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Agenda Date: 3/5/2014

Agenda Placement: 8A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for Pete Parkinson - Interim Director
Planning, Building and Environmental Services
REPORT BY: SHAVETA SHARMA, PLANNER III - 707-299-1358
SUBJECT: Mosser Residence Use Permit Exception P13-00389

RECOMMENDATION

MOSSER RESIDENCE – NEVEO AND MARLO MOSSER, CONSERVATION REGULATION USE PERMIT EXCEPTION #P13-00389-UP

CEQA Status: Negative Declaration Prepared. According to the Negative Declaration, the proposed project would not have a potentially significant environmental impact. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of an "Exception" to the Conservation Regulations in the form of a Use Permit (P13-00389), Napa County Code 18.108.040(A) to allow the construction of a pool and pool house on a slope over 30%. The following components have been specifically included under this request: 1) grading work on slopes exceeding 30%; 2) construction of a pool house approximately 1,130 square feet in size; and 3) construction of a pool 42 feet in length and 18 feet in width. The project is located on a 65.46-acre parcel and accessed via a private driveway located off Monticello Road; 90 Longhorn Ridge Road; Napa, CA 94558; APN: 032-170-038.

Staff Recommendation: Adopt the Negative Declaration and approve the project with attached conditions of approval.

Staff Contact: Shaveta Sharma, Planner; (707) 299-1358; shaveta.sharma@countyofnapa

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Negative Declaration for the Mosser Residence Use Permit application based on Findings 1-6 of Exhibit A; and
2. Approve an Exception to the Conservation Regulations in the form of a Use Permit (P13-00389) based on Findings 7-18 of Exhibit A and subject to the Conditions of Approval (Exhibit B).

Discussion:

The projects consists of a request to allow grading on slopes averaging over 30%. The project also includes the construction of a pool house (approximately 1,130 sq.ft. in size) and a pool 42 feet in length and 18 feet in width. It should be noted that new construction of related accessory structures for an existing single family residence is allowed by right (ministerial permit) on any legal lot in Napa County provided that the applicant can demonstrate provision of adequate water, wastewater and access. However, on highly constrained properties such as this, County regulations often trigger additional discretionary review such as Conservation Regulations Use Permit Exception or a Viewshed Application. Staff has reviewed and determined that the proposed project as designed will minimize any adverse impacts on the site, and, therefore, supports approval of the exception to the Conservation Regulations as conditioned.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration Prepared. According to the Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Property Owner: Neveo and Marlo Mosser; 90 Longhorn Ridge Road; Napa CA, 94558; nmosser@mosserco.com

Representative: Rangel Gonzales; 1090 Shetler Avenue; Napa CA, 94559; 707-974-9261;
rangel@stillwatercivil.com

Zoning: Agricultural Watershed (AW) District.

General Plan Designation: AWOS - Agriculture, Watershed & Open Space (AWOS).

Application filed: November 5, 2013

Application complete: February 2, 2014

Adjacent Land Uses: (AW Zoning)

North - Single family residences on large lots and vacant land.

South - Single family residences on large lots and vacant land.

East - Single family residences on large lots and vacant land.

West - Single family residences on large lots and vacant land.

Property History:

A four bedroom single family residence, including a garage, barn, well, water storage tanks, leach fields, and septic system, were constructed by the applicant in 2006 and currently exist on the property.

Compliance History:

No code violations have been recorded for the property.

Discussion Points:

Project Setting - The project site is located on the southeastern margin of Napa Valley. The property is comprised of 65.46-acres of land which is accessed via a private community driveway. The existing single family residence, including a garage, barn, well, water storage tanks, leach fields, and septic system, were constructed by the applicant in 2006 on the property and is tucked within the natural landscaping for the property. Topography at the property is generally comprised of a moderate to steep west facing slope. The majority of the parcel slopes exceed 30%.

Design, Layout, & Materials - The proposed building pad, about a half-acre in area, is located north of the existing residence. The proposed site will be located about 350 feet east of one single family residence and has an average slope of 35.8%. The building pad is undeveloped and covered in perennial grasses, bushes, California Buckeye trees are scattered on the hillside. The existing septic system is sufficient to accommodate the pool house and no expansion is required or proposed.

The proposed pool house will consist of a slab on grade foundation and has been designed as a one story structure with a loft area ranging in a building height of 19'6" to 26'-0" to the roof. The architectural design of the pool house will consist of wood siding and composition shingle roof.

Given the location of the proposed pool and pool house on the property, staff has determined that this application is in compliance with the County's Viewshed provisions such that there is no potential for these structures to be visible from Monticello Road since these accessory structures will be located behind the existing single family residence and screened by existing trees on the property.

Conservation Regulation Compliance - Given the steep slopes on the project site there are no better alternative locations for a pool and pool house absent an exception. To minimize the extent of grading, the cut and fill slopes will be 2:1 (horizontal:vertical). The pool house has been designed with its long axis parallel to the contours and the short axis perpendicular to the contours. Furthermore, the building pad site minimizes the need for grading and will not require any new or expanded driveway to serve the pool house. Additionally, the proposed location does not contain any sensitive species, nor will it result in the removal of any Oak trees. However, 28 California Buckeye trees will be removed. Due to the dense tree cover on the entire parcel, any building site would require the removal of some trees. The proposed location would not disturb any Oak Woodlands, nor are California Buckeye trees considered a sensitive species. Furthermore of those 28 trees, approximately half are of six inches in dbh or less. Relative to the number of trees found on the 65.46 acre parcel, the removal of 28 trees is not a significant number of trees.

Greenhouse Gas Considerations - The construction and operation of the proposed project generally will contribute to overall increases in green house gas emissions. In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO₂e)]. This threshold of significance is appropriate for evaluating projects in Napa County.

During our ongoing planning effort, the County encourages project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). The applicant proposes to incorporate GHG reduction methods including: solar panels for pool water heating, new vegetation, energy conserving lighting, water efficient fixtures, and water efficient landscaping. The application's incorporation of the latest California Building Code, Energy Standards, and Water Efficient Landscape Ordinance provisions, as well as, the requirement of "best management practices" during construction will ensure reduction in green house gas emissions.

Consistency with Standards:

Zoning - The project has AW - Agricultural Watershed zoning which allows construction of a pool and pool house by right as an allowed use. Given that the project site is located on slopes greater than 30%, the project requires a use permit exception to the Conservation Regulations (County Code Sections 18.108.040 & 18.108.060) to allow construction.

Engineering Division Requirements - The Department recommends approval with conditions as stated in their Memo dated February 24, 2014.

SUPPORTING DOCUMENTS

- A . Exhibit A-Findings
- B . Exhibit B-Conditions of Approval
- C . Exhibit C- Draft Environmental Document
- D . Division Comments
- E . Application
- F . GhG Checklist
- G . Site photos
- H . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell