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Agenda Date: 2/7/2018

Agenda Placement: 8C

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission

**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Emily Hedge, Planner II - 259-8226

**SUBJECT:** General Plan Consistency Analysis - NVUSD Proposed Relocation of Stone Bridge Elementary School

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### **RECOMMENDATION**

**General Plan Consistency Analysis:** Staff presentation and request for the Commission to send the attached letter to Napa Valley Unified School District (NVUSD), in compliance with Public Resources Code Section 21151.2 and State Government Code Section 65402. This General Plan Consistency Analysis is intended to determine if using the parcel for a school is consistent with the policies of the Napa County General Plan and to provide analysis to the NVUSD School Board as to the consistency of the property with Napa County land uses and development standards. The Planning Commission's recommendation on the suitability of the site is advisory, and the District is not bound to a particular course of action based on the Planning Commission's recommendation.

**Staff Recommendation:** Take public testimony after Staff presentation and provide direction to staff regarding the draft letter and attached analysis.

**Staff Contact:** Emily Hedge, Planner II; 707-259-8226; emily.hedge@countyofnapa.org

### **EXECUTIVE SUMMARY**

On January 11, 2018, the County received a letter (dated January 4, 2018) from the Napa Valley Unified School District (NVUSD) providing notification, pursuant to Government Code Section 65402 and Public Resources Code Section 21151.2, of the NVUSD's intent to acquire real property located within unincorporated Napa County for the relocation of the existing Stone Bridge Charter Elementary School. In compliance with the above code sections, this General Plan Consistency Analysis is intended to determine if using the parcel for a school is consistent with the policies of the General Plan designation and to provide a recommendation to the NVUSD as to the acquisition of the property.

The County is not the approving body on this project, although the school will be required to obtain some permits through the County. With this recommendation the County also seeks to provide information to the NVUSD on topics that should be considered during their environmental analysis and to alert them to the potential need to obtain County permits for some components of the development and site improvements. The County would be a Responsible Agency under the California Environmental Quality Act (CEQA) and have the opportunity to review and comment on the environmental document.

Today's presentation will provide a summary of the analysis conducted and the public comments and input received as of January 31, 2018. Included in Attachment A is a draft of the letter and analysis that Staff intends to send to the NVUSD Board.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Statutorily Exempt under CEQA Guidelines Section 15262. A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities.

### **BACKGROUND AND DISCUSSION**

#### **Procedural Considerations:**

On January 11, 2018, the County received a letter (dated January 4, 2018), included as Attachment B, from the NVUSD providing notification, pursuant to Government Code Section 65402 and Public Resources Code Section 21151.2, of the NVUSD's intent to acquire real property for the relocation of the existing Stone Bridge Charter Elementary School. The proposed site is located at 5266 Old Sonoma Road, Napa; Assessor's Parcel Number: 047-110-018. The letter announced the proposed purchase of the land only; no other details about the school were provided nor reasons for the proposed relocation of the school.

Public Resources Code Section 21151.2 requires a school district to notify the local Planning Commission having jurisdiction of its intention to acquire title to property for use as a school site. The Code requires the Planning Commission to investigate and evaluate the proposed acquisition and submit a written report of the investigation, together with recommendations, to the Governing board of the school district within 30 days of the request. If the report does not recommend acquisition of the property for a school site, the Governing Board of the school district shall not acquire title to the property until 30 days after the Planning Commission's report has been received. The full text of the code section is included in Attachment C.

Government Code Section 65402 requires a school district, prior to acquiring property, disposing of any real property, or authorizing construction of a public building, to submit the location, purpose, and extent of such acquisition, disposition, or public building to the Planning Agency having jurisdiction for its review as to conformity with the local General Plan. The Planning Agency shall render its report within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body. The full text of the code

section is included in Attachment C.

This General Plan Consistency Analysis is intended to determine if using the parcel for a school is consistent with the policies of the Napa County General Plan and to provide input to the NVUSD Board as to the acquisition of the property. Staff has included a draft copy of the response letter to NVUSD and "Exhibit A - General Plan Consistency Analysis NVUSD Proposed Relocation of Stone Bridge Elementary School" as Attachment A. The Planning Commission's recommendation on the suitability of the site is advisory, and the NVUSD is not bound to a particular course of action by the Planning Commission's recommendation.

The County is not the approving body on this project, although the school will be required to obtain some permits through the County. With this recommendation the County also seeks to provide information to the NVUSD Board on topics that Staff believes should be considered during the environmental analysis and to alert the NVUSD to the potential need to obtain County permits for some components of the development and site improvements. The County would be a Responsible Agency under CEQA and have the opportunity to review and comment on that document once it is prepared and submitted for public review.

**Property Owner:**

APN 047-110-018  
5266 OSL LLC

**Zoning and Land Use Designations:**

General Plan Designation

Designation - Agricultural Resource (AR)

General Uses - Agriculture, processing of agricultural products, single-family dwellings

Zoning Code

Designation - Agricultural Watershed (AW) County Code Section 18.20.010

General Uses - Agricultural, residential development, wineries.

