



## Legislation Text

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**File #:** 24-758, **Version:** 1

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**TO:** Napa County Planning Commission

**FROM:** Brian D. Bordona, Director of Planning, Building and Environmental Services

**REPORT BY:** Emily Hedge, Planner III

**SUBJECT:** Pridmore Property General Plan Map Amendment, Rezoning, and Use Permit

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### **RECOMMENDATION**

GIL AND CATHY PRIDMORE AND KELLY PRIDMORE / PRIDMORE PROPERTY GENERAL PLAN MAP AMENDMENT P17-00135, REZONE P20-00223, AND USE PERMIT P20-00222

**CEQA STATUS:** Consideration and recommendation that the Board of Supervisors adopt a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. State Clearinghouse No. SCH 2024041065.

**REQUEST:** That the Planning Commission make the following recommendations to the Board of Supervisors:

1. Adopt a resolution to amend the General Plan to change the property's land use designation from Agriculture, Watershed and Open Space (AWOS) to Urban Residential (UR) to facilitate rezoning the property to Commercial Limited (CL);
2. Adopt an ordinance changing the property's zoning district from Agricultural Watershed (AW) to Commercial Limited (CL) which allows for a lodging facility and commercial accessory dwelling unit (caretaker unit); and
3. Approve a new Use Permit for a small short-term rental lodging facility and related accessory uses and structures consisting of: Nine (9) new lodging units; One (1) new caretaker unit; One (1) office building, and use of existing school buildings for guest check-in, office, and storage; a new barn for community gatherings and private events, Four (4) full-time employees; and improvements to existing and installation of new infrastructure. The project is located on a 5.03-acre parcel, located at 1283 Capell Valley Road (Highway 128), Capell Valley, approximately 3/4 of a mile northwest of the intersection of Capell Valley Road and Steele Canyon Road at Moskowite Corner. Assessor's Parcel Number: 032-130-026-000. The parcel is zoned AW and has a general plan designation of AWOS.

**Staff Recommendation:** The Planning Commission recommending the Board of Supervisors (BOS) adopt the

Negative Declaration, adopt the Resolution amending the General Plan, adopt the Ordinance rezoning the property, and approve the Use Permit with the proposed conditions of approval.

Staff Contact: Emily Hedge, (707) 259-8226, [emily.hedge@countyofnapa.org](mailto:emily.hedge@countyofnapa.org)

Applicant Agent Contact: Cameron Pridmore, 1305 Capell Valley Road, Napa, CA 94558, (707) 815-0988, [cameron@cmpengineering.com](mailto:cameron@cmpengineering.com).

## **EXECUTIVE SUMMARY**

Proposed Actions:

That the Planning Commission recommend that the BOS:

1. Adopt the Negative Declaration based on Findings 1-7 of Attachment D;
2. Adopt a resolution to amend the General Plan to change the property's land use designation from AWOS to UR (P17-00135) - (Attachment B);
3. Adopt an ordinance to rezone the property from the AW zoning district to the CL zoning district (P20-00223) - (Attachment C); and
4. Approve Use Permit P20-00222, based on Findings 8-14 of Attachment D and subject to the conditions of approval (Attachment F).

The project is comprised of three separate, but interrelated actions that must be approved to allow a new lodging facility on the parcel. The action is a General Plan amendment to change the land use designation on the property from AWOS to UR. Measure P does not apply to this parcel because the parcel's designation was changed from Rural Residential (RR) to AWOS after September 28, 2007, the date on which parcels with an existing AWOS designation trigger Measure P requirements. The second action is to rezone the property from AW zoning to CL zoning. Lodging facilities and hotels are allowed with a use permit in the CL but not the AW zoning district. The third action is approval of a new use permit to allow the lodging facility and related accessory structures and uses on the property. Because the project requires a General Plan amendment and rezone, these legislative actions must be approved by the Board. The Planning Commission's role is to make an advisory recommendation to the Board. In addition, because the General Plan amendment and rezone are companion actions which are necessary to approve the use permit, the Commission will also make an advisory recommendation to the Board on the use permit and the environmental determination under CEQA (Napa County Code (NCC) Section 18.124.010). Aside from the General Plan amendment and rezone, the Applicant is proposing a short-term lodging facility, consisting of nine (9) individual units/cottages, one (1) caretaker unit, use of existing structures for guest check-in, office, and storage, a new office building, and a new barn for community gatherings and private events. The lodge would be staffed by four (4) full-time employees. Staff recommends that the Commission recommend that the Board approve the three project components, subject to the recommended conditions of approval.

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Consideration and possible recommendation of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

## **BACKGROUND AND DISCUSSION**

Owner: Gil and Cathy Pridmore and Kelly Pridmore

Applicant/Representative: Cameron Pridmore, 1305 Capell Valley Road, Napa, CA 94558

Zoning District: Existing - Agricultural Watershed (AW)

Zoning District: Proposed - Commercial Limited (CL)

General Plan designation: Existing - Agriculture, Watershed and Open Space (AWOS)

General Plan designation: Proposed - Urban Residential (UR)

P17-00135 - General Plan Amendment

Application filed: March 30, 2017

Board of Supervisors Hearing: August 29, 2017, BOS initiated amendment.

P20-00222 and P20-00223 - Use Permit and Rezoning

Applications filed: August 28, 2020

Resubmittals: May 12, 2021; February 9, 2023; July 24, 2023

Applications complete: August 23, 2023

Parcel size: 5.03 acres

Property Setting: The property is located in Capell Valley. The property is set back from Capell Valley Road/Highway 128, approximately 200 to 250 from the centerline of the road. The site is accessed with an existing driveway that crosses through one (1) of the two (2) properties located adjacent to the front property line. The parcel is the former site of the Capell Valley Elementary School. The property is currently developed with four buildings: main schoolhouse, bathrooms building, accessory building, and pump/equipment building. There is a large, paved 17-space parking lot with a loop drive and ADA accommodations, a paved basketball court and playground, a play structure, and a baseball field. The remainder of the property is undeveloped with some grass fields and ornamental trees. Moss Creek runs along the northern edge of the property.

Adjacent General Plan / Zoning / Land Use:

For reference:

General Plan Designations

UR - Urban Residential

RR - Rural Residential  
AWOS - Agricultural, Watershed and Open Space

Zoning Designations

AW - Agricultural Watershed  
CN - Commercial Neighborhood  
CL - Commercial Limited

West - The adjacent 20.4-acre property has split general plan and zoning designations. The southern portion of the property directly adjacent to project site's western property line is RR with CN zoning. This portion contains a construction company and boat storage yard. The portion that extends north of the project parcel is AWOS with AW zoning. The northern area is undeveloped with grass fields and a few clusters of trees.

North, South, East - These properties range in size from two (2) to 163 acres and are designated AWOS with CL zoning. The parcel to the north/east contains approximately 75 acres of vineyards, a residence is on the southwestern property, approximately 200 feet back from the portion of their property line shared with the subject parcel, and Napa County Fire Department Station #14 Capell Valley Station is to the southeast.

South across Capell Valley Road - One parcel (1.08 acres) across the road is designated RR with a CL zoning. This is the site of the original Capell Valley school. The parcel currently has a residence, which is approximately 350 feet from the closest portion of the project property line.

Property History:

- 1898 - The original Capell Valley School was established across Capell Valley Road from the subject property.
- 1958 - The Pridmore family dedicated the subject property to the school district with the new school established shortly afterward.
- 1975 - The Board of Supervisors adopted the initial General Plan Map and Land Use Element designating the subject property and overall Moskowite Corner area as "Limited Urban." By December 1975 the Board had redesignated the Moskowite Corner area to "Transition Area." The subject site and most surrounding properties were also rezoned from Agricultural Watershed Recreation (AWR) to the modern Agricultural Watershed (AW).
- 1982 - The Board of Supervisors re-designated the Transition Areas to Rural Residential (RR).
- 2008 - As part of the 2008 Proposed Land Use Map Amendment (PLUMA) the subject property was re-designated from Rural Residential (RR) to Agriculture Watershed and Open Space (Resolution No. 08-178).
- 2008 - Measure P (an ordinance extending Measure J) became effective. In general, Measure P prohibits the redesignation of AWOS or AR lands to a non-agricultural designation without a vote of the people. Measure P essentially "froze" the land use designation of those parcels that were designated either AWOS or AR as of September 28, 2007, on the Land Use Map. This parcel was changed from RR to AWOS after September 28, 2007, and therefore the AWOS designation was not "frozen" and the lands can be converted without triggering Measure P requirements and a without a vote of the people.
- 2010 - The school district closed the school.
- 2016 - The school district sold the subject property as surplus after considering alternative uses, such as

conversion to a community center or park.

2017 - The Pridmore family filed General Plan Amendment (GPA) request P17-00135 to redesignate the property from AWOS to UR. The Board of Supervisors approved initiation of the GPA at a hearing held August 29, 2017.

2020 - Application P20-00222-UP for the Use Permit and P20-00223-Rezone for the rezone were filed.

Code Compliance History: There are no open or pending code violations for the subject site.

Project Request: The project is comprised of three separate, but interrelated actions or steps. Each component is discussed below.

**Project Request - General Plan Amendment:** The first step is to change the designation of the site on the Land Use Map from AWOS to UR.

A general plan amendment may be initiated by a private individual or group if the Board of Supervisors first finds that the amendment is in the public interest and internally consistent with the Napa County General Plan, both among the elements and within each element, and all necessary changes are proposed to maintain consistency per Section 65300.5 of the California Government Code (Resolution No. 05-173 - Establishing New Procedures for Filing and Processing General Plan Amendments). In 2017 the Pridmore family filed General Plan Amendment request P17-00135. At a Board of Supervisors hearing held August 29, 2017, the Board determined that the criteria and processing requirements of Resolution No. 05-173 were met and directed staff to process the general plan amendment. See Attachment H - August 29, 2017, Board of Supervisors Staff Report.

The amendment is required to enable rezoning of the property to CL zoning to allow for the proposed request to establish and operate a lodging facility under Use Permit application P20-00222. Pursuant to Policy AG/LU-114 and General Plan Table “AG/LU-B: General Plan & Zoning: For Use in Considering Changes in Zoning”, only the Urban Residential (UR) general plan designation is consistent with CL zoning. Hotels and lodges and commercial accessory dwelling units (caretaker unit) are allowed with a use permit in the CL zoning district but are not allowed in the current AW zoning. Therefore, re-designation of the site to UR is the first step to permitting the proposed lodging facility.

Amendments to a general plan must be internally consistent and compatible with the policies throughout the general plan. “A project is consistent with the general plan “if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.” A given project need not be in perfect conformity with each and every general plan policy. To be consistent, a [project] must be ‘compatible with’ the objectives, policies, general land uses and programs specified in the general plan. Because policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes. (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* 87 Cal.App.4th 99, 142.)

The County’s General Plan reiterates this balancing and states that because “policies in the General Plan reflect a range of competing interests, the decision-makers are allowed to weigh and balance the Plan’s policies when applying them, and they have broad discretion to construe the policies in light of the Plan’s purposes”. It

continues, explaining that balance requires the “weighing of pros and cons to achieve an acceptable mix” of land uses, development, and preservation. The policies allow for flexibility and require interpretation by staff and the decision-makers. Staff has reviewed the proposed General Plan Amendment for consistency with the General Plan and determined the project complies with, supports, and/or is not in conflict with said goals and policies. See Attachment E - General Plan Consistency Analysis.

**Project Request - Rezoning:** The second step in the process is to change the zoning designation of the site from AW to CL.

Chapter 18.136 of the County Code outlines the process by which a parcel's zoning district can be changed from one zone to another. In short, upon receipt of a rezoning request, the Planning Commission is required to hold a noticed public hearing. At the close of the hearing, the Commission votes to recommend either approval of, denial of, or modifications to the rezoning request. If the Commission votes to recommend modification or approval, Planning staff submits a written report on behalf of the Planning Commission to the Board of Supervisors and the rezoning ordinance is agendized for a final hearing before the Board and possible adoption. If the Commission votes to deny the requested rezoning, that denial is final unless, "an interested party (e.g., the applicant) requests a hearing by filing a written request with the Clerk of the Board within five days after the Commission files its recommendation with the Board." (NCC Section 18.136.060(C).)

The rezoning is required so that the use permit application is an allowed use in the zoning district. Hotels and lodges and commercial accessory dwelling units (caretaker unit) are allowed with a use permit in the CL zoning district but are not allowed in the AW zoning.

The property meets the intent of the CL zoning which has the following characteristics per NCC Section 18.28.010:

- A. The intent of the CL district classification is to establish areas which will provide the tourist, vacationer and highway traveler with needed uses and services.
- B. Only property designated as urban in the Napa County general plan and which has frontage on a state highway, Silverado Trail, or an arterial county road or county collector road as defined in Sections 18.112.070 and 18.112.080, may be zoned to this classification. In addition, areas proposed for inclusion within the CL district shall have the following characteristics:
  - 1. The parcel is located at or near crossroads on relatively high traffic volume highways;
  - 2. Services (water and sewer) from public utilities are readily available, unless on-site water supply and sewage disposal are adequate;
  - 3. The development of the parcel will not create traffic hazards that cannot be mitigated;
  - 4. The use will not constitute or contribute to strip commercial development.

The project parcel is located directly off Capell Valley Road/Highway 128, accessed via a private driveway through the adjoining parcel. The site is 3/4 of a mile northwest of the intersection of Capell Valley Road (Highway 128) and Steele Canyon Road at Moskowite Corner.

The applicant's engineer has demonstrated through site-specific studies, that the parcel has sufficient water supply to serve the project and that the on-site wastewater system, with improvements and minor expansions, will have the capacity to serve the project. The Focused Traffic Study found that the project will not create hazards through the continued use of the existing driveway, the design of the internal circulation, or the new use

of the property. A small lodging facility is not a use generally considered strip commercial development. The adjacent properties are already developed with commercial, residential, and agricultural uses and therefore the rezone is consistent with surrounding areas and uses.

The proposed lodging facility has been designed to comply with the requirements of the CL zoning including setbacks and landscaping screening. Per NCC Section 18.104.010 (Schedule of zoning district regulations), the CL zoning does not have minimum yard setbacks but instead setbacks are determined on a case-by-case basis, based on the site's proposed development and adjacent land uses. The applicant has proposed a 20-foot setback from the side and front yards. The rear property line is adjacent to Moss Creek, which the applicant has proposed a 45-foot setback to comply with the Conservation Regulations (NCC Section 18.108) minimum 45-foot setback from the top-of-bank of the stream based on the associated topography. All proposed development and site improvements would be located outside of this setback. The CL zoning designation (NCC Section 18.28.050) requires landscaping in the yard setbacks. The trees that are currently planted along the property lines will remain and additional trees will be added to increase the landscaping.

**Project Request - Use Permit:** The third step is approval of a use permit to allow a new small, short-term lodging facility, with a barn and agricultural area, and buildings for use by guests and for community gatherings and private events. New development would include the individual lodging units, a caretaker unit, and one office/storage building. Improvements to existing infrastructure would be completed to support the new use.

**Lodges -** The nine (9) small lodging units would be located on the northern and eastern side of the property. Sample proposed units include one-story and two-story versions, ranging in size from 400 s.f. to 600 s.f.

**Caretaker unit and office/storage building -** The office/storage building (approximately 600 s.f.) and caretaker unit (approximately 1,200 s.f.) would be located adjacent to the western side of the school buildings, on an existing gravel building pad. The caretaker unit qualifies as a commercial accessory dwelling unit per NCC 18.28.030.M.

**Existing structures -** The facility would keep the existing schoolhouse and accessory structures, modifying them as necessary to support the proposed use. Buildings would be repurposed as guest check in, communal guest space, and back-of-house.

**Community gatherings and private events barn area -** The proposed agricultural area would be an approximately 0.10-acre area, fenced off in the southwest corner of the site. A small barn, or similar structure, would be constructed and this space would be used for a limited number of community gatherings or private events (see below). The property has historically been used on occasion by community groups such as 4-H and local agricultural groups.

**Employees -** The project proposes four (4) full-time employees to manage the site.

**Events -** The project anticipates annual events including six (6) events with a maximum of 150 people and 12 events with a maximum 60 people. While the school was operational, and continuing since then, the site has been used for small community gatherings and private events. The proposed events are considered equivalent to what has been occurring historically. Amplified music would not be permitted on site for daily use or during events. The project applicant will be required to comply with project Condition of Approval No. 4.2 which states that there shall be no amplified sound system or amplified music utilized outside of approved, enclosed, buildings.

**Noise -** The closest offsite residence is located on the parcel that borders the project site to the southwest. The

residence is situated in the western corner of the property, approximately 200 feet back from the portion of the property line shared with the subject parcel. The existing and proposed development are located an additional 50 to 250 feet from this portion of the property line. The existing fencing would remain around the property and additional landscaping will be installed around the perimeter of the property.

Landscaping - Decorative trees would be planted around the individual units, providing screening between the units and the existing development and the adjacent properties. To comply with the CL zoning requirements the trees that are currently planted along the property lines will remain and additional trees will be added to increase the landscaping buffer and screening. In compliance with County General Plan Policy AG/LU 15.5, the applicant will be required to maintain this landscaping setback in order to preserve a buffer with the adjacent agricultural use and avoid potential land use conflicts (Condition of Approval No. 6.16.f).

Parking / Traffic / Vehicle Miles Traveled (VMT) - There is a large paved 17-space parking lot with a loop drive and ADA accommodations. The existing parking lot would remain for use by guests and employees. Improvements would be made as necessary to comply with the CL zoning parking requirements and the Napa County Road and Street Standards. A Focused Traffic Study, prepared by W-Trans, dated November 4, 2021, analyzed trip generation, sight distance, access safety, and pedestrian, bicycle, and transit services. The Traffic Study utilized the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, 2017, calculating that the project would generate approximately 30 daily trips. The ITE Manual estimates approximately 10 daily trips associated with a residence (caretaker unit), however if the unit is occupied by an employee, as is planned, daily trips would be reduced. The largest event of 150 guests, could occur up to six (6) times per year. Using the standard Napa County vehicle occupancy rate that is typically applied to winery events of 2.8 persons per vehicle, the guests would be expected to result in approximately 54 vehicles or generate 108 daily trips. The southeast corner of the property, a flat grassy field, could be used for overflow parking during events. Although not allowed to be considered for evaluating impacts under CEQA, for comparative purposes, the historical trip generation for the previous use of the site as an elementary school was investigated. Based on standard ITE rates for “Elementary School” (LU #520) with an enrollment of 90 students, the site would have been expected to generate an average of 170 trips on a typical weekday. As a school, the site would have been expected to generate few trips on weekend days outside of the events that were held at the property. The TIS Guidelines state that if a new project would generate less than 110 net new daily passenger vehicle and truck trips the project is presumed to have a less than significant environmental impact for VMT.

Groundwater Availability - A Water Availability Analysis (WAA) Tier 1, Tier 2, and Tier 3 analyses were prepared per the County’s WAA Guidelines and the Interim Well Permitting Standards (January 2024). The property is served by an existing well (Project Well) and 10,000-gallon storage tank. The Project Well is located on the general southeastern end of the property.

