



Agenda Date: 1/15/2008  
Agenda Placement: 8A  
Set Time: 9:00 AM PUBLIC HEARING  
Estimated Report Time: All Day

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Gitelman, Hillary - Director  
Conservation, Development & Planning  
**REPORT BY:** Hillary Gitelman, Director, 253-4805  
**SUBJECT:** Joint meeting with the Conservation, Development and Planning Commission

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### **RECOMMENDATION**

Joint Meeting of the Board of Supervisors and the Planning Commission to consider adoption of a General Plan amendment known as the 2008 General Plan Update. The Board and the Commission will hear a presentation about the proposed 2008 General Plan Update, take several hours of public testimony, and continue their hearings to January 16, 2008 (for the Planning Commission) and February 26, 2008 (for the Board of Supervisors) to permit additional testimony. When the Planning Commission concludes its public hearing, the Commission will make a recommendation to the Board of Supervisors on the General Plan Update and the Final EIR. When the Board of Supervisors concludes its public hearing, the Board will consider adoption of a resolution rescinding and replacing all of the County's existing General Plan except for the Housing Element, which will be updated separately in 2008-2009. The 2008 General Plan Update is the product of several years work by the General Plan Update Steering Committee, staff and consultants, and incorporates substantial input from the Planning Commission, the Board of Supervisors, County residents and other stakeholders gathered between January 2005 and the present. If adopted, the 2008 General Plan Update would result in a General Plan containing the following sections: Introduction, Summary and Vision, Agricultural Preservation & Land Use Element, Circulation Element, Community Character Element, Conservation Element, Economic Development Element, Housing Element, Recreation & Open Space Element, Safety Element, Implementation Plan, and Glossary. Copies of the 2008 General Plan Update are available at the Napa County Department of Conservation, Development and Planning, 1195 Third Street in Napa, or on line at [napacountygeneralplan.com](http://napacountygeneralplan.com).

### **EXECUTIVE SUMMARY**

The Conservation, Development, and Planning Commission meets periodically with the Board of Supervisors to discuss items of a planning nature and are meeting jointly on January 15, 2008 to hear a presentation regarding the proposed General Plan Update and to initiate the hearing process. Following several hours of public testimony, the hearing will be continued to the additional dates and times listed below to permit additional testimony:

January 16, 2008 at 9:00 AM -- Planning Commission, 1195 Third Street, Napa 3rd Floor

January 30, 2008 at 6:00PM -- Planning Commission, Yountville Community Hall, 6516 Yount Street, Yountville  
 February 6, 2008 at 9:00 AM -- Airport Land Use Commission, followed by the Planning Commission, 1195 Third Street, Napa 3rd Floor  
 February 26, 2008 at 9:00 AM -- Board of Supervisors, Lincoln Theater, 100 California Drive (Veterans Home), Yountville  
 March 4, 2008 at 9:00 AM -- Board of Supervisors, Lincoln Theatre, 100 California Drive (Veterans Home), Yountville

At present, the Planning Commission is scheduled to make its final recommendation to the Board of Supervisors on February 6, 2008, and the Board of Supervisors could take a final action on March 4, 2008. This schedule and all meeting dates are subject to modification if/as necessary.

The proposed General Plan Update is intended to improve the "readability" of the Plan, update the Plan to reflect current conditions in the County, and provide a policy framework for sound decision making in unincorporated Napa County until the year 2030. (See Background section below for more information.)

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	The proposed General Plan Update contains goals and policies that will guide decision making in the future and generally have few costs. However, the proposed General Plan Update also includes policies and action items that will require implementation actions at some point during the life of the plan, and these actions will have costs associated with them. While some actions may be funded out of grants or special funding sources, many will require general fund support.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The implementation actions included in the proposed General Plan Update are suggested as ways to attain the County's larger policy goals.
Is the general fund affected?	Yes
Future fiscal impact:	Fiscal impacts in future years will depend on the cost of individual implementation actions, the number of actions proposed for implementation each year, and the number of years it takes to complete each action.
Consequences if not approved:	None. The Board may choose to delete or adjust proposed policies and action items, however they would then need to consider whether the proposed General Plan Update remains internally consistent and meets all other State requirements and whether such adjustment impacts the environmental analysis.
Additional Information:	

