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Agenda Date: 9/16/2009

Agenda Placement: 9B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Mary M Doyle, Planner - 299-1350
SUBJECT: Markham Vineyards / David Flanary - Tentative Parcel Map #P09-00150-PM

RECOMMENDATION

MARKHAM VINEYARDS / DAVID FLANARY - TENTATIVE PARCEL MAP #P09-00150-PM

CEQA Status: Negative Declaration prepared. According to the proposed Negative Declaration, the proposed project does not have any potential for significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a tentative parcel map to subdivide an existing 86.3 acre parcel into two parcels: one parcel of 42.7 acres and the other of 43.6 acres. The existing parcel is located at the north end of Napa Nook Road approximately 600 feet north of its intersection with Madison Avenue and within the Agricultural Preserve (AP) zoning district. (Assessor's Parcel Number: 027-411-001) Yountville.

Staff Recommendation: Adopt the proposed Negative Declaration and approve the Tentative Parcel Map with conditions of approval.

Staff Contact: Mary Doyle, 299-1350, mdoyle@co.napa.ca.us

EXECUTIVE SUMMARY

Proposed Action:

1. That the Planning Commission adopt the Negative Declaration for the Markham Vineyards Tentative Map, based on findings 1-6 of Exhibit A (attached);
2. That the Planning Commission approve Tentative Parcel Map P09-00150 based on findings 7-13 of Exhibit A and subject to the Conditions of Approval contained in Exhibit B.

Discussion:

The project consists of subdividing a 86.3 acre parcel into two parcels. One at 42.7 acres and the other at 43.6 acres. The existing 86.3 acre parcel is a producing vineyard. There will be no change in the land use. Both new parcels shall remain vineyard. No change in land ownership will occur. The project site is located northwesterly from the terminus of Napa Nook Road. The parcel is zone Agricultural Preserve (AP), and has a Agricultural Resource General Plan designation. The existing well will continue to serve the vineyard. The existing unpaved access serve the existing parcel as well as parcels further north and west. No changes are anticipated for this access. Each parcel has a 2-acre building envelope designated, though no buildings are anticipated. Also designated is an existing vineyard avenue to be a future common access to the two building sites. The location of the existing vineyard avenue is the approximate new parcels boundary, dividing the existing 86 acre parcel in half in a northerly-southerly direction. The minimum parcel size for the AP is 40 acres. The proposed subdivision meets the design requirements of the Napa County Subdivision Ordinance. Staff is recommending approval of the tentative parcel map.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Negative Declaration has been prepared. According to the Negative Declaration, the proposed project would not have any potential for significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Markham Vineyards

Applicant: Markham Vineyards/David Flanary (707-963-5292)

Representative: Christopher Cole, Terra Firma Surveys (707-963-7565).

General Plan Designation: Agricultural Resource (AR), *Napa County General Plan*

Zoning: Agricultural Preserve (AP)

Filed: April 9, 2009

Building Size: No buildings are proposed as part of this application; however a 2-acre building envelope have been designated for each of the two newly created parcels.

Adjacent Zoning / Land Use:

North: Agricultural Preserve/vineyard, rural residential

South: Agricultural Watershed/vineyard, winery, natural habitat

East: Agricultural Preserve/vineyard

West; Agricultural Watershed/vineyard, winery, rural residential, natural habitat

Property History:

The property is developed with vineyards and vineyard avenues. The parcel has been an agricultural production (orchard, vineyard) since the early-mid 1900's and has never had any structural development.

Discussion:

1. The proposal will subdivide a ±86-acre parcel into two parcels of approximately ±42 acres and ±43 acres. No change in land ownership is anticipated. The existing legal parcel is a producing vineyard. Both new parcels shall remain vineyards, and it is anticipated both parcels shall be put in 2 separate Williamson Act contracts.
2. One 2-acre building envelope has been designated on each proposed new parcel. An existing vineyard avenue has been designated as a future common access to the building sites. No new construction is anticipated.
3. Access is some 700 feet north west at the Napa Nook Road terminus. Napa Nook Road is a county paved road and then becomes an unpaved ±20 foot private access to 5 other parcels.
4. Comments and recommendations from various County departments are attached.

Consistency with Standards:

All reviewing departments/agencies have found the project as proposed and conditioned to be consistent with their respective requirements and regulations, findings are attached as Exhibit A.

1. Zoning - Napa County Code Section 18.104.010 states that the minimum lot size in the AP (Agricultural Preserve) zoning district is 40 acres; these parcels meet this standard.
2. General Plan - Policy AG/LU-21 (Agricultural Resource (AR)) intent is to identify areas in the county which agriculture is the predominant land use, requires a minimum parcel size of 40 acres. These parcels meet this intent.
3. Building/Fire Code - No building construction is contemplated. However, any future proposals will need to comply with applicable California Building Code, and other applicable standards, regulations, codes such as Fire Code requirements including but not limited to emergency water supply, fire protection systems, and proper addressing.
4. Public Works - No new construction or grading is contemplated. However, any future development must comply with the Public Works department condition of approval memo, and/or applicable requirements at the time of new construction.
5. Environmental Management - No new construction or septic system is contemplated. However, any future development must comply with the department's conditions of approval memo, and/or applicable requirements at the time of new construction.

SUPPORTING DOCUMENTS

- A . Findings
- B . Conditions of Approval
- C . FIRE comments
- D . Environmental Management Comments
- E . Public Works comments
- F . Building comments
- G . Draft Negative Declaration/Initial Study
- H . Application
- I . Applicant submitted easement
- J . Revised Phase 1 Analysis
- K . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell