



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 7/15/2020

Agenda Placement: 7D

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Brian Bordona for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Jason Hade, Principal Planner - (707) 259-8757
SUBJECT: Nova Business Park South Tentative Parcel Map (File No. P19-00022-TM)

RECOMMENDATION

RON AND K FEDRICK 2011 TRUST / NOVA BUSINESS PARK SOUTH / TENTATIVE PARCEL MAP # P19-00222

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following area: Biological Resources. The project site is not on any of the lists of hazardous sites enumerated under Government Code Section 65962.5.

Request: The project is a request for the approval of a Tentative Parcel Map to subdivide one existing 20.23 acre parcel to create 11 (eleven) new parcels ranging in size from 0.91 to 2.81 acres. The project includes street and infrastructure improvements including 2 (two) new cul-de-sac roadways accessed from Devlin Road. The project is located within the IP:AC Industrial Park/Airport Compatibility Combination District; specifically zone D, the Common Traffic Pattern airport zone and has a General Plan land use designation of Industrial.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the Tentative Parcel Map, as conditioned.

Staff Contact: Jason R. Hade, Principal Planner (707) 259-8757 or Jason.hade@countyofnapa.org

Applicant: Nova Business Park LLC, P.O. Box 4050, Napa, CA 94558 Phone: (707) 332-3385

Applicant's Representative: Carl Butts, P. O. Box 140, Napa, CA 94559 (707) 694-9479 or cbutts@cabengineering.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) based on recommended Findings 1-7 in Attachment A; and
2. Approve Tentative Parcel Map No. P19-00022 based on recommended Findings 8-14 in Attachment A, and subject to the recommended conditions of approval in Attachment B

Discussion:

The project is a request to subdivide one existing 20.23 acre parcel to create 11 (eleven) new parcels ranging in size from 0.91 to 2.81 acres. The project includes street and infrastructure improvements including two (2) new cul-de-sac roadways accessed from Devlin Road. No specific land uses or buildings are proposed as part of this permit application, however potential building envelopes and parking layouts have been shown for future development of the proposed parcels.

The 20.23 acre vacant project site is located northeast of the Napa County Airport on a flat to gently sloping open grassland. A portion of the site adjacent to Devlin Road (approximately 1.25 acres in size) was graded as a result of roadwork associated with the construction of the connection between Devlin Road and Gateway Drive. According to the geotechnical report prepared for the proposed project, a few feet of fill was placed on the western portion of the project site in the late 1980s. The site has been designated for industrial development for several decades, and is the final phase of the Napa Valley Gateway Business Park within the Airport Industrial Area Specific Plan. The Geotechnical Feasibility Report prepared by Miller Pacific Engineering Group, dated February 22, 2006, states that the FEMA flood maps show that the site is located outside of both the 100 and 500-year flood zones. According to the CalFire Hazard Map, the subject parcel is located in a high fire severity zone.

An unnamed blue-line stream is located near the middle of the subject project site and flows west toward the Napa River. According to United States Geological Survey (USGS) Maps, the unnamed blue-lined stream originates within the subject property and then runs approximately one mile west to its confluence with the Napa River. Due to the limited size of the watershed upstream and the very low slopes in the area, the stream does not have a well-defined channel and is best described as a swale. The proposed tentative map includes new improvements within the stream channel including a sanitary sewer line that would cross the blue-lined stream and two proposed storm drain outlets near the upper banks of the stream. The proposed sanitary sewer line would connect to the public sewer main approximately 2,000 feet to the southwest of the existing project parcel (at the southwestern corner of APN 057-210-002). All local, state, and federal permits for stream alterations would be required to be obtained at the time of any development proposals.

The project site is in close proximity of the Napa County Airport and is located within Zone D, the Common Traffic Pattern airport zone. This is an area that is routinely overflowed by aircraft operating to and from the airport with frequent single-event noise intrusion.

Based on the reasons stated above, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following area: Biological Resources. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner/Applicant: Nova Business Park LLC, P.O. Box 4050, Napa, CA 94558 Phone: (707) 332-3385

Applicant's Representative: Carl Butts, P. O. Box 140, Napa, CA 94559 (707) 694-9479 or
cbutts@cabengineering.com

Zoning: IP:AC Industrial Park/Airport Compatibility Combination District

General Plan Designation: Industrial

Filed: January 30, 2019; **Resubmittals Received:** May 2, 2019; November 21, 2019; **Deemed Complete:** April 23, 2020

Property Area: 20.23 acres

Adjacent Zoning/Land Use:

North: Devlin Road and CalTrans Right-of-Way for State Highway 29

South: IP:AC Office/Warehouse/Industrial. The Parcels located to the south of the subject parcel (APNs 057-210-002, 057-020-006, 017, 018, & 020) have been approved for the development of a resort with associated restaurant and meeting rooms.

East: Devlin Road and CalTrans Right-of-Way for State Highway 29

West: IP:AC – Office/Warehouse/Industrial

Proposed Structural Development: No specific land uses or buildings are proposed as part of this permit application, however potential building envelopes and parking layouts have been shown for future development of the proposed parcels.

Parcel History:

The project site is undeveloped and is accessed from Devlin Road. The parcel was approved for an 11 parcel

subdivision in 2006, however the project was not initiated and the map has since expired.

Code Compliance History:

None. There are no open or pending code violations for the site. The County is not aware of any compliance issues on the property and no complaints have been filed.

Discussion Points:

Biological Resources: Project site-specific studies have been performed and submitted that examined the site for the presence of special-status species. No special-status species have been found to exist within the project site that would be significantly impacted by the proposed project; however the analysis did identify potentially suitable habitat. Because of this, the project revision statement requires additional preconstruction surveys in order to assure avoidance of, or potentially mitigate, any potentially significant impacts. Portions of the site have been previously graded. The Current project includes constructing road improvements within the upland areas of the project parcel. With the exception of drainage outfalls and sewer and utility trenches which require State and Federal approval as agreed to by the Project Revision Statement, no construction will occur within the blue line stream corridor. Portions of the proposed road improvements and landscape plan may involve areas designated as "Waters of the U.S." All work proposed in these areas shall first acquire State and Federal approval as agreed to by the Project Revision Statement. Therefore, with the incorporation of mitigation measures as identified in the Project Revision Statement, the project would not have a significant effect on biological resources.

Hydrology and Water Quality: The project will not substantially alter the drainage pattern onsite or cause a significant increase in erosion or siltation on or off site. The increased impervious surfaces will cause increased runoff and reduce on-site absorption. However, given the small size of the proposed area and incremental increase in runoff compared to the size of the drainage basin, the increase in runoff is considered less than significant. The project is required to comply with County Engineering Division requirements which are consistent with Regional Water Quality Control Board standards.

Traffic and Circulation: The project site is currently designated for industrial development. Subdivision of the property will not result in a change to the total amount of developable industrial land, nor will subdivision of the property result in any change in traffic. Future development on the site, whether subdivision occurs or not, will be subject to CEQA review of traffic impacts.

Mandatory Findings of Significance: The project will not result in a significant environmental impact. As identified below and in the attached initial study/mitigated negative declaration, the project does not have the potential to: a) degrade the quality of the environment or negatively affect biotic resources; b) significantly contribute to cumulative impacts; c) cause substantial adverse impacts on human beings.

a. No special status species have been found to exist within the project parcel that would be significantly impacted by the proposed project; however additional preconstruction surveys have been deemed necessary in order to assure avoidance of significant impacts and were agreed to by the Applicant in the project revision statement. The project as mitigated will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

b. The project as proposed and with County standard conditions of approval and signed project revision statement will not have a cumulative effect on the environment.

c. All environmental effects from this project have been identified and with the signed project revision statement are found to be less than significant. No other environmental effects have been identified that would cause, either directly or indirectly, adverse effects on human beings.

Planning and Zoning Analysis: Pursuant to Section 17.14.060 of the Napa County Code, the Planning Commission shall deny approval of a tentative map if the map does not meet all of the requirements of the Article or the Commission makes any of the following findings:

1. That the proposed map is not consistent with applicable general and specific plans. A proposed subdivision shall be deemed consistent with the Napa County General Plan and any applicable specific plan the County has officially adopted for the area where the land is located if the proposed subdivision or related land uses are compatible with objectives, policies, general land uses and programs specified by such plan or plans.

Analysis: The project site is designated as Industrial in the adopted Land Use Element of the Napa County General Plan, it is within Light Industrial/Business Park Area of the Napa Valley Business Park Specific Plan, it is within Zone D of the Airport Land Use Compatibility Plan, and it is within the IP:AC Industrial Park : Airport compatibility Zoning District. The project is consistent with the General Plan and Specific Plan designations as well as the IP : AC zoning district regulations that apply to this property. No development is proposed with the tentative parcel map application. Subsequent future development will be reviewed and appraised for consistency with applicable regulations at the time of application.

2. That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.

Analysis: The proposed lot sizes exceed the minimum lot size of 20,000 square-feet. The Specific Plan and the proposed conditions of approval require a comprehensive development plan with coordinated access, public improvements, and landscaping when lots of less than 5 acres in size are proposed. The project would comply with that standard with the proposed grading, utility, and preliminary landscape development plan proposal as part of the comprehensive development plan. The proposed parcel map is consistent with the General Plan and the Napa Valley Business Park Specific Plan.

3. That the site is not physically suitable for the type of development.

Analysis: Proposed lot configurations comply with the standards set forth in the Zoning Ordinance and Specific Plan for industrial development. Subsequent development on the lots will be subject to applicable County regulations in effect at the time of individual lot development.

4. That the site is not physically suitable for the proposed density of development.

Analysis: The existing site is currently designated for industrial development in the General Plan, the Airport Land Use Compatibility Plan, and the Napa Valley Business Park Specific Plan. The site is generally level. Water service would be provided by the City of American Canyon and sewer service would be provided by the Napa Sanitation District. The project site is suitable for industrial development. The extent of potential industrial development on this site will not change as a result of subdivision. The proposed lots exceed the minimum lot size established by the General Plan, Specific Plan, and the Zoning District.

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

Analysis: An Initial Study and Mitigated Negative Declaration were prepared for the project, which finds that the project would not have a significant impact on any special status plant or animal species, wetlands, or wildlife corridors on the subject property or within the immediate vicinity with the incorporation of mitigation measures as identified in the Project Revision Statement. An unnamed blue-line stream is located within the project site. This water feature and other nearby low-lying areas within the project parcel were deemed potential jurisdictional "Waters of the U.S." by the Wetland Delineation report prepared for the project by Zentner Planning and Ecology. Before all work within the designated potential "Waters of the U.S." is commenced, authorization must be acquired from all affected State and Federal agencies as agreed to in the Project Revision Statement. As mitigated, the design of the tentative parcel map would not injure fish or wildlife or their habitat.

6. That the design of the subdivision or the type of improvements is likely to cause serious public health or safety problems.

Analysis: The tentative parcel map is consistent with the requirements set forth in the General Plan, Specific Plan, and Airport Compatibility Plan. Public improvements, including water, sewer, storm drains, streets and sidewalks, will be installed as part of the project. Subsequent construction plans for development on the proposed lots will be subject to Napa County regulations in effect at the time of development which will address geologic hazards, traffic impacts, seismic safety, and fire protection.

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through, or the use of property within, the proposed subdivision.

Analysis: The applicant has granted and will be granting all of the necessary easements for public utilities.

Public Comments – Prior to the publishing of this staff report comments were received from the California Department of Fish and Wildlife dated July 3, 2020 and are included within Attachment I. Staff is reviewing the comments and will provide further recommendation to the Planning Commission regarding how they should best be addressed at the hearing.

Decision Making Options:

As noted in the Executive Summary Section above, staff is recommending approval of the project with conditions of approval as described in Option 1 below. Decision making options also include a no project alternative and a reduced project alternative.

Option 1 - Applicant's Proposal (Staff Recommendation)

Disposition - This option would result in approval of the proposed tentative parcel map. Staff recommends this option as the request is consistent with the Zoning Ordinance, applicable General Plan policies, and other County regulations. Furthermore, adequate utilities (sewer and water service) are available to serve the project and there will be no significant environmental impacts to the site given application of mitigation measures.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant.

Option 2 - Reduced Density Proposal

Disposition – All potential environmental impacts related to biological resources have been found to be less than

significant through a combination of project design, conditions of approval and mitigation measures. Furthermore, the Department of Public Works, the County Fire Department and the Engineering Division have reviewed the proposal and are in support of the request. However, this option provides the Planning Commission the ability to further reduce potential impacts related to biological resources by reducing the requested number of parcels. This could be accomplished by potentially reducing the number of proposed parcels to reduce the project's development density. If the Planning Commission elects to pursue this option, the recommended conditions of approval would need to be amended to reflect the revised lot configuration.

Action Required - Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to require the reduction of the number of parcels. If major revisions of the conditions of approval are required, the item will need to be continued to a future date.

Option 3 - Deny Proposed Project

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of the Tentative Parcel Map, Commissioners should identify what aspect or aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Tentative Parcel Map is not being approved.

Action Required - Commission would take tentative motion to deny the project and remand the matter to staff for preparation of required findings to return to the Commission on a specific date.

Option 4 - Continuance Option

The Commission may continue an item to a future hearing date at its own discretion.

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Initial Study/Mitigated Negative Declaration
- D . Tentative Parcel Map Application Packet
- E . Biological Reports
- F . Geotechnical Report
- G . Stormwater Control Plan
- H . Graphics
- I . Public Comments

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona