

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE NAPA COUNTY PLANNING COMMISSION, STATE OF CALIFORNIA, RECOMMENDING THAT THE NAPA COUNTY BOARD OF SUPERVISORS: (1) REPLACE THE EXISTING HOUSING ELEMENT WITH THE 2014 HOUSING ELEMENT; (2) AMEND THE SAFETY ELEMENT OF THE NAPA COUNTY GENERAL PLAN; AND (3) ACCEPT THE 2014 ADDENDUM TO THE 2009 HOUSING ELEMENT FINAL EIR**

**WHEREAS**, pursuant to Government Code Section<sup>1</sup> 65588(e)(2) and Section 65584.02, the County is required to update the Housing Element of its General Plan no later than January 31, 2015, for the planning period ending on January 31, 2023; and

**WHEREAS**, pursuant to Government Code Sections 65040.20 and 66474.02 and Public Resources Code Section 21083.01, the County is required to update the Safety Element of its General Plan upon the next revision of its Housing Element on or after January 1, 2014; and

**WHEREAS**, on September 17, 2013, by Resolution 2013-106, the Board of Supervisors adopted a resolution initiating an update to the County's existing Housing Element; and

**WHEREAS**, the last Housing Element was adopted on June 23, 2009 (2009 Housing Element) by the Board of Supervisors with the adoption of Resolution No. 09-88; and

**WHEREAS**, in accordance with CEQA, on June 23, 2009, the County certified by Resolution No. 09-87 the Final Environmental Impact Report (Final EIR) for the 2009 Housing Element; and

**WHEREAS**, the Final EIR evaluated the potential environmental effects of the 2009 Housing Element; and

**WHEREAS**, the County proposes to amend the 2009 Housing Element and replace it with the 2014 Housing Element; and

**WHEREAS**, on October 28, 2013 and November 6, 2013, the County held two public workshops to discuss the 2014 Housing Element; and

**WHEREAS**, in order to bring the County's General Plan into compliance with California Senate Bill 1241 and to maintain internal consistency within the General Plan as a whole, amendments must also be made to the Safety Element of the County's General Plan; and

**WHEREAS**, County staff prepared a draft Housing Element (dated February 2014), incorporated input and direction from the Napa County Planning Commission (Planning Commission) at a hearing on March 5, 2014, and submitted it to the State Department of Housing and Community Development (HCD) for preliminary review pursuant to Section 65585(b); and

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<sup>1</sup> All statutory references are to the California Government Code unless otherwise specified.

**WHEREAS**, in its Review Letter of May 22, 2014, HCD asked the County to modify the 2014 Housing Element further to conform with its reading of State law; and

**WHEREAS**, County staff circulated a revised Housing Element (dated June 2014) and proposed amendments to the Safety Element of the General Plan for public and agency review consistent with Sections 65352 and 65352.3; and

**WHEREAS**, Section 65358 permits a local legislative body to amend a mandatory element of the General Plan no more than four times during a calendar year and this is the first amendment to the County's General Plan for the year 2014; and

**WHEREAS**, Section 65103 provides that the Planning Commission, acting as a Planning Agency, is charged with administration of the County General Plan and with making recommendations on amendments to the County's General Plan; and

**WHEREAS**, the County prepared an Initial Study to determine whether any conditions were present requiring the preparation of a subsequent or supplemental EIR; and

**WHEREAS**, the County has caused to be prepared an Addendum (2014 Addendum) to the Final EIR of the 2009 Housing Element, in accordance with State CEQA Guidelines Section 15164(a), to determine whether the changes proposed to the 2009 Housing Element as set forth in the 2014 Housing Element could result in any of the circumstances requiring that a subsequent or supplemental EIR be prepared under Public Resources Code Section 21166 (CEQA Guidelines Section 15162); and

**WHEREAS**, prior to considering and recommending changes to the General Plan, the Planning Commission is required to hold a public hearing pursuant to Section 65353; and

**WHEREAS**, on or before August 22, 2014, pursuant to Section 65352, a Notice of Public Hearing before the Planning Commission regarding the 2014 Housing Element and the Safety Element amendments, was provided to all members of the public requesting such notice, as well as agencies and individuals required by Section 65353; and

**WHEREAS**, on August 24, 2014, pursuant to Section 65355, a Notice of Public Hearing before the Planning Commission was published in the Napa Valley Register, a local newspaper of general circulation; and

**WHEREAS**, prior to or at the meeting of September 3, 2014, the Planning Commission was provided with (1) the complete contents of the 2014 Housing Element (dated June 30, 2014), including the revised draft Housing Needs Assessment (dated August 11, 2014); and (2) the Safety Element amendments; and

**WHEREAS**, prior to or at the meeting of September 17, 2014, the complete contents of the Final EIR on the 2009 Housing Element and the 2014 Addendum were provided to or made available to the Planning Commission; and

**WHEREAS**, on September 17, 2014, the Planning Commission held a duly noticed public hearing to consider recommendations to the Board of Supervisors to accept the 2014 Addendum for the 2014 Housing Element and adopt the 2014 Housing Element and Safety Element amendments.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission has reviewed and considered the 2014 Addendum, the Final EIR, and the 2014 Housing Element and makes the following findings:

1) The above recitals are true and correct, reflect the independent judgment of the Planning Commission, and are hereby incorporated by this reference.

2) Based on such consideration and in accordance with CEQA Guidelines Sections 15162 and 15163, no subsequent or supplemental environmental document is required for the 2014 Housing Element, and the Planning Commission recommends that the Board of Supervisors adopt a resolution containing the following findings:

a. The Board has considered the 2014 Addendum and has also considered the Final EIR. The 2014 Housing Element does not require major revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, in that the 2014 Housing Element provides substantial evidence that there will be no new significant effects or increase in the severity of significant effects previously identified in the Final EIR due to the changes in the project; and

b. No substantial changes have occurred with respect to the circumstances under which the project is to be undertaken that will require major revisions to the Final EIR due to the involvement of new significant environmental effects or substantial increased in the severity of previously identified significant effects, in that the 2014 Housing Element provides substantial evidence that there will be no new significant effects or increase in the severity of significant effects previously identified in the Final EIR due to the changes in circumstances; and

c. As shown in the 2014 Draft Housing Element, no new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was adopted, shows that:

1. The project will have one or more significant effects not discussed in the Final EIR, or
2. Significant effects previously examined will be substantially more severe than shown in the Final EIR, or
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative, or
4. Mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

3) The Planning Commission recommends that the Board reaffirm the CEQA findings contained in County Resolution Nos. 09-87 and 09-88.

4) The Planning Commission further finds that adoption of the 2014 Housing Element is in the public interest and is necessary for the public health, safety, and welfare of Napa County and recommends that the Napa County Board of Supervisors adopt the 2014 Housing Element after considering the information in the Final EIR and Addendum. The Planning Commission hereby recommends that the Board of Supervisors adopt: (a) a General Plan amendment superseding and replacing the existing Housing Element with the 2014 Housing Element; and (b) a General Plan amendment revising the Safety Element of the General Plan.

5) The Secretary of the Planning Commission is hereby designated as the custodian of records, documents and other materials which constitute the record of proceedings upon which the Commission's decision is based. These documents are located at:

Napa County Department of Planning, Building and Environmental Services  
1195 Third Street, Suite 210  
Napa, CA 94559-3035

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Planning Commission of the County of Napa, State of California, at a regular meeting of the Commission held on the \_\_\_\_ day of September, 2014, by the following vote:

AYES: COMMISSIONERS  
NOES: COMMISSIONERS  
ABSENT: COMMISSIONERS

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BOB FIDDAMAN, Chair  
Napa County Planning Commission

ATTEST:  
Clerk of the Planning Commission

By: \_\_\_\_\_

**APPROVED AS TO FORM**  
Office of County Counsel

By: Silva Darbinian (via e-signature)

Date: September 10, 2014