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Agenda Date: 1/16/2013

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Charlene Gallina for Hillary Gitelman - Director
Planning, Building and Environmental Services

REPORT BY: Chris Cahill, Land Planner - 707.253.4847

SUBJECT: Lands of Corey - Tentative Parcel Map No. P11-00045, Variance No. P12-00235, and
Conservation Regulations Use Permit Exception No. P12-00388.

RECOMMENDATION

KATHY A. COREY / LANDS OF COREY - TENTATIVE PARCEL MAP APPLICATION No. P11-00045, VARIANCE APPLICATION No. P12-00235, and CONSERVATION REGULATIONS USE PERMIT EXCEPTION APPLICATION No. P12-00388

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Biological Resources, Cultural Resources, Geology and Soils. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code §65962.5.

Requests: A **tentative parcel map** to divide an approximately 660 acre property, presently consisting of two parcels, into four parcels of 160.8, 161.9, 178.9, and 161.7 acres in size. Tentative parcel map approval includes waiver of the Napa County Code ("NCC") §17.34.020 (H) requirement for secondary parcel access. The proposed tentative map includes proposed road alignments and residential building envelopes for each resulting parcel, portions of which may ultimately be developable by-right. A **variance** to allow the creation of lots which do not strictly comply with the width to depth requirements of the County's parcel design standards (NCC §18.104.110 {D}). A **Conservation Regulations use permit exception** to allow the encroachment of access drives into required stream setbacks (45' to 85' required, 20' and up proposed). In their current configuration, the subject parcels are 622 acres (APN 033-210-016) and 41.6 acres (APN 033-210-014) in size. They are accessed from Scally Lane, a private road running east from Gordon Valley Road beginning approximately 1 ¼ miles north of its intersection with Wooden Valley Cross Road, within the AW (Agricultural Watershed) zoning district. No address is presently assigned, Scally Lane, Napa, Calif., 94558.

Staff Recommendation: Adopt the mitigated negative declaration and approve the tentative parcel map, variance, and conservation regulations exception, all as conditioned.

Staff Contact: Chris Cahill, (707) 253-4847 or chris.cahill@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the project mitigated negative declaration and MMRP, based on Findings 1-5 of Exhibit B;
2. Approve Conservation Regulations Use Permit Exception No. P12-00388 based on Findings 6-12 of Exhibit B;
3. Approve Variance No. P12-00235 based on Findings 13-17 of Exhibit B; and
4. Approve Tentative Parcel Map No. P11-00045, including a waiver of secondary access, based on Findings 18-24 of Exhibit B and subject to the recommended conditions of approval (Exhibit C).

Discussion:

The applicant requests approval of a tentative parcel map and variance to allow the merger and re-division of two existing undeveloped parcels, presently sized at 622 and 41.6 acres, into four new parcels. The newly created parcels would be 160.8, 161.9, 178.9, and 161.7 acres in size. A variance is required to allow two of the resulting parcels to exceed the five to one length to depth ratio required by a rarely-applied portion of the County's Zoning Code. An exception from the stream setback requirements of the Conservation Regulations is requested to allow an existing access drive to be widened and paved in-place, instead of being relocated upslope to a more erosion-prone area. At the request of the Department of Fish and Wildlife (formerly Fish and Game), the applicant has committed to restoring a disturbed on-site riparian area equal to the approved encroachment into Conservation Regulations stream setbacks. Staff recommends approval of the project as mitigated in the project initial study/mitigated negative declaration and with departmental conditions addressing driveways and access.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Biological Resources, Cultural Resources, Geology and Soils. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code §65962.5.

BACKGROUND AND DISCUSSION

Please see Exhibit A (attached).

SUPPORTING DOCUMENTS

- A . Exhibit A - Background
- B . Exhibit B - Findings
- C . Exhibit C - Conditions
- D . Departmental Conditions
- E . CEQA Documents (ISMND, MMRP, PRS)
- F . Department of Fish and Wildlife Comments
- G . Additional Environmental Commitments
- H . Submitted Application Materials
- I . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell