



Agenda Date: 1/24/2006
Agenda Placement: 8D
Set Time: 9:35 AM PUBLIC HEARING
Estimated Report Time: 5 Minutes

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: Proposed Ordinance to Rezone property and change zoning text associated with the Montalcino at Napa Golf Course project

RECOMMENDATION

First and final reading and adoption of an ordinance requested as part of the proposed Montalcino at Napa Golf Course project which rezones certain unincorporated property within the county from Agricultural Watershed:Airport Compatibility (AW:AC) to Public Lands:Airport Compatibility (PL:AC) zoning district (Assessor's Parcel Nos. 057-010-037 and 057-010-036) and amends Section 18.50.030 of the Napa County Code relating to certain uses including limited recreational uses, permitted upon grant of use permit in the Public Lands District.

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

In order to approve the propose Montalcino at Napa Golf Course project, certain changes are required to bring the proposed golf course into consistency with the zoning ordinance. The applicant is proposing to amend the zoning map to change the subject property from AW:AC (Agricultural Watershed: Airport Compatibility) to PL:AC (Public Land: Airport Compatibility), and to amend the allowable uses section of the Public Lands zoning section to allow use permits for recreational and other uses that involve no on-site buildings and a requirement to utilize a high-volume of recycled water. These amendments will bring the proposed golf course into consistency with the zoning ordinance.

Required environmental documentation for this ordinance change, and the associated use permit major modification for the golf course, are included in the preceding agenda item (scheduled for a Public Hearing at 9:30

AM). Approval of the golf course proposal is contingent upon implementation of the ordinance changes proposed under this agenda item.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

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BACKGROUND AND DISCUSSION

The applicant is proposing to amend the zoning map to change the property from AW:AC (Agricultural Watershed: Airport Compatibility) to PL:AC (Public Land: Airport Compatibility), and to amend the allowable uses section of the Public Lands zoning section to allow use permits for recreational and other uses that involve no on-site buildings and a requirement to utilize a high-volume of recycled water. These amendments will bring the proposed golf course into consistency with the zoning ordinance.

The zoning map change can be supported because the overriding general plan designation for the site is Public Institutional. Zoning the site Public Land improves consistency of the zoning with the general plan, as is mandated by State law. The current Agricultural Watershed zoning is relatively consistent with the Public Institutional general plan designation, and it is a fairly common zoning practice throughout the State to designate public land uses with an Agricultural zoning (in essence acting as a holding zone). However, it is clear the Agricultural Watershed zoning designation has its drawbacks and consistency issues with the Public Institutional general plan designation - several allowed uses in the Agricultural Watershed are clearly inconsistent with the Public Institutional designation, most notably wineries. By rezoning the subject property to Public Lands, the general plan consistency of the subject property will be improved.

The text amendment raises a different set of consistency questions. The amendment would allow recreational and unspecified other uses on land intended for public facilities. One could argue that this amendment might allow uses that are in no way related to serving public facility needs as stipulated in policy 8.1. This argument is addressed by the requirement that any such uses utilize a high volume of recycled water and contain no buildings. The no buildings requirement excludes most uses, with the exception of agriculture and recreation. The requirement to use high volumes of recycled water further limits the possible uses including many types of agriculture and recreation that would not be capable of handling 250 ft. acre of recycled water per year. The use would also have to be located on lands designated Public Institutional in the general plan which would prevent such uses from occurring on lands with other general plan designations, like the Agricultural Preserve. Any proposal to do a use enabled by the text amendment within any area with an Agricultural land use designation

would trigger a vote of the people prescribed by 1990's Measure J.

SUPPORTING DOCUMENTS

A . Ordinance Tracking Copy

B . Ordinance

C . Ordinance Rezone Map

CEO Recommendation: Approve

Reviewed By: Andrew Carey