculture or where further parcelization will be discouraged. On some lands suitable for increased population density near major medical care facilities, large residential care homes may be permitted. Other land near major public recreational areas which, because of its location in relation to existing or future community services, facilities, and access roads, and because of underlying soil and geological characteristics, land slope, and minimum fire hazard, is suitable for low density residential or mixed-use development, tourist-serving commercial development, and resident-serving commercial development.

**General Uses:** Single-family dwellings, day care centers, large residential care homes, existing major medical care facilities (facilities licensed with a minimum of 100 beds), private schools, agriculture, stables (and others under specified conditions). In Capell Valley and Berryessa Areas, tourist-serving commercial uses and mixed uses will also be allowed.

**Minimum Parcel Size:** 10 acres, except:

* All permitted commercial development, and legal residential structures in Deer Park existing on December 31, 1994, and master planned as part of St. Helena Hospital may be allowed on smaller parcels, depending on the type of facility, services available, and surroundings.
* APN 049-161-009 in the Monticello Road area may be subdivided into parcels with a minimum size of ¾ acre, and the number of total parcels after the subdivision shall not exceed four.

**Maximum Dwelling Density:** One dwelling per parcel (except as specified in the Housing Element).

***Conclusion***: Consistent.

***Analysis****: The Project area is designated “Rural Residential”, the intent is to provide for low density residential use in neighborhoods that are in proximity to existing urbanized areas. The Project Site is consistent with the current General Plan designation, as it has been found through the CEQA review to be a less intensive use or equal to the existing use of the underlying Planned Development zoning. The Project Site has access to infrastructure and complies with density standards and the minimum parcel size to accommodate a satellite volunteer fire station.*

* **Goal AG/LU-1**: Preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.
* **Goal AG/LU-5**: With municipalities, other governmental units, and the private sector, plan for commercial, industrial, residential, recreational, and public land uses in locations that are compatible with adjacent uses and agriculture.

***Conclusion***: Consistent.

***Analysis****: The Project would not displace agriculture or remove agricultural lands from agricultural use. The Project will be located in an area that is already developed with such uses as rural residential, Napa Berryessa Resort Improvement District, etc. The Project proposes the construction of a County owned and operated facility on lands designated as “Rural Residential” and zoned Planned Development, the intent of which allows for the potential of low density residential use in neighborhoods that are in proximity to existing urbanized areas. Although the Project itself does not support low density residential uses, it is not anticipated that the Project will result in adverse effects to those parcels that current or in the foreseeable future support low density residential, as the project is designed to provide emergency fire protective services to the Berryessa Highlands and nearby rural residential uses.*

* **Policy AG/LU-69:** Recognize the character of this community and the quality of the environment in the review of future development projects in the Berryessa Highlands area. All new subdivisions, use permits, and other discretionary actions shall conform to the General Plan Land Use Map and reviewed to determine impacts and mitigations related to water quality, water availability, slope stability, habitat protection, and other environmental issues. :
* **Policy AG/LU-70**: The importance of views to residents shall be considered in the review and approval of new development. Where possible, existing views – particularly of Lake Berryessa should be preserved.

***Conclusion***: Consistent.

***Analysis****: The project would construct a small structure, with approximately 6 parking stalls. The project has been evaluated under CEQA and found to be less than significant with regards to water quality, water availability, habitat protection, and other environmental issues.*

*The site is not located in an area with views of Lake Berryessa, nor would the proposed project obstruct the view from neighboring properties to the lake or other existing natural view.*

* **Policy AG/LU-115:** The County will seek to work cooperatively with the private and non-profit sectors, municipalities, special districts, and other local, state, and federal agencies to plan for services and facilities such as housing, transportation, economic development, parks and recreation, open space, and other County needs. Collaborative efforts will be aimed at furthering the goals and policies contained in this Agricultural Preservation and Land Use Element and other elements of the General Plan.