### **ENVIRONMENTAL IMPACT**

Final Environmental Impact Report. Prior to considering adoption of the proposed General Plan amendment, the

Board of Supervisors will be asked to certify that the Final Environmental Impact Report regarding the 2008 General Plan Update has been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and local procedures for implementing CEQA, that the Board has reviewed and considered the information contained in the Final EIR prior to approving the project, and that the Final EIR reflects the County's independent judgment and analysis. As part of the Board's approval action, they will be asked to make findings related to significant impacts and mitigation pursuant to CEQA Guidelines Section 15091, together with a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 as to those impacts that have been identified as significant and unavoidable.

## **BACKGROUND AND DISCUSSION**

### **General Plan Requirements**

California State Law (CGC Section 65300 et seq.) requires each local agency to adopt a comprehensive, long-term plan for the physical development of the land under its jurisdiction and any land outside its boundaries that affects its planning. The law requires that general plans contain seven mandated topics or elements that collectively comprise an integrated, internally consistent, and compatible statement of policies. While there is no requirement that general plans be updated all at once, or on a given schedule (except for the Housing Element), the State recommends that they be updated every 10 years.

Napa County's General Plan was last comprehensively updated in 1983, although its elements have been amended since then, most recently in 2004 when the Housing Element was last updated.

### **Napa County's General Plan Update Process**

Napa County began work on an update to its General Plan in January 2005 by holding public "visioning" meetings to ask residents and business owners what they would like addressed in the plan. On May 10, 2005 the Board of Supervisors created a 21-member General Plan Update Steering Committee to guide the planning process (Board Resolution No. 05-77), and on June 28, 2005, the Board appointed Committee members representing a broad cross-section of interests. On October 11, 2005, the Board of Supervisors formally initiated (Board Resolution No. 05-178) amendment of the General Plan pursuant to Board of Supervisors Resolution No. 05-73 and on October 21, 2005 a formal Notice of Preparation of an EIR (NOP) was issued soliciting public input.

The General Plan Update Steering Committee convened a series of monthly public meetings beginning in July 2005 to shape the plan, and in February 2007, the County released both the Draft General Plan Update and the Draft Environmental Impact Report to the public. During a 120-day public comment period, the County held five public hearings and received almost 300 comment letters.

Following the end of the comment period, the General Plan Steering Committee, planning staff and consultants revised the draft plan to address as many comments as possible. The Planning Commission and the Board of Supervisors also held hearings on a number of the most controversial issues.

Some sections of the plan, like the Agricultural Preservation & Land Use Element and the Conservation Element, were changed substantially based on the public comments received. For example, a suggested exemption from the County's 1% growth limit was eliminated, policies supportive of bicycle travel were enhanced, Napa Pipe was redesignated as a "study area," and issues about the Napa River and global climate change were dealt with more comprehensively.

The Revised General Plan Update released to the public on Dec. 3, 2007 is the culmination of nearly three years of work and substantial public input. It is intended to perpetuate Napa County's long history of agricultural

preservation and provide a policy framework for land use and development decisions in the county for the foreseeable future. The Final Environmental Impact Report was mailed to commenting agencies, organizations and individuals on Dec. 20, 2007 in electronic (CD) form, and hard copies have been provided to the Planning Commission and the Board of Supervisors.

In addition to the proposed General Plan Update and the Final EIR, the County has made several reading aides available to those who are interested. These include a brief summary document with answers to frequently asked questions, a matrix comparing mitigation measures in the EIR with policies in the proposed General Plan Update, and a matrix comparing goals and policies in the County's current General Plan to those in the proposed General Plan Update. These documents are available for review on the website at [napacountygeneralplan.com](http://napacountygeneralplan.com), along with tracked-changes versions of most sections of the General Plan Update illustrating changes between the February 2007 and December 2007 draft documents.

### **Content of the Proposed General Plan Update**

The collective long-term vision that residents and other stakeholders have for Napa County was underscored during the many public meetings and hearings held during the last three years. Residents' desire to maintain the status quo while giving consideration to several key issues proved to be an ongoing theme. The key issues that surfaced time and again centered on land use, growth limits, open space, climate change, resource conservation, housing and transportation. All of these topics and many more are addressed in the General Plan Update, which is organized into eight elements:

- | Agricultural Preservation and Land Use – Affirms longstanding commitments to agricultural preservation and urban-centered growth.
- | Circulation – Deals with the many ways to move around Napa County, including roads, rail, water, air, walking, and bicycling.
- | Community Character – Addresses items such as noise, views and historic resources that help make Napa County the extraordinary place it is.
- | Conservation – Focuses on open space and habitat conservation, the Napa River and other water resources, as well as climate change and sustainable practices for environmental health.
- | Economic Development – Focuses on the County's economy, including agriculture and related industries.
- | Housing – Describes housing needs and designates the sites and programs designed to meet those needs in the County. (Note: The Housing Element will be updated separately in 2008-2009, and is not part of the current General Plan Update.)
- | Recreation and Open Space – Focuses on public access to open space, trails and other recreational uses.
- | Safety – Provides policies related to fire hazards, flooding, earthquakes and other potential hazards.

Below is a list of some of the key issues addressed in the General Plan Update:

**Angwin:** The General Plan Update includes a new suite of policies and a revised land use map of Angwin. In essence, the Revised General Plan would prevent agriculturally zoned land from being re-designated for urban uses in this rural community. Policies would inform future decision-making, but would neither encourage nor preclude Pacific Union College's pending development proposal. (See pages 43-45 of the Revised General Plan Update.)

**Napa Pipe:** About 230 acres of industrial land immediately south of the City of Napa (Napa Pipe and two other nearby sites called Boca/Pacific Coast) are designated as a "Study Area" in the General Plan Update. This means that further studies are necessary before these areas can be considered for non-industrial uses such as housing. (See pages 40-41 & 61-63 of the Revised General Plan Update.)

**American Canyon:** The General Plan Update reflects ongoing negotiations between the County and the City, outlining a growth boundary similar to the City of Napa's Rural Urban Limit. The boundary would allow additional annexations only if the voters both adopt the boundary as City policy until 2030 and require voter approval for any changes. (See pages 87-91 of the Revised General Plan Update.)

**Growth Limits:** The County currently limits new growth to one percent (1%) of existing homes per year by limiting the number of residential building permits that can be issued in a year. The General Plan Update does not change this 1% limit, meaning that any development in the County proposing growth in excess of the limit would require an amendment to the General Plan. (See pages 77-85 of the Revised General Plan Update.)

**Global Climate Change and Sustainability:** This topic elicited the highest number of comments from the public, leading to a significant number of new policies supporting sustainability. These policies and associated action items build upon Napa County's long traditions of urban-centered growth and agricultural preservation and address emissions of the greenhouse gasses that contribute to global climate change. (See pages 188-194 of the Revised General Plan Update.)

**Napa River and Water Resources:** The General Plan Update includes policies intended to reflect the state's regulatory focus on sediment in the Napa River. Policies and action items focus on controlling erosion, improving water quality, preserving habitat and encouraging ecological stewardship. (See pages 149-55 & 179-87 of the Revised General Plan Update.)

**Housing:** The Housing Element was not updated as part of this General Plan Update due to schedule requirements imposed by state law. However, policies within the Agricultural Preservation and Land Use Element – designating Napa Pipe as a study area, for example – set the stage for future updates. The County will begin work on the Housing Element in early 2008. (See page 32 of the Revised General Plan Update.)

**Transportation:** The General Plan Update includes a Circulation Map that details where roadway improvements are desired. It also contains policies emphasizing alternative modes of transportation, including a call for 40 miles of additional bike lanes. Roadway capacity increases are only proposed in the southern part of the County, where most of the new housing and jobs are anticipated. Planned improvements in the rest of the County will focus on safety and local access. (See pages 103-113 of the Revised General Plan.)