**Site and Surrounding Property Characteristics:**

The site is currently vacant, but was developed with a residence, accessory structures, septic system, well, associated residential development, and contains an irrigation pond. The remainder of the property is undeveloped. The buildings and septic system were demolished in December 2017, and a new well was drilled in March 2017.

Properties surrounding the proposed school site generally consist of rural residential development, agricultural uses, and limited commercial areas.

North: Rural residences and agricultural parcels (vineyards).

South and directly East: Carneros Inn Resort.

East: Agricultural parcels (east of adjacent Carneros Inn Resort parcel)

West: Rural residences and Wright Corner (limited commercial) at the intersection of Old Sonoma Road and Old Sonoma Highway. The nearest residence is approximately 175 feet from the western property line.

**General Plan Policies Related to Agricultural Preservation and Land Use:**

Given the quick turnaround required by the Statutes, Staff believes the most efficient and timely method of responding to the NVUSD Board is to submit a letter summarizing the Planning Commission's actions on this matter. For the Commission's review and discussion, staff has included a draft letter, Attachment A, which includes a table detailing relevant General Plan policies and Staff's corresponding analysis. The following is a discussion of

some of the key policies contained in that table:

The General Plan contains specific goals and policies related to agricultural land and the importance of protecting of those lands (Goals: AG/LU-1 and AG/LU-2; Policies: AG/LU-2, AG/LU-4, AG/LU-12, AG/LU-20, and AG/LU-21). The intent of the Agricultural Resource (AR) designation is to identify areas in the valley and foothill areas of the county: in which agriculture is, and should continue to be, the predominant land use; where uses incompatible with agriculture should be precluded; and, where the development of urban type uses would be detrimental to the continuance of agriculture and the maintenance of open space. The AR designation also protects the economic and aesthetic attributes and assets of Napa County. General uses with the AR Designation include agriculture, processing of agricultural products and single-family dwellings. The proposed school use is not among those listed as general uses for the site's General Plan designation (AG/LU-122.a. and f., AG/LU-123.b.). Use of the property as a school would remove the potential future use of the land for agriculture and processing of agricultural products, two of the primary uses associated with the AR designation. It should be noted that the existing school site is also located on agricultural land. Although the future use of the existing school site has not been confirmed by NVUSD, with the relocation of the school, there is potential for the existing 9.78 acres campus to be returned to an agricultural use.

As discussed in the Napa County General Plan, the County is to work with the school districts serving students in the County to coordinate the provision of school facilities in conjunction with demographic changes and student populations, and encourage incorporated jurisdictions to reserve school sites within their boundaries (AG/LU-120) to serve these educational needs. Residential development in the nearby area is limited and consists of rural residences on large parcels. The existing school is located approximately 1.7 miles south of the proposed site and it is Staff's understanding that the relocated school would continue to serve the same student body and general population.

The review of site access, transportation facilities, utilities, and hazardous conditions (AG/LU-122.d. and e.) is provided in general terms due to the limited information provided by NVUSD. Staff's concerns include access and traffic as Old Sonoma Road is a major commuter road, serving a limited number of residences and agricultural properties on the road. The relocated school could result in: levels of traffic inconsistent with the current and planned rural agricultural uses; and, a substantial increase in traffic and back-ups on the road, which could pose hazards to school employees and students as well as local residents and commuters. Dependent on the resulting level of traffic, installation of an extended left-turn lane may be required. There are no sidewalks on Old Sonoma Road, therefore the location is not conducive to pedestrian and/or other non-vehicular travel. It is anticipated that continued busing in of students from cities and other neighborhoods will be necessary. Finally, it is noted that the school will be required to install a septic system, new well, and public water system. These systems would be regulated through the County Environmental Health Division or the State Water Resources Control Board depending upon the system size.

#### **Other Considerations – Potential Impacts:**

As discussed in the Background Information section above, the County would be a Responsible Agency under CEQA and, thus, would have the opportunity to review and comment on the environmental document. The following is a preliminary list of topics identified by the County that should be considered and analyzed: Agricultural Impacts; Hydrology; Water Availability (Quantity/Quality); and Traffic/Circulation. Additional detail is included in the letter (Attachment A).

#### **Reviewing Agency/Department Comments:**

The following County divisions and departments reviewed the site and proposed use: Engineering; Environmental Health; Public Works; CalFire; and the Agricultural Commission. Their comments are included in the attached correspondence (Attachment A).

**Next Steps:**

The Commission should discuss Staff's analysis and direct Staff to prepare any edits or modifications to the letter and/or attachments. Staff will then send the letter to the NVUSD Board. As noted above, the Planning Commission's recommendation on the suitability of the site is advisory. Staff's analysis is based on the limited information provided to date and in some cases the lack of details regarding the school use has resulted in a finding of potential inconsistency.

**SUPPORTING DOCUMENTS**

- A . Response Letter to NVUSD - Draft for PC Review
- B . NVUSD Notification Letter 1-4-18
- C . Public Resource and Government Code Sections
- D . Graphics

Napa County Planning Commission: Approve

Reviewed By: Vincent Smith