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General Plan Consistency Analysis
JAMCAN Tentative Parcel Map
P19-00456-TPM

JAMCAN Tentative Parcel Map General Plan Consistency Analysis

General Plan Policy	Consistency Discussion
<p><u>Policy AG/LU-1:</u> Agriculture and related activities are the primary land uses in Napa County.</p>	<p>Consistent. The proposed project is a land division which seeks to subdivide a parcel into three smaller, code compliant, parcels within the Agriculture, Watershed and Open Space (AWOS) General Plan land use designation. The subject property has current agricultural operations on the property, and the resulting parcels do not hinder the continued use of the land for agriculture. The resulting three (3) parcels have been designed with building envelopes for future single-family residences, which is a land use that is considered complimentary to agricultural pursuant to General Plan Policy AG/LU-21.</p>
<p><u>Policy AG/LU-4:</u> The County will reserve agricultural lands for agricultural use including land used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.</p>	<p>Partially Consistent. The subject property is designated AWOS on the County General Plan land use map. There are current agricultural operations on the property, primarily on the western side, and the proposed land division does not hinder continued operations. The Tentative Parcel Map (TPM) does propose building envelopes in areas with existing vineyard operations. Although future residential development resulting from approval of the TPM could potentially result in the conversion of farmland, given the large parcel sizes (160 acres) and that residences are an allowed use, the project would not impact the economic viability of agriculture or prevent the remaining acreage from being used for agricultural purposes.</p>
<p><u>Policy AG/LU-8:</u> The County’s minimum agricultural parcel sizes shall ensure that agricultural areas can be maintained as economic units.</p>	<p>Consistent. The proposed TPM subdivides the subject property into three (3) parcels, each above the 160-acre minimum size requirement of the AWOS General Plan designation and the subject property’s Agricultural Watershed (AW) zoning designation.</p>
<p><u>Policy AG/LU-12:</u> No new non-agricultural use or development of a parcel located in an agricultural area shall be permitted unless it is needed for the agricultural use of the parcel, except as provided in Policies AG/LU-2, AG/LU-5, AG/LU-26, AG/LU-44, AG/LU-45, and ROS-1.</p>	<p>Consistent. The project is a land division and approval of the tentative parcel map does not approve any non-agricultural use or development. The resulting three new parcel have been designed with building envelopes for potential future single-family residences, which satisfies this policy pursuant to General Plan Policy AG/LU-26.</p>

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<p><u>Policy AG/LU-15</u>: The County affirms and shall protect the right to agricultural operators in designated agricultural areas to commence and continue their agricultural practices (a “right to farm”), even though established urban uses in the general area may foster complaints against those agricultural practices. The “right to farm” shall encompass the processing of agricultural products and other activities inherent in the definition of agriculture provided in Policy AG/LU-2, above.</p> <p>The existence of this “Right to Farm” policy shall be indicated on all parcel maps approved for locations in or adjacent to designated agricultural areas and shall be a required disclosure to buyers of property in Napa County.</p>	<p>Consistent. Approval of this project includes a Condition of Approval for a “Right to Farm” disclosure to be added to the Parcel Map before recording the Final Parcel Map.</p>
<p><u>Policy AG/LU-15.5</u>: Where proposed residential, commercial or industrial development abuts lands devoted to agriculture production, the non-agricultural uses shall be required to incorporate buffer areas to mitigate potential land use conflicts as conditions of approval for subdivision or use permit. The type and width of buffer areas shall be determined based on the character, intensity and sensitivity of the abutting land uses.</p>	<p>Partially Consistent. The proposed land division does not entitle any non-agricultural use or development. While the applicant has proposed building envelopes for the development of future single-family residences, and those building envelopes partially reside within existing vineyards (Parcels 2 & 3), actual building footprints are not known at this time. Future foreseeable development of single family residential structures will be subject to a requirement to obtain a Use permit pursuant to Napa County Code sections 18.80.030(c) and §18.80.040(c). Buffering of non-agricultural development from the agricultural operations can be determined at that time and would be designed to be appropriate with the character, intensity and sensitivity of the potential future project.</p>
<p><u>Policy AG/LU-20</u>: The following standards shall apply to lands designated as Agriculture, Watershed, and Open Space on the Land Use Map of this General Plan.</p> <p>Intent: To provide areas where the predominant use is agriculturally oriented; where watersheds are protected and enhanced; where reservoirs, floodplain tributaries, geologic hazards, soil conditions, and other constraints make the land relatively unsuitable for urban development; where urban development would adversely impact all such uses; and where the protection of agriculture, watersheds, and floodplain tributaries from fire,</p>	<p>Consistent. The resulting three (3) parcels from this land division are all compliant with the AWOS minimum parcel size requirement of 160 acres. The current land use on the subject property is agriculture, and the proposed land division does not hinder continued agricultural operations. The three (3) parcels resulting from this land division have been designed to accommodate single-family residential structures. The applicant has also designed the land division in order to convey a conservation easement for habitat preservation in the eastern half of the property, permanently protecting that open space.</p>

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<p data-bbox="149 277 760 340">pollution, and erosion is essential to the general health, safety, and welfare.</p> <p data-bbox="149 369 740 432">General Uses: Agriculture, processing of agricultural products, single-family dwellings.</p> <p data-bbox="149 462 805 1167">Minimum Parcel Size: 160 acres, except that parcels with a minimum size of 2 acres may be created for the sole purpose of developing farm labor camps by a local government agency authorized to own or operate farm labor camps, so long as the division is accomplished by securing the written consent of a local government agency authorized to own or operate farm labor camps that it will accept a conveyance of the fee interest of the parcel to be created and thereafter conveying the fee interest of such parcel directly to said local government agency, or entering into a long-term lease of such parcels directly with said local government agency. Every lease or deed creating such parcels must contain language ensuring that if the parcel is not used as a farm labor camp within three years of the conveyance or lease being executed or permanently ceases to be used as a farm labor camp by a local government agency authorized to develop farm labor camps, the parcel will automatically revert to, and merge into, the original parent parcel.</p> <p data-bbox="149 1197 799 1642">Maximum Building Intensity: One dwelling per parcel (except as specified in the Housing Element). Nonresidential building intensity is non-applicable. Pursuant to Measure Z (1996), the sale to the public of agricultural produce, fruits, vegetables, and Christmas trees, grown on or off premises, and items related thereto, as well as the recreation and educational uses by children of animals, such as children’s pony rides and petting zoos, and construction of buildings to accommodate such sales and animals shall be permitted on any parcel designated as agricultural produce stand combination district. (See Policy AG/LU-132.)</p>	
<p data-bbox="149 1684 799 1873"><u>Policy AG/LU-27:</u> For the Purpose of this General Plan, the terms “urbanized” or “urbanizing” shall include the subdivision, use, or development of any parcel of land for non-agricultural purposes. Engaging in nature-based recreation or agriculturally compatible uses that are permitted in</p>	<p data-bbox="821 1684 1458 1873">Consistent. The proposed subdivision does not include approval of any non-agricultural purposes which would “urbanize” the resulting three parcels. The resulting three (3) parcels do not hinder the continued use of current agricultural operations on the property and the parcels have</p>

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<p>the applicable zoning district without the issuance of a use permit, such as development of one single-family house and/or second unit on an existing legal lot, shall not be considered urbanizing.</p>	<p>been designed with building envelopes for future single-family residences. Any future non-agricultural use or development of the resulting parcels would require discretionary review.</p>
<p><u>Policy CC-1:</u> The County will retain the character and natural beauty of Napa County through the preservation of Open Space.</p>	<p>Consistent. This project is a land division which subdivides a 521 acre parcel into three (3) smaller parcels which are compliant with the 160 acre minimum size requirement of the AWOS General Plan Land Use Map designation and the AW zoning designation. The 160 acre parcel size prevents urbanization of the parcels and the AW zoning designation allows a restricted number of ministerial land uses on the resulting parcels that are complimentary to open space preservation. Current land use on the property is agriculture and approval of the tentative parcel map will not hinder continued agricultural operations. Building envelopes have been included on the TPM, and the location of the building envelopes has been designed to distance foreseeable future single-family residential. The TPM has also been designed for the future conveyance of a conservation easement on the majority of Parcels two (2) and three (3), which would permanently protect approximately 321 acres of open space for habitat preservation. The conservation area would be adjacent to the Newell Open Space Preserve.</p>
<p><u>Policy CC-45:</u> Development in the area covered by any Airport Land Use Compatibility Plan (ALUCP) shall be consistent with the noise levels projected for the airport. Where necessary, noise insulation or other measures shall be included to maintain desired interior noise levels</p> <p><u>Action CC-45.1:</u> The County shall use avigation easements, disclosure statements, and other appropriate measures to ensure that residents and businesses within any airport influence area are informed of the presence of the airport and it's potential for creating current and future noise.</p>	<p>Consistent. The proposed project has a AW: AC zoning designation, which is an airport compatibility combination district. The majority of the project, and all three building envelopes proposed on the TPM, resides within Compatibility Zone E of the Napa County Airport. A section of the northwest corner of Building Envelope 2 resides within Zone D.</p> <p>The proposed project is a land division, and no use or development is entitled with approval of the TPM. The Napa County ALUCP describes the impact elements from Zone E and D as overflight annoyance and noise intrusion from single event overflights. The ALUCP recommends overflight easements or deed noticing as a form of mitigation in these zones, and Chapter 18.80 of the Napa County Code (Airport Compatibility Combination District) requires the overflight easement before recordation of a Final Map. The applicant has</p>

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	included deed noticing language on the proposed TPM and a Condition of Approval is included requiring the recording of overflight easements prior to recording of the Final Map.
<p><u>Policy CON-1:</u> The County will preserve land for greenbelts, forest, recreation, flood control, adequate water supply, air quality improvement, habitat for fish, wildlife and wildlife movement, native vegetation, and natural beauty. The County will encourage management of these areas in ways that promote wildlife habitat renewal, diversification, and protection.</p>	<p>Consistent. The proposed project is a land division which subdivides a 521 acre property into three (3) smaller properties which measure above the 160 acre minimum new parcel threshold for land within the AWOS General Plan Land Use designation and the AW zoning designation. The applicant's intention with the design of the TPM is to allow the creation of three (3) General Plan and Zoning Code compliant parcels with viable areas for the development of ministerial approvable single-family residences, while also retaining a large section of the eastern half of the subject property, which will make up the majority of Parcels two (2) and three (3), for the conveyance of a conservation easement. The conservation easement, which satisfies an off-site mitigation measure of the Watson Ranch Specific Plan (WRSP) EIR, will permanently protect 321 acres of the eastern half of the subject property, an area which includes the intermittent streams, Coast Live Oak Alliance, and California Red-Legged Frog (CRLF) Critical Habitat mentioned in the project's Biological Resource Assessment. The future conservation easement would include a management plan for the continued management and maintenance of the area.</p>
<p><u>Policy CON-2:</u> Maintain and enhance the existing level of biodiversity</p>	<p>Consistent. Please refer to Policy CON-1 above. The parcels which will result from the land division are compliant with the County General Plan AWOS land use designation and the AW zoning designation. The very large parcels sizes and limited ministerial uses already maintain biodiversity. The future conveyance of the conservation easement would enhance and benefit biodiversity in the county by protecting 321 acres of open space and through the enhancement of habitat features for CRLF and other associated species.</p>
<p><u>Policy CON-3:</u> Protect the continued presence of special-status species, including special status plants, special-status wildlife, and their habitats,</p>	<p>Consistent. 49% of the subject property (southeastern portion) resides within USFWS designated CRLF critical habitat. None of the proposed building envelopes or access roads overlap with the boundaries of the critical habitat.</p>

