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Agenda Date: 4/2/2012

Agenda Placement: 9A

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** Sean Trippi, Principal Planner - 299-1353  
**SUBJECT:** Napa Pipe Project

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### **RECOMMENDATION**

**NAPA PIPE PROJECT: PROPOSED GENERAL PLAN AMENDMENT AND ZONING ORDINANCE AMENDMENT ADDING CHAPTER 18.66 TO THE NAPA COUNTY CODE ENTITLED "NAPA PIPE ZONING DISTRICT," REZONING SOME OR ALL OF APN's 046-400-030 AND 046-412-005 TO THAT DISTRICT, AND SPECIFYING CONDITIONS OF APPROVAL FOR FUTURE DEVELOPMENT IN THE NAPA PIPE ZONING DISTRICT**

**CEQA Status:** A Final Environmental Impact Report (EIR) has been prepared. Prior to adopting a resolution amending the County's General Plan and adopting an ordinance regarding the Napa Pipe Project, the Board of Supervisors is required to review and consider the Final EIR and to certify that the Final EIR has been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and local procedures for implementing CEQA and that the Final EIR reflects the County's independent judgement and analysis.

**Staff Recommendation:** Conduct deliberations and adopt resolutions (1) recommending that the Board of Supervisors certify the Final EIR; (2) recommending that the Board of Supervisors (a) make findings pursuant to CEQA, including adoption of overriding considerations and a mitigation monitoring program, (b) adopt a water supply assessment, and (c) adopt a General Plan Amendment affecting 63 acres of the Napa Pipe site (Assessor's Parcel Number 046-412-005); and (3) recommending that the Board of Supervisors adopt an ordinance rezoning the 63 acre parcel to a Napa Pipe-specific district, adding a new chapter to the zoning code pertaining to development in that district, and specifying conditions of approval for future development in that district.

**Staff Contact:** Hillary Gitelman, Director of Conservation, Development & Planning at 253-4805  
hillary.gitelman@countyofnapa.org or Sean Trippi, Principal Planner at 299-1353 sean.trippi@countyofnapa.org.

**CONTINUED FROM THE MARCH 19, 2012 SPECIAL PLANNING COMMISSION MEETING. THE PUBLIC HEARING WAS CLOSED ON MARCH 19th AND CONTINUED FOR DELIBERATION BY THE PLANNING COMMISSION. BECAUSE THE PUBLIC HEARING IS CLOSED, THE COMMISSION CANNOT CONSIDER ANY INFORMATION, TESTIMONY OR CORRESPONDENCE THAT IS RECEIVED AFTER MARCH 19th AS PART OF THE COMMISSION'S**

**DELIBERATIONS UNLESS THE PUBLIC HEARING IS RE-NOTICED AND RE-OPENED AT A FUTURE DATE.****EXECUTIVE SUMMARY**

The Planning Commission is being asked to make recommendations to the Board of Supervisors about changes to the County General Plan and zoning ordinance related to the Napa Pipe project. In doing so, the Commission will review and consider the Final EIR prepared for the project as well as oral and written comments from interested parties and written materials prepared by County staff, including the following:

1. A written Staff recommendation dated February 10, 2012;
2. A Supplemental Environmental Assessment dated February 10, 2012;
3. A matrix comparing Staff's recommendation to the proposed project and to the Housing Element Alternative;
4. A draft resolution recommending that the Board of Supervisors certify the Final EIR;
5. A draft resolution recommending that the Board of Supervisors (a) adopt CEQA findings including overriding considerations and a mitigation monitoring and reporting program; (b) adopt a water supply assessment; and (c) adopt a General Plan amendment consistent with Staff's recommendation;
6. A draft resolution recommending that the Board of Supervisors adopt an ordinance (a) amending Napa County Code to include a new chapter with zoning regulations to guide development on the 63-acre Napa Pipe site; (b) rezoning the 63-acre site from "Industrial:Airport Compatibility" to "Napa Pipe: Airport Compatibility;" and (c) adopting conditions for future development on the Napa Pipe site.

Staff is not recommending consideration of the applicant's request for project-specific entitlements (e.g. tentative subdivision map, development plan, design guidelines) until after a decision is made regarding the General Plan and zoning designation for the site.

The public hearing on this item commenced on February 21, 2012. At the conclusion of that meeting, the Planning Commission continued the hearing to March 19, 2012. At the conclusion of the March 19th meeting, the Commission closed the public hearing and continued the meeting to April 2, 2012 to allow time for Commission deliberations and decisions.

As explained in the Staff recommendation report dated February 10, 2012, staff's recommended alternative would rezone the 63 acre parcel that lies between the Napa River and the railroad track, and would leave the balance of the site zoned industrial. Construction of 202 dwelling units would be authorized "by right" on the portion of the 63 acre western parcel that is within Airport Compatibility Plan Zone E. Additional dwelling units, up to a maximum of 700- 945, and all other uses would require further approval actions.

The draft resolutions referenced above reflect staff's recommended alternative. If the Planning Commission chooses to recommend a different alternative to the Board of Supervisors, the Commission would need to adopt a motion of intent, request revised resolutions, and continue the item to their regular meeting on May 2, 2012. This would provide staff with sufficient time to prepare revised resolutions reflecting the Commission's recommendations.

Please refer to the original February 21, 2012 staff report for details and background on the proposal and the materials referenced above. All of these materials are also available on the County's website together with the Final EIR, which contains the 2009 Draft EIR and Supplement to the 2009 Draft EIR, comments received on both documents, responses to those comments, necessary changes to the text and analysis of both documents, and technical appendices.

Attached to this report are comments/correspondence received after the March 19, 2012 hearing as well as some

of the materials from the February 21, 2012 staff report for the Commission's convenience. As noted above, the Commission closed the public hearing on March 19th, so correspondence received after March 19, 2012 cannot be considered in their deliberations unless the Commission re-notices and re-opens the hearing at a future date.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: A Final Environmental Impact Report (EIR) has been prepared. Prior to adopting a resolution amending the County's General Plan and adopting an ordinance regarding the Napa Pipe Project, the Board of Supervisors is required to review and consider the Final EIR and to certify that the Final EIR has been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and local procedures for implementing CEQA and that the Final EIR reflects the County's independent judgement and analysis.

### **BACKGROUND AND DISCUSSION**

Please see the Staff Recommendation dated February 10, 2012, attached to the February 21, 2012 agenda item and on the County's website for a summary of the applications on file, the planning process, the staff recommendation, and alternatives.

Additional information is also attached to this report, as described in the Executive Summary section, above.

### **SUPPORTING DOCUMENTS**

- A . Resolution Recommending EIR Certification
- B . Resolution Recommending CEQA Findings, General Plan Amendment
- C . Exhibit A: Draft BOS Findings and Conforming GPA
- D . Exhibit B: Mitigation Monitoring and Reporting Program
- E . Resolution Recommending Zoning Ordinance Adoption
- F . Correspondence
- G . Matrix Comparing 3 Alternatives

Napa County Planning Commission: Approve

Reviewed By: Hillary Gitelman