The WAA prepared by CMP Civil Engineering, dated February 9, 2023, includes a Tier 1 Study that estimates the water demand associated with the proposed project. The proposed uses included in the calculation are: four (4) full time employees, four (4) single bedroom lodging units, five (5) double bedroom lodging units, one (1) caretaker unit, large events of 150 people, small events of 60 people, and landscaping. Estimates for the lodging facility are based on wastewater flow calculations. The estimated annual groundwater use is 3.20 acre feet.

CMP Engineering utilized the “water balance” method to calculate the potential groundwater recharge of the parcel. The calculation considers the average rainfall on the parcel and the “losses” in water availability due to evapotranspiration and runoff. Based on PRISM data (2012-2021), the average rainfall for the parcel is 25.4



inches per year. Converted to 2.12 acre feet per year, gives the 5.08-acre parcel a total annual recharge estimate of 10.75 acre-feet per year. The report estimates a loss of approximately 3.3 acre-feet from evapotranspiration and 2.4 acre-feet from runoff. This results in approximately 4.98 acre-feet available to recharge or 0.98 acre-feet per acre. The proposed use of 3.20 acre-feet per year is well below the estimated annual recharge of 4.98 acre. The subject parcel and well has enough capacity to serve the proposed use. For comparison, the prior water use of the school was estimated to be approximately 6.26 acre-feet per year.

Two offsite wells were identified within 500 feet of the Project Well, so a Tier 2 Water Availability Analysis prepared by Certified Engineering Geologist and Hydrogeologist David H. Peterson, dated February 8, 2023, was included in the WAA. One well is located 92 feet to the east at the Napa County Fire Department Station property, and a domestic well is located 308 feet to the southwest on a neighboring property. The estimated annual water demand of 3.2 acre-feet equates to approximately 2,857 gallons per day, or about 66 minutes of daily pumping if the well is pumping at its maximum yield of 43 GPM. From the well logs, geologic maps and reports reviewed, and analysis, the Tier 2 states that groundwater pumping from the onsite Project Well under confined aquifer conditions appears to have a potential to influence two neighboring wells. Using the data from the Project Well log and 2017 well test data, it was estimated that pumping the Project Well for 120 minutes would have an associated drawdown in the well at the County Fire Station property of about 8 feet. At the property to the south, about 2 feet of drawdown was estimated. However, the effects after pumping for 66 minutes (the average daily project pumping demand) were estimated to amount to only about one foot of drawdown in the County Fire Station well and little or no drawdown in the well at the property to the south. The analysis indicates that under both scenarios, effects would be within the allowable default values presented on Table F-1 of the County WAA Guidance Document. Additionally, when the school was operating at a much higher water demand, there were no reported adverse impacts to neighboring wells. The Tier 2 analysis reasonably demonstrates that the existing project well, operating at the proposed water demand, would not have a significant impact on any of its neighboring wells.

A Tier 3 analysis was prepared by Certified Engineering Geologist and Hydrogeologist David H. Peterson, dated July 24, 2023, to evaluate potential impacts on the two Significant Streams identified within 1,500 feet of the Project Well. Moss Creek is approximately 500 feet north of the Project Well and south of the property, across Capell Valley Road, Oak Moss Creek is approximately 400 feet from the Project Well at its nearest point. The report considered the geology of the site, the well construction information, to determine that the project well appears to be confined in bedrock units at depth within the Great Valley Sequence. It therefore appears unlikely that groundwater at that depth is in direct physical connection with either creek. The calculations from the Tier 2 analysis was also considered to assess potential effects of pumping on the two watercourses. Based on time drawdown data taken from a 2017 pumping test, pumping for 66 minutes (the average daily pumping demand for the project) would create a zone of lateral pumping influence extending about 120 feet from the Project Well. Given that the two watercourses are about 400 and 500 feet away, a typical pumping cycle would not be anticipated to directly reach either creek. Since an average daily pumping cycle is estimated at only 66 minutes, it is also expected that the water level near the Project Well would recover between pumping cycles. As an additional screening tool, the U.S. Geological Survey stream depletion program STRMDEPL08 (Reeves, 2008) was used to assess if the short pumping cycles from the Project Well had a potential for stream depletion. This screen analysis did not identify a potential impact to the streams. The hydrogeologist opined that the limited duration pumping cycles required for the project would not directly impact nearby streams.

Groundwater Management Condition of Approval No. 4.1 states that the permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water withdrawn no less than monthly). Such data will be provided to the County, if the Director

of Planning, Building, and Environmental Services (PBES Director) determines that substantial evidence indicates that water usage at the project is affecting, or would potentially affect, groundwater supplies or nearby wells.

**Water System** - As detailed in the Preliminary Water System Technical Report, prepared by CMP Civil Engineering, dated July 22, 2020, the school was served by a state approved small Transient Non-Community water system community water system (CA2800633) sourced by the existing well and 10,000-gallon storage tank. A public water system is required because the proposed tourists and associated employee counts is expected to be above 25 people per day for more than 60 days per year. The existing infrastructure will remain; however, improvements or additions may be required to meet the State standards for a new water system permit.

**Wastewater** - The Domestic & Production Wastewater Feasibility and Calculations prepared by CMP Civil Engineering, dated July 22, 2020, describes the existing system capacity and the necessary changes to the system to accommodate the proposed use. The existing school buildings are served by an existing conventional wastewater system. The existing wastewater system is functioning well and historically served the school without issue. The proposed uses included in the calculation as contributing to the peak flow are as follows: four (4) full time employees, four (4) single bedroom lodging units, five (5) double bedroom lodging units, one (1) caretaker unit, large events of 150 people, and small events of 60 people. The additional wastewater flows from small and large events will be addressed with temporary bathroom facilities. Additional leach field lines will be installed to handle the proposed peak flow. The report concludes that the proposed wastewater improvements coupled with the existing wastewater infrastructure will accommodate the wastewater flow produced by the proposed use. The Division of Environmental Health reviewed this report and concurred with its findings.

**Green House Gas Emissions** - On April 20, 2022, the Bay Area Air Quality Management District (BAAQMD) adopted new recommended thresholds for determining the significance of individual projects' greenhouse gas impacts under CEQA. Under the new thresholds, proposed land use projects may be analyzed for consistency with a qualified greenhouse gas (GHG) reduction strategy in the event one has been adopted. To date, Napa County has not adopted a qualified GHG reduction strategy pursuant to CEQA Guidelines section 15183.5. Absent an adopted strategy, BAAQMD recommends that a land use project include specified minimum design elements to ensure that the project is contributing its "fair share" toward achieving the state's key climate goal of carbon neutrality by 2045. Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements. The project will be required, through conditions of project approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code (CBC), which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction. The new construction will be required to install energy efficient fixtures complying with CA building code Title 24 standards. The project will be required to comply with the recently adopted version of CALGreen Tier 2, installation of electric vehicle charging spaces. Condition of approval Nos. 6.16.a-c will ensure this is reviewed and implemented at the time of construction.

**Biological Resources** - An assessment of biological resources was prepared by Northwest Biosurvey. The biologist noted that the existing development on the site and the lack of natural vegetation on much of the site, results in the property having very low potential as wildlife habitat or habitat for plants with sensitive regulatory status. However, Moss Creek, located along the northern boundary of the property line, contains mature Oregon white oak riparian woodland. The riparian woodland provides wildlife habitat of substantial

value both as wildlife habitat and as a wildlife movement corridor within the region. The woodland is separated from the existing development by a continuous fence. All proposed development and site improvements would be located outside of the 45-foot stream setback. The biologist opined that, as proposed in the project plans, the development should not have an adverse impact on the habitat value of the Moss Creek riparian corridor if the following measures are incorporated in the project design: a) The entire dripline of the oak woodland should be protected with construction fencing during project construction to prevent compaction of the root zone by vehicles or project materials. b) Use of overhead lighting at the proposed units or roadway should be avoided. Ground lighting such as path lights or porch lights are recommended. c) The two access gates through the northern fence line should be kept locked and/or, a “no pets allowed” sign should be placed on the gates. The applicant has incorporated these project components into their design and conditions of approval will be adopted to ensure the design is completed per the recommendations (Condition Of Approval Nos. 7.5.a; 6.3.b; 4.12.b).

