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Agenda Date: 11/5/2014

Agenda Placement: 8A

Airport Land Use Commission Board Agenda Letter

TO: Airport Land Use Commission

FROM: John McDowell for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: SHAVETA SHARMA, PLANNER III - 707-299-1358

SUBJECT: Napa County 2014 Housing Element & Safety Element Amendment - ALUC Review (P14-00311-ALUC)

RECOMMENDATION

COUNTY OF NAPA / PROPOSED HOUSING ELEMENT & AMENDMENTS TO THE SAFETY ELEMENT OF THE GENERAL PLAN - AIRPORT LAND USE CONSISTENCY DETERMINATION # P14-00311-ALUC

CEQA Status: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Request: Airport Land Use Consistency Determination for Napa County's 2014 Housing Element Update General Plan Amendment.

Staff Recommendation: Find the project consistent with the Napa County Airport Land Use Compatibility Plan.

Staff Contact: Shaveta Sharma, (707)299-1358; shaveta.sharma@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Action:

1. That the Airport Land Use Commission find the Napa County Housing and Safety Element Update General Plan Amendment (P14-00311-ALUC) consistent with the Napa County Airport Land Use Compatibility Plan.

Discussion:

On March 5, 2014, the Napa County Planning Commission commenced public hearings on a proposed update to

the County General Plan Housing Element. The Planning Commission's second hearing took place on September 17, 2014, and it is expected that the Board of Supervisors will hear the matter in December or January. The changes proposed to the Napa County Housing Element are as follows: 1) supersede and replace the existing Housing Element with the 2014 Housing Element; and 2) adopt conforming Amendments to the Safety Element of the Napa County General Plan, pursuant to SB 1241.

As set forth in State Aeronautics Law (Public Utilities Code 21676), the Airport Land Use Commission (ALUC) must review the proposed General Plan Amendment prior to its consideration by the Board of Supervisors because the proposal involves changes to General Plan policies within airport influence areas. In its independent capacity, the ALUC is only reviewing the proposal for airport compatibility. As supported in the Background and Discussion Section of this report, ALUC Staff has reviewed the proposal for consistency with Airport Land Use Compatibility Plan (ALUCP) policies, and recommend that the ALUC find the project consistent with the ALUCP.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

The County of Napa has prepared an Addendum to the previous 2009 Housing Element Environmental Impact Report. The Addendum evaluates the potential for the updated Housing Element to impact the environment in comparison the scope of project evaluated in 2009, and factors in changes in environmental setting since the adoption of the previous EIR. Since the updated Housing Element consists primarily of relatively minor policy changes, a reduced Regional Housing Need Assessment allocation, and no new potential locations for housing, the Addendum concludes that the updated project will not result in new or more severe impacts from what was analyzed in the previous EIR. Both the previous EIR and the Addendum find no potential for significant impacts related to airport compatibility. The Addendum is scheduled for certification before the County Board of Supervisors in December or January after ALUC review of the project has been completed.

Since the ALUC is merely making a finding of project consistency with the Airport Land Use Compatibility Plan, the ALUC's action on this item does not constitute a 'project' as defined under the California Environmental Quality Act (CEQA Section 15378 - Definition of a Project). The County Board of Supervisors must consider the ALUC's action before certifying the Addendum, but no ALUC action on the Addendum is mandated.

BACKGROUND AND DISCUSSION

Airport Land Use Consistency Factors:

1. Location - The project involves a General Plan Amendment to the Napa County General Plan consisting of an update to the Housing Element. All jurisdictions in Napa County, including the County, are required to periodically review and update (as necessary) their Housing Elements to comply with State mandates concerning providing adequate opportunities for new housing. The County last updated its Housing Element in 2009.

The ALUC review of the Housing Element Update is required because it involves changes to General Plan policies that affect lands subject to oversight by the ALUC. The Update contains several changes from the Housing Element the ALUC reviewed and found consistent in 2009. Changes consist primarily of relatively minor policy improvements concerning timely and County action items to support construction and preservation of affordable

housing. No new housing sites are included in the update element. All of the housing sites in the element were previously contemplated by the ALUC and found consistent, as well as policies concerning by-right affordable housing that has the potential to occur within Airport Influence Areas. Attached to this report is the ALUC staff report on the 2009 Housing Element, which contains analysis of the housing sites and policies related to the Airport Influence Areas. The currently proposed set of policy changes do not result in changes to those previously adopted policies as they may relate to airport compatibility. The Draft Housing Element contains some noteworthy policy changes relative to the 2009 Housing Element:

- | Rezoning of the former Napa Pipe property has been completed, thereby making it available for residential development;
- | Policies and Programs related to the redevelopment of Mobilehome Parks have been modified to more explicitly acknowledge their contribution to affordable housing stock and encourage retention of existing affordable units and provision of new affordable units within mobilehome parks;
- | Adoption of a policy establishing a contingency plan for providing water service to the Napa Pipe property; and
- | Additional information in Housing Site Inventory, focusing on sites at Napa Pipe, Spanish Flat and Moskowitz Corner.

Additionally, California Senate Bill 1241 requires every city and county to revise safety element requirements for state responsibility areas and very high fire hazard severity zones, as specified. Furthermore, it requires the safety element, upon the next revision of the housing element on or after January 1, 2014 to be reviewed and updated as necessary to address the risk of fire in state responsibility areas and very high fire hazard severity zones, taking into account specified considerations, including, among others, the most recent version of the Office of Planning and Research's "Fire Hazard Planning" document. Today's action includes an amended version of the Safety Element of the General Plan pursuant to Senate Bill 1241 requirements (Attachment D). The updates to the Safety Element to address SB 1241 do not result in any potential conflicts with airport operations.

These changes, both individually and considered collectively, will not create any new impacts or hazards to any airport activities or aircraft. The County's Housing Element update remains fully consistent with ALUCP standards.

2. Land Use – The County's General Plan and Zoning have previously been found consistent with the ALUCP on several occasions. Most recently was in May 2009 when the ALUC reviewed and adopted 2009 Napa County Housing Element update. ALUC Staff view this proposed Housing Element as consistent with those past actions and finds the County has provided sufficient assurance to ensure that land use within Napa County remains highly compatible with airport operations.

3. Concentration of People – No changes to County regulations related to building concentration of people are proposed. The County's Housing Element update remains fully consistent with ALUCP standards.

4. Building Height – No changes to County regulations related to building height limits are proposed. The County's building height remains 35 ft. for occupied structures and 50 ft. for unoccupied space, fully consistent with ALUCP standards.

5. Lighting and Glare – No changes to County regulations concerning light and glare are proposed. The County's General Plan and zoning remains fully consistent with the ALUCP.

6. Communications – The proposed General Plan amendment will not change any County regulations concerning communication facilities, and the County's regulations will continue to be consistent with ALUCP standards.

7. Building Materials – No changes to County regulations concerning building materials are proposed. The

County's zoning remains consistent with the ALUCP.

8. Overflight Easement – The County requires overflight easements for all projects located within airport influence areas. No changes to this long established requirement will occur as part of this General Plan Amendment, and County regulations remain consistent with the ALUCP.

9. Caltrans Aeronautics – Caltrans Division of Aeronautics staff has been sent copies of attached background information. Caltrans Aeronautics also received a referral of the EIR Addendum when it was circulated. No comments have been received regarding the project.

10. Processing – ALUCP Policy 2.1.9 requires referral of a project to the ALUC prior to the local governing body's final action to allow the local jurisdiction to consider the ALUC's finding prior to acting on a project. The purpose of this policy is to allow the local government and ALUC flexibility in the event that the ALUC has a compatibility issue to be addressed. The application was reviewed by the County Planning Commission on March 5, 2014, and again for further review by the Planning Commission later on September 17, 2014. The Board of Supervisors' review will commence upon conclusion of hearings by the Airport Land Use Commission and are anticipated to occur in December and January. The County has complied with Policy 2.1.9.

SUPPORTING DOCUMENTS

- A . Addendum to the Napa County Housing Element Update EIR
- B . Draft Final Housing Needs Assessment
- C . Draft Final Housing Element
- D . Proposed Revisions to Safety Element - Fire & Flooding Hazards

Airport Land Use Commission: Approve

Reviewed By: John McDowell