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Agenda Date: 5/2/2012

Agenda Placement: 9C

Napa County Planning Commission Board Agenda Letter

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

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: Continue the public hearing and accept comments from members of the public who have not previously addressed the Commission on the project, close the public hearing, and 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.

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CONTINUED FROM THE APRIL 2, 2012 SPECIAL PLANNING COMMISSION MEETING.

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, with subsequent hearings on March 19, 2012, and April 2, 2012. The public hearing for May 2, 2012 was re-noticed to allow for additional public testimony and Commission deliberations and recommendations.

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. All materials referenced above are attached to the February 21, 2012 staff report which can be found on the County website. The draft resolutions referenced above reflect staff's recommended alternative and are attached to this staff report as Attachments A through F.

Based on Commission comments received April 2, 2012, staff has also prepared resolutions reflecting the developers proposal which is identified as the "mid-range" alternative in the Draft EIR recommending rezoning 135 acres for mixed-use/residential and industrial/business park uses. The remaining 19-acres would retain its current Industrial zoning and General Plan designation of Study Area. Construction of 202 dwelling units would be authorized "by right" on the portion of the 135 acres that is within Airport Compatibility Plan Zone E. Additional dwelling units, up to a maximum of 1519 - 2,050 (based on the Density Bonus Ordinance), and all other uses would require further approval actions. Draft resolutions reflecting the mid-range alternative are attached to this report as Attachments G through K.

Since the April 2, 2012 meeting, staff has also considered whether the proposed General Plan amendment (for both the staff recommendation and the developer's proposal) could be revised to eliminate changes to Policy CON-51 regarding the use of groundwater. Since the existing policy calls for "discouraging" the use of groundwater for "urbanization" and does not prohibit groundwater use on already urbanized sites, staff believes this change could be accomplished without creating a General Plan consistency problem. If the Commission would like to eliminate the proposed changes to Policy CON-51, staff will request the Commission to

clarify their objectives and also provide input on the section of the draft zoning ordinance requiring a "will serve" letter or evidence that one has been requested and denied.

The applicant has provided a letter addressing the water supply issue which is attached along with other correspondence received after the April 2, 2012 hearing.

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 (63-acre staff recommendation)
- B . Resolution Recommending CEQA Findings, General Plan Amendment (63-acre)
- C . Exhibit A: Draft BOS Findings & Conforming GPA (63-acre)
- D . Exhibit B: Mitigation Monitoring & Reporting Program (63-acre)
- E . Resolution Recommending Zoning Ordinance Adoption (63-acre)
- F . Proposed Zoning Ordinance (63-acre)
- G . Resolution Recommending EIR Certification (mid-range density 2050 units)
- H . Resolution Recommending CEQA Findings, General Plan Amendment (2050 units)
- I . Exhibit A: Draft BOS Findings & Conforming GPA (2050 units)
- J . Exhibit B: Mitigation Monitoring & Reporting Program (2050 units)
- K . Resolution Recommending Zoning Ordinance Adoption (2050 units)
- L . Proposed Zoning Ordinance (2050 units)

M . Applicant Water Supply memo

N . Correspondence

Napa County Planning Commission: Approve

Reviewed By: Hillary Gitelman