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and comply with all applicable state, federal, or local laws or regulations.	The project's Biological Resource Assessment included multiple field surveys of the property and the property was also analyzed in the WRSP EIR. The applicant's intention to convey a conservation easement on 321 acres of the eastern side of the subject property, which the CRLF critical habitat will completely reside within, will permanently protect this area as habitat for special-status species.
<u>Policy CON-4:</u> The County recognizes that preserving watershed open space is consistent with and critical to the support of agriculture and agricultural preservation goals.	Consistent. Please refer to previous General Plan conservation policy discussions above. The design of the TPM allows for significant open space on the resulting three (3) parcels. The applicant intends to permanently protect 321 acres of that open space with a conservation easement. This preserved open space will be adjacent and complimentary to ongoing agricultural operations on future Parcel 1.
<u>Policy CON-10:</u> The County shall conserve and improve fisheries and wildlife habitat in cooperation with governmental agencies, private associations and individuals in Napa County.	Consistent. Please refer to previous General Plan conservation policy discussion above. The TPM has been designed to permanently protect 321 acres of land in the eastern half of the subject property. A long term management plan will be developed by the applicant and the USFWS.
<u>Policy CON-19:</u> The County shall encourage the preservation of critical habitat areas and habitat connectivity through the use of conservation easements or other methods as well as through continued implementation of the Napa County Conservation Regulations associated with vegetation retention and setbacks from waterways.	Consistent. Please refer to previous General Plan conservation policy discussion above. The conservation area discussed above will be adjacent to the Newell Open Space Preserve, which has additional adjacency to the Lynch Canyon Open Space Preserve and the Ferrari Ranch Preserve. The combined area of these open space preserves will provide 2,267 acres of contiguous habitat protection between Napa and Solano County. No vegetation is identified for removal nor is any development approved within a stream setback as a function of this TPM approval.
<u>Policy SAF-33:</u> For maximum safety, all land uses and zoning within airport areas shall be reviewed for compatibility with the adopted plans for the Napa County Airport, Angwin Airport, and other general aviation facilities in the county.	Consistent. The proposed project is a land division and approval does not entitle any land use or development within the project boundaries. Staff has reviewed the Napa County Airport Land Use Compatibility Plan (ALUCP) and Chapter 18.80 (Airport Compatibility Combination District) for compatibility with the TPM and the foreseeable future development of single-family residential on the resulting three (3) parcels.

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	<p>All three (3) building envelopes reside within Compatibility Zone E of the Napa County Airport. A section of Building Envelope two (2) resides within Compatibility Zone D. Compatibility Zone E is located in “Other Airport Environs”, is considered a low risk zone, and the most common impact element is annoyance from single event overflights. Compatibility Zone D is located in the “Common Traffic Pattern”, is considered a moderate risk zone, and the most common impact element is noise intrusion. Both zones recommend deed noticing and overflight easements as condition for development. Both sections 18.80.030 (ALUCP Zone E regulations) and section 18.80.040 (ALUCP Zone D regulations) of the Napa County Code allow residential development with application of a Use Permit and review by the Airport Land Use Commission (ALUC) for a ALUCP consistency determination (Zone D only allows residential under agricultural land uses and zoning designations, which this project satisfies).</p> <p>The proposed land division is compliant with the Napa County General Plan and Zoning Code. The General Plan and Zoning Code has been reviewed by the ALUC and been found to be consistent with the ALUCP. The TPM is consistent with the ALUCP, the recommended development conditions have been added to the TPM or the Project’s Conditions of Approval, and future development will be reviewed by the appropriate discretionary authority.</p>