



Agenda Date: 6/5/2007
Agenda Placement: 8E
Set Time: 10:15 AM
Estimated Report Time: 1 Hour

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Gitelman, Hillary - Director
Conservation, Development & Planning
REPORT BY: Sean Trippi, Principal Planner , 253-4417
SUBJECT: Napa Pipe

RECOMMENDATION

Director of Conservation, Development and Planning requests the following actions regarding the Napa Pipe property:

1. Review the General Plan amendment application submitted by Napa Redevelopment Partners LLC on March 28, 2007;
2. Make a determination that the proposal complies with criteria established by Board Resolution 05-173;
3. Direct staff to process the application; and
4. Confirm the determination that an Environmental Impact Report (EIR) is required, and acknowledge the applicant's obligation to reimburse the County for the costs of EIR preparation and processing consistent with the County Policy Manual (Part 80) and local guidelines for implementing CEQA.

EXECUTIVE SUMMARY

The Napa Redevelopment Partners LLC have submitted an application for a General Plan amendment for the 152-acre former Napa Pipe property (APN's 46-400-030 & 46-412-005). The proposed amendment includes changing the land use designation on the County's Land Use Map from Industrial to Transitional, as well as amendments to the text of the General Plan. The Transitional designation is not a land use designation within the current General Plan but is contemplated in the General Plan update currently underway. The proposed amendment is consistent with the language proposed in the General Plan update.

The project proposal includes 3,200 attached residential units with 20% being affordable, approximately 80 acres of public parks and open space, including a segment of the Napa River trail, approximately 550,000 square feet of office/business park/light industrial uses, approximately 40,000 square feet of neighborhood serving retail uses, a 150-unit condominium hotel, and required site and infrastructure improvements. The subject site is located in unincorporated Napa County just south of the City of Napa Rural Urban Limit line (RUL), south of Kaiser Road and adjoining the east side of the Napa River.

Staff of the Department of Conservation, Development and Planning has assessed the application's conformance with criteria included in Board of Supervisors Resolution 05-173, and believes that the Board of Supervisors can make the findings required to initiate processing of the application. Processing will include preparation of a project-specific Environmental Impact Report (EIR) following receipt of multiple additional applications from the project proponent.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	The County Policy Manual (Part 80) and the County's local guidelines for implementing the California Environmental Quality Act (CEQA) require the project applicant to pay for all staff and consultant costs associated with application processing. Anticipated costs and revenues associated with planning applications are included in the Department's annual budget each year.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Board has the discretion whether to approve the application for processing.
Is the general fund affected?	Yes
Future fiscal impact:	None. In future years, the applicant will remain accountable for all staff and consultant costs.
Consequences if not approved:	The application would not be processed and no project-specific EIR would be prepared. As a result, the Board could not consider the proposed General Plan amendment except in the context of the General Plan update when the program-level EIR is completed.

Additional Information:

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action, whether to process the proposed General Plan amendment, is not a project as defined by 14 California Code of Regulation 15378 (c) (State CEQA Guidelines). Accordingly, no CEQA review is required at this time.

However, based on a preliminary review of the information submitted with the General Plan amendment application, the Director of Conservation, Development and Planning has determined that the project may have a significant effect on the environment, therefore preparation of an Environmental Impact Report (EIR) will be required to complete review of the General Plan amendment and associated development applications if the Board directs County staff to process the General Plan amendment.

BACKGROUND AND DISCUSSION

BACKGROUND:

Board of Supervisors Resolution No. 05-173, adopted October 11, 2005, establishes the County's local procedures for filing and processing general plan amendments in accordance with California Government Code Section 65358(a). The resolution permits General Plan amendments to be initiated in three ways: (1) by a private individual or group; (2) by the County; or (3) by a citizens initiative.