**Tribal Resources** - On September 13, 2023, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who, as of that date, had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. Staff received a response from the Yocha Dehe Tribe on November 3, 2022. The Tribe did not request to consult; however, they requested sensitivity training occur prior to the start of site improvements. This recommendation has been included as a condition of approval (COA 7.5.a).

**Public Comments** - On May 1, 2024, Staff received a letter from the Department of Toxic Substances Control (DTSC), recommending completion of a soil assessment on-site and testing of imported soil and fill material. Their letter (Attachment R) will be included in the Recommended Conditions of Approval provided to the Board of Supervisors. The applicant shall work with the DTSC to complete the work to the department’s satisfaction. At the time of publication of this staff report, no other public comments have been received.

**Decision Making Options:** As noted in the Executive Summary Section above, staff is recommending the Planning Commission support the project as summarized in Option 1, below. Decision making options including the following:

**Option 1 - Recommend the Board approve Applicant’s Proposal (Staff Recommendation)**

**Disposition** - This option would make a recommendation to the BOS to amend the General Plan to change the property’s land use designation, rezone the property’s zoning district, and approve the use permit for the lodging facility. The General Plan consistency analysis demonstrates that the proposed changes in the general plan designation and zoning districts, along with the proposed lodging facility, is generally consistent with the overall goals and policies set forth for the County. The Negative Declaration demonstrates that proposed lodging facility would not have any significant impacts on the environment.

**Action Required** - Follow the proposed action listed in the Executive Summary. If conditions of approval are recommended for amendment by the Board, specify conditions to be amended at the time the motion is made. This option has been analyzed for its environmental impacts, and the project was found to have less than significant impacts.

**Option 2 - Revised Project Request - Modify Use Permit Proposal**

Disposition - This option allows the Planning Commission to request the BOS modify aspects of the proposed lodging facility. The changes could be related to such components as number of units, employees, or number of allowed events. If the Planning Commission elects to pursue this option, the recommended conditions of approval would need to reflect the revised components of the lodging facility.

Action Required - Follow proposed actions listed in the Executive Summary and recommend amended scope and applicable conditions of approval. The item may need to be continued to a future date if significant revisions to the recommended conditions of approval are desired.

### Option 3 - Recommendation to Deny Proposed Project

Disposition - In the event the Commission does not support the general plan amendment and rezoning as proposed, the Commission would vote to recommend denial of the project. The Commission should articulate why it does not recommend amending the General Plan, such as inconsistency with the General Plan including if the proposed amendment conflicts with the goals, policies, or land use designations outlined in the existing General Plan. A denial recommendation would result in status quo of the site and would not result in a referral to the Board for further action. Applicant or any other interested party would be able to request Board consideration of the proposal upon filing of a timely written request with the Clerk of the Board within five days after the commission files its recommendation pursuant to NCC Section 18.136.060(C).

Action Required - Commission motion, second and vote to recommend denial of the proposed project.

### Option 4 - Continuance Option

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

## SUPPORTING DOCUMENTS

- A. Planning Commission Resolution Recommendation to the Board of Supervisors
- B. Recommended Resolution for General Plan Amendment - Exhibit A
- C. Recommended Ordinance for Rezone - Exhibit B
- D. Recommended CEQA and Use Permit Findings - Exhibit C
- E. General Plan Consistency Analysis
- F. Recommended Conditions of Approval and Agency Memos
- G. Initial Study/Negative Declaration
- H. August 29, 2017, Board of Supervisors Staff Report
- I. Zoning District Comparison Table
- J. Application Packets
- K. Biological Assessment
- L. Water Availability Analysis
- M. Water System Feasibility Report
- N. Wastewater Feasibility Report
- O. Stormwater Control Report
- P. Focused Traffic Study
- Q. Graphics
- R. Public Comment