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Agenda Placement: 8A

Airport Land Use Commission Board Agenda Letter

TO: Airport Land Use Commission

FROM: John McDowell for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: John McDowell, Deputy Planning Director - 299-1354

SUBJECT: Napa Valley Commons / City of Napa Zoning Text Amendment and Specific Plan Recission

RECOMMENDATION

NAPA VALLEY COMMONS / CITY OF NAPA ZONING TEXT AMENDMENT AND SPECIFIC PLAN RECISSION - AIRPORT LAND USE CONSISTENCY DETERMINATION # P14-00127-ALUC

Request: Airport Land Use Compatibility Plan Consistency Determination for a proposal within the City of Napa's Napa Valley Commons Business Park for a Zoning Text Amendment to allow food processing uses, including wineries and winery-related retail and visitation, and expansion of ancillary uses to hotels and motels to include retail, restaurants and conference centers. The Napa Valley Commons Business Park is located in South Napa north of State Highway 12/29, west of State Highway 221, and approximately 2,000 ft. east of the Napa River. The business park is located between approximately 6,000 ft. and 11,500 ft. north of the Napa County Airport within Airport Land Use Compatibility Zones C, D, and E, and is subject to routine overflight by approaching and departing aircraft.

Staff Recommendation: That the Commission find the project consistent with the Airport Land Use Compatibility Plan.

Staff Contact: John McDowell, 299-1354, john.mcdowell@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Action:

1. That the Airport Land Use Commission find the proposed Napa Valley Commons Zoning Text Amendment and Specific Plan Rescission consistent with the Napa County Airport Land Use Compatibility Plan (ALUCP).

Discussion: Consistency Determinations are required under State Aeronautics Law and the Napa County Airpor

Land Use Compatibility Plan for any specific plan amendment or rezoning that occurs within the boundaries of an Airport Influence Area. In this case, the City of Napa is considering a zoning text amendment to establish food processing uses, including wineries with retail and visitation, and adding retail, restaurants and conference space as an ancillary use to a hotel project, within the City's Napa Valley Commons Business Park (formerly known as the Napa Corporate Park). The proposal includes rescission of the business park specific plan adopted in the 1980's, such that land use regulation would simply be implemented through the City's zoning ordinance. The business park is located on the southern end of the City of Napa and lies within the Airport Influence Area of Napa County Airport. Land Use Compatibility Zones C, D, and E apply to the park. Proposed changes to zoning and abandonment of the specific plan have been evaluated for airport land use compatibility and ALUC Staff recommends that they be found consistent with the Airport Land Use Compatibility Plan (ALUCP). The proposed changes to allowed and ancillary uses do not result in any new uses that pose a question of compatibility. Restaurant, conference centers, retail sales and winery visitation are all presently allowed uses within other areas of Airport Influence Area. Elimination of the specific plan will not have an impact on land use limitations surrounding the airport as the City's Airport Compatibility overlay zoning remains in full force and effect. Therefore, Staff recommends that the ALUC support the proposal.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

The ALUC's Consistency Determination does not meet the definition of a "project" as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and, therefore, CEQA is not applicable. The ALUC is only making a finding of consistency with airport compatibility regulations and is not responsible for approving or undertaking the project. The City of Napa is the Lead Agency responsible for carrying out the project. On March 20, 2014, the City Planning Commission forwarded a recommendation to their City Council to find that the project has no significant impacts to the environment and thus qualifies for adoption of a Negative Declaration.

BACKGROUND AND DISCUSSION

Airport Land Use Consistency Factors:

1. Proposal and Background - The current version of the Napa County Airport Land Use Compatibility Plan (ALUCP) was adopted in 1999. In 2003 the City of Napa submitted its 1998 General Plan and associated Zoning regulations to the ALUC for review in compliance with State Aeronautic Statute. On July 2, 2003, the ALUC found the City of Napa's General Plan and Zoning regulations consistent with ALUCP, including the zoning and specific plan regulations pertaining to the properties within what is now known as the Napa Valley Commons Business Park. There have been subsequent amendments to the City's General Plan since it was last evaluated by the ALUC, but none of those updates effected land within the Airport Influence Area and thus were not subject to ALUC review. This zoning text amendment and specific plan rescission are subject to ALUC review because State ALUC Statute requires review any time a land use regulation is changed in an Airport Influence Area..

The current proposal before the ALUC involves two somewhat independently functioning components as follows: 1) an amendment of zoning regulations to add certain land uses; and 2) elimination of the specific plan adopted initially in 1981.

Zoning Text Amendment:

This proposed change will expand the number of allowable uses within the City's industrial park by adding food manufacturing and processing, including wineries, as a new primary use; adding retail, restaurants, conference centers and related activities as an ancillary use to hotels / motels; and, adding wine tasting and retail sales as an ancillary use to wineries. These new uses are in character with the uses already existing within this industrial park and ALUC Staff do not believe their inclusion with zoning represent a substantive change from the current City regulations and consequently do not have the potential to conflict with airport operations. Further, the new uses are presently allowable uses within the two other industrial parks (located in American Canyon and County of Napa) within the Airport Influence Area for the Napa County Airport, both of which have been previously evaluated by the ALUC and found consistent with the ALUCP.

Specific Plan Component:

Specific plans are valuable tools in the planning world that not only establish comprehensive design requirements, but also address funding and maintenance of public facilities and/or shared infrastructure. They are essentially a mini general plan vision for ensuring orderly growth within a specific area. However, unlike a general plan, they need not continue in perpetuity once substantial development has occurred within the planning area and all shared improvements have been implemented with funding in place for their maintenance. Given that the public improvements and shared facilities within this park have long since been completed, and given that the majority of property within the park have been developed, it appears that the City is wisely proceeding with the rescission of this specific plan as its remaining purpose as a design requirement document is fulfilled through the effectively redundant zoning regulations currently applicable to the park. This effort to 'sunset' the specific plan simplifies the City's land use policies but does so without elimination of critical design requirements, such as those requirements pertaining to airport land use compatibility. Typically, ALUC reviews focus on local agency proposal for new regulations, but in this case for elimination of the specific plan, the ALUC is responsible for evaluating whether the elimination of the specific plan enables potential conflicting land uses. Given that the City's Airport Compatibility overlay zoning will remain in full force and effect, elimination of the specific plan has no potential to result in new conflicting land uses.

2. Location - As shown on the attached Airport Land Use Compatibility Map, the business park lies in area ranging from one to two miles north of the Airport area. Approximately the northern half of the business park falls within Compatibility Zone E, which is the outer environ with the lowest degree of risk. The southwestern quarter of the park lies within Compatibility Zone D with Compatibility Zone C covering the southeastern quarter of the industrial park. Overflight risk ranges from low to moderate within these two zones and most non-residential uses are permitted. The industrial park is an area of frequent overflight with most overflights resulting from aircraft on approach to the airport's primary runway (Runway 18R).

3. Land Use – As a light industrial / business park, Napa Valley Commons generally has a high degree of compatibility with airport operation. The existing zoning (and specific plan) contain use limitations and site design requirements that both limit the degree of risk for persons on site, and prohibit elements that could interfere with flights. Elimination of the now, somewhat redundant specific plan poses no potential to open the door for new incompatible uses. The City's existing Airport Compatibility Overlay Zoning remains in place and in full effect. Likewise, as noted above, the rather minor addition of new land uses to the park are in keeping with the types of land uses presently occurring within this park and the other industrial parks adjoining the airport, and as such, the proposed changes appear fully consistent with the ALUCP.

4. Concentration of People – Of the three Land Use Compatibility Zones (C, D and E) applying to the industrial park, the most restrictive density limits apply in Zone C which limits uses to 50 person per acre within buildings and 75 persons per acre total on site. Two of the proposed new uses, restaurant and conference space, raise some question whether they could surpass density limits. However, this concern is ameliorated by the fact these

uses are allowed solely as ancillary uses to hotel or motel development, and thus the higher density of a these activities is counter balanced by the lower densities occurring within other areas of a hotel use. This rationale for 'averaging' or calculating aggregate density of mixed use developments in determining concentration allowances is prescribed in the State Aeronautic Handbook. By example, the Meritage Hotel development, located in this industrial park and within Compatibility Zone C, was previously evaluated by the ALUC and found to meet density limits although a substantial conference room space was included in the project. The conference spaces would typically only be at full occupancy when the hotel rooms are mostly unoccupied. Thus, the project was found to be consistent with the 50 persons per acre within buildings limitation. The remaining uses, food manufacturing, wineries, ancillary retail and tasting, etc., all fall well within the density limits of all three zones and are consistent with the ALUCP.

5. Building Height – No changes to the City's building height limitations are proposed as part of text amendment. This zoning text change, and elimination of the specific plan, simply augment the allowable uses without change to the previously adopted construction requirements certified by the ALUC.

6. Lighting and Glare – The City's existing standards for controlling light and glare sources have previously been reviewed and approved by the ALUC. This project involves no changes to these existing standards. Future development within the industrial park will remain subject to these standards, and therefore, there is no potential for light and glare compatibility issues.

7. Communications - No communication equipment or functions are associated with the proposed zoning language change and change to allowed uses. It is unlikely that a future private development in this industrial park would include activities with the potential to disrupt airport communications, and in the event such a use were proposed, City regulations require referral to the ALUC.

8. Building Materials – No changes to allowable construction materials are proposed as part of this zoning amendment. Subsequent proposed projects would be held to the City's design standards, which have previously been certified by the ALUC as compatibility with airport operations.

9. Overflight Easement – Existing City development regulations require recordation of an overflight easement prior to issuance of a building permit. These regulations will not be altered as part of this action.

10. Caltrans Aeronautics – Caltrans Division of Aeronautics staff has been sent copies of attached background information. No comments have been received regarding the project.

11. Processing – ALUCP Policy 2.1.8 states, "The ALUC shall not accept any plan, ordinance or regulation for review until the referring local agency has held at least one substantive local hearing or other public meeting on the proposed matter. . ." and prior to the local agency's final action. The City has complied with this requirement. The City's Planning Commission heard this item on March 20, 2014. No comments on airport compatibility were raised at the City's hearing. Action before the City Council is anticipated in May.

12. Conditions - No airport compatibility conditions are recommended. The proposed zoning text amendment augments allowable uses in the business park, and eliminates the specific plan, without altering any of the City's existing provision for ensuring airport land use compatibility. All existing, previously determined as consistent airport compatibility measures are not affected by this action.

SUPPORTING DOCUMENTS

A . Napa Valley Commons ALUC Submittal

- B . Napa City Planning Commission Project Staff Report
- C . Napa City Environmental Document Excerpt
- D . Airport Land Use Compatibility Map

Airport Land Use Commission: Approve

Reviewed By: John McDowell