GENERAL PLAN AMENDMENT INITIATION:

Applications for amendments submitted by private parties may only be processed if filed in the month of March. This is to enable the incorporation of any additional work into the Work Program prepared by the Conservation, Development and Planning Department for the forthcoming fiscal year to ensure compliance with California Government Code Section 65358 which limits the number of General Plan amendments permitted each year. The application for the proposed amendment was filed on March 28, 2007, pursuant to County Resolution No. 05-173. We have received no other applications from private parties.

APPLICATION PROCESSING CRITERIA:

A. General Plan amendments initiated by private parties will only be processed if the Board of Supervisors finds that the amendment is in the public interest and internally consistent with the Napa County General Plan, both among the elements and within each element, and all necessary changes are proposed to maintain consistency per Section 65300.5 of the California Government Code.

Discussion: The proposal would provide additional housing opportunities on land currently designated for heavy industrial uses, with 20% of the units available to affordable households. The proposed development would also reduce pressures to provide housing on agricultural lands and add land to the County's diminishing stock of business park and light industrial properties. The applicant has proposed amendments to several General Plan elements, maintaining internal consistency. The proposed amendment includes language that is either found in or is consistent with the County's proposed General Plan update. The proposed text amendment is attached as Exhibit 2.

B. General Plan amendments filed by private individuals will only be processed if the Board of Supervisors determines that the amendment complies with Section A, above, and criteria B(1) and/or B(2) and at least one of the criteria listed in B(3) through B(7):

1. All privately initiated text amendment applications submitted must be site specific to enable evaluation of environmental impacts.

Discussion: The proposed text amendment meets this criterion. The proposed text changes are generally specific to the site and include creating the Transitional land use designation for the site (as contemplated in the General Plan update), as well as policies and objectives addressing affordable housing and growth management.

2. All privately initiated map amendment applications must include a development plan of sufficient detail to determine potential impact on the site and surrounding area.

Discussion: The development plan includes sufficient detail to meet this criterion. The proposal is to provide 3,200 attached housing units, 80 acres of open space, 550,00 square feet of office/business park/light industrial, 40,000 square feet of neighborhood serving retail, a 150-unit condominium hotel, and roadway network. While additional applications and more specific information will be needed in the course of the County's review of this proposal, the applicant has provided sufficient detail for an assessment of potential impacts associated with the proposed General Plan amendment.

3. If the proposed amendment involves a parcel or parcels within an urban area, the proposed amendment should be designed to specifically increase the availability of affordable housing within designated urban areas of the County.

Discussion: The project site was previously developed with a heavy industrial use and is bordered on three side by lands designated for business park/light industrial uses located within the City of Napa. The proposal provides that 20% of the units constructed will be affordable.

4. The proposed amendment will maintain the availability of affordable housing, at least at the current level.

Discussion: See #3, above.

5. If the proposed amendment involves a parcel or parcels within a rural area, the proposed amendment should be specifically designed to enhance or promote the long-term viability of agriculture or related industries.

Discussion: The project site is within an urbanized area of the County and is currently designated for heavy industrial uses. The proposed General Plan amendment will not impact agricultural lands.

6. The proposed amendment should either be specifically designed to promote the long term integrity of the County's agricultural, watershed and open space lands, or, if dealing with areas designated for non-agricultural uses, to not impair the long term integrity of the Agricultural Preserve and agricultural, watershed, and open space lands.

Discussion: See #5, above.

7. If the proposed amendment involves a parcel or parcels within an urban designation, the amendment should promote the concentration of growth in designated urban areas and not adversely impact traffic circulation or sewer and water facilities/services, or can show that these services are adequate.

Discussion: The proposal concentrates growth within an urbanized area of the County as defined by the County's official Land Use Map, which is included in the General Plan. Potential adverse impacts and the potential need for additional facilities/services will be addressed as part of the EIR process.

SUPPORTING DOCUMENTS

A . Applicant's submittal packet

B . Applicant's graphics

CEO Recommendation: Approve

Reviewed By: Helene Franchi