



Agenda Date: 1/24/2006
Agenda Placement: 8C
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 1 Hour

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Cathy Gruenhagen for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: John McDowell, Program Planning Manager, 299-1354
SUBJECT: Montalcino at Napa Golf Course Final Subsequent Environmental Impact Report and Use Permit
Major Modification P05-0220-MOD

RECOMMENDATION

Director of Conservation, Development and Planning requests adoption of a resolution approving the Montalcino at Napa Golf Course project including the following actions:

1. Certification of a Final Subsequent Environmental Impact Report;
2. Adoption of a Mitigation Monitoring Program; and
3. Approval of a Use Permit Major Modification (File No. P05-0220-MOD) for the Montalcino at Napa Golf Course that involves adding an 18-hole golf course and driving range as an ancillary use to the previously approved Montalcino at Napa Resort Project on approximately 233 acres of a 266 acre property located adjacent to the approved resort project.

ENVIRONMENTAL DETERMINATION: Pursuant to Section 15162 of the State CEQA Guidelines, a Final Subsequent Environmental Impact Report has been prepared for Certification. The Final Subsequent Environmental Impact Report (EIR) finds the proposed project will result in new potential impacts in the following areas: Agricultural Resources, Hydrology, Biological Resources, and Cultural Resources. No substantial changes requiring major revision of the previously certified Montalcino at Napa Resort EIR will occur in the following areas: Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Aesthetics, Community Services, Geology, and Population and Housing. The project site is not on any of the lists of hazardous waste sites, but it is adjacent to a hazardous waste site enumerated under Section 65962.5 of the Government Code.

EXECUTIVE SUMMARY

This proposal consists of a request to add a golf course and driving range as an accessory or ancillary use to the previously approved Montalcino at Napa Resort Project. Five individual actions are required in order to approve this project, of which three are included as part of this agenda item, and two as part of the following agenda item, scheduled for a Public Hearing at 9:35 AM) This agenda item involves Certification of the proposed Final Subsequent Environmental Impact Report, Adoption of the Mitigation Monitoring Program, and Approval of

proposed Use Permit Major Modification. These actions relate to the design and environmental factors of the project. The Major Modification would then be contingent upon approval of the subject property rezoning and associate zoning ordinance text change which are the subject of the subsequent agenda item.

The proposed golf course is located on lands owned by the Napa Sanitation District (NSD) which are presently utilized as spray fields for treated waste water effluent. The project proponent has entered into a tentative lease agreement with NSD wherein the property will be developed with a golf course that serves resort guests and that continues to utilize treated waste water for irrigation of golf course landscaping.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Pursuant to Section 15162 of the State CEQA Guidelines, a Final Subsequent Environmental Impact Report has been prepared for Certification. The Final Subsequent Environmental Impact Report (EIR) finds the proposed project will result in new potential impacts in the following areas: Agricultural Resources, Hydrology, Biological Resources, and Cultural Resources. No substantial changes requiring major revision of the previously certified Montalcino at Napa Resort EIR will occur in the following areas: Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Aesthetics, Community Services, Geology, and Population and Housing. The project site is not on any of the lists of hazardous waste sites, but it is adjacent to a hazardous waste site enumerated under Section 65962.5 of the Government Code.

BACKGROUND AND DISCUSSION

In 1991, the County began negotiations with developers who envisioned a resort and golf course on properties located within the Airport Industrial Area Specific Plan boundaries. In 1996, a Development Agreement was executed commencing the formal process. By 1998, the current applicant had filed the original Montalcino at Napa Use Permit and General Plan Amendment request (File No. #98177-UP), which consisted of a resort on properties located within the Airport Industrial Area Specific Plan boundaries, and a golf course primarily on treated wastewater spray fields owned by Napa Sanitation District (essentially the same project site as is currently proposed). In 2001 the Board of Supervisors denied the General Plan Amendment component of the project which would have changed the golf course site from Public Institutional to Agriculture, Watershed and Open Space. The applicant then modified their application dropping the golf course component and in April 2004 the Board of Supervisors approved the resort on 72 acres adjacent to the currently proposed golf course. In June 2005, the applicant submitted a revised golf course plan on the Napa Sanitation spray fields seeking to reintroduce golf as an accessory element to the approved resort.

The new golf course design is located on approximately 233 acres of a 266 acre parcel of land owned entirely by the Napa Sanitation District. The golf course design from 1998 also included several other properties and involved crossing Suscol Creek located on the northern boundary of the current proposal. The project site is in a highly sensitive area for airport compatibility located under the final approach paths to the primary and secondary runways for the Napa County Airport. The project has consequently been reviewed by the FAA, Napa County Airport Manager, Napa County Airport Advisory Commission, and the Napa County Airport Land Use Commission (ALUC). The Airport Advisory Commission gave an endorsement of the project, and the ALUC found the project

consistent with airport compatibility subject to the inclusion of the proposed conditions of approval.

The project site has a general plan designation of Public Institutional and is currently zoned Agricultural Watershed: Airport Compatibility. As part of the following agenda item, scheduled for a Public Hearing at 9:35 AM, the applicant is requesting to change the zoning to Public Land: Airport Compatibility, and to amend the Public Land zoning district to allow recreational and other uses requiring no on-site buildings and utilizing an average of not less than 250 acre-feet of recycled water annually. This text amendment would allow outdoor-only uses only if they also utilize high volumes of recycled water. Approval of the use permit major modification is contingent upon approval of this associated ordinance changes.

On January 4, 2006, the Planning Commission conducted a public hearing on the proposal. Testimony was given by staff, the applicant's representatives, and several interested members of the public. In general, the majority of persons commenting were in support of the proposal. Several issues were discussed including agricultural preservation and protection of biological resources. It appeared that all questions of biological issues were addressed to the satisfaction of the Commission. However, regarding agricultural preservation, one Commissioner did not agree with staff's opinion that mitigation for loss of lands classified by the State as Prime and Statewide Importance was not necessary. A letter from a public advocacy group was also submitted requesting that the Commission require mitigation for the loss of Prime and Statewide Important farmland. The issue pertains to how the State has mapped the property. In 1996, the project site was not considered protected farmlands, but by 2000, the land had been reclassified without the knowledge of the property owner as Prime and Statewide Important land. Typically mitigation, in the form of acquiring easements to protect other Prime farmland, is required to compensate for the loss of such lands. Staff took a position that mitigation was not necessary, because the land no longer meets the definition of Prime/Statewide Important farmland, it only met the definition for a relatively brief period, and for the last several decades the project site as been designated for urban uses. Ultimately, the remainder of the Commission did not feel mitigation was necessary, so the hearing was closed and the Planning Commission voted unanimously (5-0) to recommend approval of the project.

Additional details on the proposal are contained in the attached proposed conditions of approval, Planning Commission staff report, environmental documentation, and proposed approval findings.

SUPPORTING DOCUMENTS

- A . Major Modification and Final SEIR Approval Resolution
- B . Resolution Appendix "A" - CEQA Findings
- C . Resolution Appendix "B" - Conditions of Approval
- D . Resolution Appendix "C" - Mitigation Monitoring Program; Introduction
- E . Resolution Appendix "C" - Mitigation Monitoring Program; Matrix
- F . Draft Subsequent Environmental Impact Report
- G . Response to Comments
- H . Planning Commission Staff Report
- I . Additional Public Comments
- J . Department and Agency Conditions/Requirements
- K . Project Application
- L . Location Map and Project Plans

CEO Recommendation: Approve

Reviewed By: Andrew Carey