***Conclusion***: Consistent.

***Analysis****: The project proposes to construct a satellite volunteer fire station that will benefit the community of Berryessa Highlands by providing much needed fire protection services that are otherwise not available. The project will work directly with the home owners association, and the Napa Berryessa Resort Improvement District to ensure the needs of the County and the community are considered during all aspects of construction and operation.*

**B. The Circulation Element:**

* **GOAL CIR-1**: The County’s transportation system shall be correlated with the policies of the Agricultural Preservation and Land Use Element and protective of the County’s rural character.
* **GOAL CIR-2**: The County’s transportation system shall provide for safe and efficient movement on well‐maintained roads throughout the county, meeting the needs of Napa County residents, businesses, employees, visitors, special needs populations and the elderly.
* **Policy CIR‐16:** The County shall seek to maintain an adequate level of service on roads and at intersections as follows. The desired level of service shall be measured at peak hours on weekdays.
  + The County shall seek to maintain an arterial LOS D or better on all county roadways, except where maintaining this desired level of service would require the installation of more travel lanes than shown on the Circulation Map.
  + The County shall seek to maintain a LOS D or better at all signalized intersections, except where the level of service already exceeds this standard (i.e., LOS E or F) and where increased intersection capacity is not feasible within the existing right‐of‐way.
  + No single level of service standard is appropriate for unsignalized intersections, which shall be evaluated on a case‐by case basis to determine if signal warrants are met.
* **GOAL CIR-3**: The County’s transportation system shall encompass the use of private vehicles, transit, paratransit, walking, bicycling, air travel, rail and water transport.
* **Policy CIR-2**: The County will work with the cities and town through the Napa County Transportation and Planning Agency to coordinate seamless transportation systems and improve the efficiency of the transportation system by coordinating the construction of planned roadway, bicycle, pedestrian, and other transportation systems.
* **Policy CIR-33**: Pedestrian and bicycle access shall be integrated into all parking lots where feasible and appropriate and considered in the evaluation of development proposals and public projects.

***Conclusion***: Consistent.

***Analysis****: The traffic levels associated with project will be minimal, as the station will be manned by local volunteers of whom live within the community of Berryessa Highlands. However, traffic levels are likely to exceed current levels of service in the event of a house fire or rural lands fire requiring outside assistance from Local, Regional and State fire services.*

*The Project does not warrant the integration of additional parking, pedestrian paths or bicycle access, as the community is rural and roadways considered safe for alternative modes of transportation.*

**C. The Community Character Element:**

* **Policy CC‐4**: Consistent with current regulations regarding road setbacks and fences, the County shall preserve the existing significant natural features by requiring all development to retain the visually open, rural character of the County and by allowing solid sound walls only in unique circumstances and where acceptable noise levels are exceeded.
* **Policy CC‐6**: The grading of building sites, vineyards, and other uses shall incorporate techniques to retain as much as possible a natural landform appearance. Examples include:
  + The overall shape, height, and grade of any cut or fill slope shall be designed to simulate the existing natural contours and scale of the natural terrain of the site.
  + The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.
  + Sharp, angular forms shall be rounded and smoothed to blend with the natural terrain.
* **Policy CC‐8**: Scenic roadways which shall be subject to the Viewshed Protection Program are those shown in Figure CC‐3 [of the Napa County General Plan], or designated by the Board of Supervisors in the future.
* **Policy CC‐33**: The design of buildings visible from the County’s designated scenic roadways shall avoid the use of reflective surfaces which could cause glare.
* **Policy CC‐34**: Consistent with Building code requirements for new construction in rural areas, nighttime lighting associated with new developments shall be designed to limit upward and sideways spillover of light.
* **Policy CC-38:** The following are the County’s standards for maximum exterior noise levels for various types of land uses established in the County’s Noise Ordinance. Additional standards are provided in the Noise Ordinance for construction activities (i.e., intermittent or temporary noise).

