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CEQA
Exemption Memorandum

Solar Pavilion Variance P24-00122-VAR
Zoning Administrator Hearing Date (January 22, 2025)



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Planning, Building & Environmental Services

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Brian D. Bordona
Director

To: Zoning Administrator	From: Andrew Amelung, Planner II
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Date: January 22, 2025	Re: P24-00207 Padis Residence Viewshed Categorical Exemption Determination 3023 Dry Creek Road, Napa, 94558 APN: 027-150-001-000
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Background:

On August 7, 2024, the Applicant submitted a request for approval of a Napa County Viewshed Protection Permit for the reconstruction of a 6,750 square-foot residence that included the addition of a 1,370 square-foot second floor, as well as landscape plan that will screen 61 percent of the proposed reconstruction from view. Portions of the previously existing structure were destroyed in a structure fire and the proposal involves reconstructing the previous structure with improvements that meet current County and State development standards and requirements.

Existing Conditions and Environment Setting:

The proposed project is located on an approximately 12.68-acre parcel within the Agricultural Watershed (AW) Zoning District and has a General Plan designation of Agriculture, Watershed and Open Space (AWOS). The project is located at 3023 Dry Creek Road, Napa, CA 94558. APN: 035-470-044-000.

Entitlement History:

Existing entitlements on the property include the building permit for the original single-family residence that was constructed in 1995 (B56231). In 2006 a permit was issued for the construction of an underground storage system (B06-00248), and in 2008 a permit was issued for the construction of a pool (B08-00524). An Erosion Control Plan for an additional 2.06-acre vineyard block was approved in 2009 (P09-00340). A home occupancy administrative permit was issued to the current property owners in 2011 (P11-00046), and in 2024 a permit was issued for a temporary 200-amp power pole following the structure fire that damaged the existing structure.

CEQA Exemption Criteria and Analysis:

Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. This project qualifies as an exempt activity under two sections of Article 19:

Class 2: Replacement or Reconstruction [California Code of Regulations (CCR) §15302]

Consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Class 4: Minor Alterations to Land [California Code of Regulations (CCR) §15304]

Consists of minor public or private alterations in the condition of land, water, an/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

Examples include:

- (b) New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire-resistant landscaping.

The scope of the project is limited to the replacement and reconstruction of a fire-damaged residential structure with the addition of a 1,370 square-foot second floor, which is located on the same footprint as the previously existing structure. As a residential structure the property will have substantially the same purpose and capacity as the structure replaced. The proposed landscaping that is designed to shield at least 50 percent of the structure from Dry Creek Road, a county viewshed road, does not involve the removal of healthy, mature, scenic trees, and as a condition of approval the applicant will be required to submit a landscaping and irrigation plans for review and approval by the Planning Division prior to the issuance of any building permits associated with this permit.

Conclusion:

The project is categorically exempt from CEQA under Section 15302 and Section 15304.