**EXTERIOR NOISE LEVEL STANDARDS**

**(LEVELS NOT TO BE EXCEEDED MORE THAN 30 MINUTES IN ANY HOUR)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Land Use Types** | **Time Period** | **Noise Level (dBA) by Noise Zone Classification** | | |
| **Rural** | **Suburban** | **Urban** |
| Single-Family Homes and Duplexes | 10 p.m. to 7 a.m. | 45 | 45 | 50 |
| 7 a.m. to 10 p.m. | 50 | 55 | 60 |
| Multiple Residential 3 or More Units Per Building (Triplex +) | 10 p.m. to 7 a.m. | 45 | 50 | 55 |
| 7 a.m. to 10 p.m. | 50 | 55 | 60 |
| Office and Retail | 10 p.m. to 7 a.m. | 60 | | |
| 7 a.m. to 10 p.m. | 65 | | |
| Industrial and Wineries | Anytime | 75 | | |

a) For the purposes of implementing this policy, standards for residential uses shall be measured at the housing unit in areas subject to noise levels in excess of the desired levels shown above.

b) Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction at the industrial use.

c) Where projected noise levels for a given location are not included in this Element, site-specific noise modeling may need to be conducted in order to apply the County’s Noise policies.

d) For further information, see the County Noise Ordinance.

* **Policy CC-39:** The following are noise compatibility guidelines for use in determining the general compatibility of planned land uses:

**NOISE COMPATIBILITY GUILDELINES**

**(EXPRESSED IN A 24-HOUR DAY-NIGHT AVERAGE OR LDN)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Land Use** | **Completely Compatible** | **Tentatively Compatible** | **Normally Compatible** | **Completely Incompatible** |
| Residential | Less than 55 dBA | 55-60 dBA | 60-75 dBA | Greater than 75 dBA |
| Commercial | Less than 65 dBA | 65-75 dBA | 75-80 dBA | Greater than 80 dBA |
| Industrial | Less than 70 dBA | 70-80 dBA | 80-85 dBA | Greater than 85 dBA |

See Policy CC-43 for the definitions of these four levels of compatibility.

* **Policy CC‐44**: The County shall require that appropriate noise mitigation measures be included when new residential developments are to be built in close proximity to significant noise sources.

***Conclusion***: Consistent.

***Analysis****: The Project is not anticipated to result in adverse impacts to Community Character. The Project would be constructed with pre-fabricated metal building approximately 1,900 square feet (38 feet wide, 50 feet long, and 21 feet tall), parking stalls, which are not anticipated to result in adverse effects to the parcel or of surrounding areas.*

*Noise impacts, including short-term construction generated noise. Long-term operational noise, and traffic related noises would not result in the exposure of persons to or generation of noise levels in excess of applicable standards, or substantial temporary increases in ambient noise levels in the vicinity of the Project, specifically the nearest sensitive receptor, the nearby neighbors, as the project will be minimally manned.*

**D. The Conservation Element:**

* **Policy CON‐44**: The County shall identify, improve, and conserve Napa County’s surface water resources through the following measures:

a) Evaluate and develop land use policies resulting in the appropriate density and mix of impervious surface and stable vegetation cover to improve water quality and reduce surface water pollution and siltation within domestic water supply watersheds.

b) Encourage public agencies and private individuals to explore environmentally sensitive ways to store winter runoff in consultation with the State Department of Water Resources and other regulatory agencies.

* **Policy CON‐47**: The County shall comply with applicable Water Quality Control/Basin Plans as amended through the Total Maximum Daily Load (TMDL) process to improve water quality. In its efforts to comply, the following may be undertaken:

c) Retrofitting County‐maintained roads to reduce sediment caused by runoff.

e) Ensuring continued effectiveness of the National Pollution Discharge Elimination System (NPDES) program and storm water pollution prevention.

f) Ensuring continued effectiveness of the County’s Conservation Regulations related to vineyard projects and other earth‐disturbing activities.

g) Addressing effects related to past and current mining, grazing, and other activities to the extent feasible.

* **Policy CON‐48**: Proposed developments shall implement project‐specific sediment and erosion control measures (e.g., erosion control plans and/or stormwater pollution prevention plans) that maintain predevelopment sediment erosion conditions or at minimum comply with state water quality pollution control (i.e., Basin Plan) requirements and are protective of the County’s sensitive domestic supply watersheds. Technical reports and/or erosion control plans that recommend site‐specific erosion control measures shall meet the requirements of the County Code and provide detailed information regarding site specific geologic, soil, and hydrologic conditions and how the proposed measure will function.
* **Policy CON‐50**: The County will take appropriate steps to protect surface water quality and quantity, including the following:

c) The County shall require discretionary projects to meet performance standards designed to ensure peak runoff in two‐, ten‐, 50‐, and 100‐year events following development is not greater than predevelopment conditions.

e) In conformance with National Pollution Discharge Elimination System (NPDES) requirements, prohibit grading and excavation unless it can be demonstrated that such activities will not result in significant soil erosion, silting of lower slopes or waterways, slide damage, flooding problems, or damage to wildlife and fishery habitats.

f) Adopt development standards, in conformance with NPDES Phase II requirements, for post‐construction storm water control.

g) Address potential soil erosion by maintaining sections of the County Code that require all construction related activities to have protective measures in place or installed by the grading deadlines established in the Conservation Regulations. In addition, the County shall ensure enforceable fines are levied upon code violators and shall require violators to perform all necessary remediation activities.

* **Policy CON‐53**: The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances, adequate demonstration of availability may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County Code “fair‐share” provisions or applicable State law.

In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.

* **Policy CON‐60**: The County shall promote cost‐effective water conservation and water efficiency measures that reduce water loss, waste, and water demand through the following measures:

a) Taking a leadership role in water conservation efforts, by monitoring and publicly reporting on the County’s water use, using low flow fixtures, drought‐tolerant landscaping, drip irrigation, recycled water use where available and appropriate, periodic water use “audits” and other strategies to conserve water at all County‐owned and operated facilities.

b) Requiring the use of water conservation measures in areas served by municipal supplies to improve water use efficiency and reduce overall demand including, but not limited to, working cooperatively with all water providers and with developers to incorporate water conservation measures into project designs (e.g., as recommended by the California Urban Water Conservation Council), and coordination with water providers to continue to develop and implement water drought contingency plans to assist County citizens and businesses in reducing water use during periods of water shortages and emergencies.

* **Policy CON‐60.5**: All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.
* **Policy CON‐72**: The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.
* **Policy CON‐76**: The County shall minimize air pollutant emissions from all County facilities and operations to the extent feasible, consistent with the County’s desire to provide a high level of public service.
* **Policy CON‐77**: All new discretionary projects shall be evaluated to determine potential significant project specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with BAAQMD’s air quality improvement programs to reduce emissions.
* **Policy CON‐80**: The County shall seek to reduce particulate emissions and avoid exceedences of state particulate matter (PM) standards by:
  + Requiring implementation of dust control measures during construction and grading activities and enforcing winter grading deadlines.
* **Policy CON‐81**: The County shall require dust control measures to be applied to construction projects consistent with measures recommended for use by the BAAQMD.
* **Policy CON‐85**: The County shall utilize construction emission control measures required by CARB or BAAQMD that are appropriate for the specifics of the project (e.g., length of time of construction and distance from sensitive receptors). These measures shall be made conditions of approval and/or adopted as mitigation to ensure implementation.

***Conclusion***: Consistent.

***Analysis****:*

***Water Quality*** *- The Project will comply with requirements of the San Francisco Regional Water Quality Control Board (SFRWQCB) through preparation of a SWPPP to include the incorporation of source control, site design, and treatment control Best Management Practices (BMPs) to control on-site erosion and protect water quality.*

***Water Supply*** *– The Project does not propose to use groundwater. The project site will be serviced with water and sewer by the Napa Berryessa Resort Improvement District, and would not require additional water service. The project will construct one restroom, and proposes to clean equipment with onsite water.*

**E. The Safety Element:**

* **Policy SAF-20**: All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:

1) Adequacy of water supply.

2) Site design for fire department access in and around structures.

3) Ability for a safe and efficient fire department response.

4) Traffic flow and ingress/egress for residents and emergency vehicles.

5) Site-specific built-in fire protection.

6) Potential impacts to emergency services and fire department response.

***Conclusion***: Consistent.

***Analysis****: The Project will be designed to comply with all established fire safety and building standards to ensure adequate water supply, access, sufficient ingress/egress for emergency vehicles, employees and visitors to the fire station.*