**Vineyard Development:** Vineyard development is expected to continue in Napa County, with ever-increasing attention to sustainable farming practices. Policies related to vineyard development in the General Plan Update perpetuate existing stream setback requirements, and call for development of a streamlined permitting process as an incentive for "environmentally superior" vineyard projects. Details of the process will require further study. (See pages 163-179 of the Revised General Plan.)

### **The Final EIR, Mitigation Monitoring Plan and CEQA Findings**

The Final EIR evaluates the environmental impacts of adopting and implementing the proposed Napa County General Plan Update. The Final EIR contains the February 2007 Draft EIR; comments received during the 120-day public comment period; responses to those comments; required changes to the text of the Draft EIR; an expanded summary table; an analysis of the "Preferred Plan" (i.e., the Revised General Plan Update); and an explanation as to how impacts of the plan have been considered in the EIR. The EIR analysis concludes that the Preferred Plan will allow growth and development very similar to the "No Project" alternative, with about 2,935 new dwelling units and 8,259 new jobs anticipated countywide between 2005 and 2030. This projected growth would be consistent with the County's 1% growth limit, and would be directed towards non-agricultural areas of the County.

The EIR identifies potentially significant environmental impacts associated with growth anticipated under all alternatives in a host of areas, including, but not limited to, agriculture, transportation, noise, air quality, fisheries

and biological resources, water quality, cultural resources, public services and climate change. Mitigation measures would reduce but not eliminate some of the identified impacts, and most of the mitigation measures have been incorporated into the Revised General Plan Update in the form of policies or action items. Before taking any action on the Revised General Plan Update, the Planning Commission and the Board of Supervisors will consider the information and analysis in the Final EIR, and the Board of Supervisors will be asked to certify the EIR in accordance with state law. The law also requires that specific findings be made regarding significant environmental effects, alternatives and mitigation measures.

County Counsel is currently preparing a draft resolution and findings, which will be available for consideration by the Board after the Planning Commission makes its final recommendation on the General Plan Update. The findings will reference and adopt a Mitigation Monitoring Program pursuant to State CEQA Guidelines Section 15091(d), and a draft of the Mitigation Monitoring Program will be available within the next 30 days. Please note that there are several mitigation measures from the Final EIR which would not be implemented in whole or in part if the General Plan Update is adopted as proposed, and the Board's findings will therefore explain specific economic, legal, social, technological, or other considerations that make these measures infeasible. (See discussion of outstanding issues below, for more information.)

### **Late Comments & Responses**

The County received many written and e-mail comments after the 120-day public comment period that ended in June 2007 and was able to include some of those and detailed written responses in the Final EIR. However some late comments could not be incorporated into the Final EIR without delaying production of that document, and these comments will be provided to the Planning Commission and the Board of Supervisors separately. A memorandum is attached which provides responses to late comments, focusing on new issues that have not already been addressed in responses to other comments included in the Final EIR. Where a late comment addresses issues that have already been responded to, a reference to the location of the response in the Final EIR or the General Plan Update is provided.

Any comments submitted to the Planning Commission and/or the Board of Supervisors during the public hearing process on the General Plan Update will similarly be evaluated by County staff to determine whether it raises a new issue requiring a written response, or whether it raises an issue that has already been addressed in the Final EIR or the General Plan Update. All of the comments will be made available to the Planning Commission and the Board of Supervisors.

### **List of Errata/Plan Changes & Outstanding Issues**

Since publication of the Revised Draft General Plan Update, staff has noted a number of corrections and changes to the plan that are recommended. These have been listed in an attachment which will be updated throughout the hearing process to reflect changes requested by the Planning Commission and the Board of Supervisors.

Reviewers should note that even with the listed changes, the Revised Draft General Plan Update would not implement Mitigation Measure 4.11.4 from the Final EIR which specifies a streamlined process for "environmentally superior" vineyard development projects, and would only partially implement three of the mitigation measures included in the Final EIR to address potential impacts related to groundwater due to concerns about their feasibility. Specifically, the plan would impose requirements of Mitigation Measures 4.11.5(a), (b) and (e) only on *discretionary* projects requiring review under CEQA, and not for all projects as suggested in the Final EIR. The mitigation measures in question require (a) demonstration of adequate groundwater supply prior to approval of well and groundwater permits; (b) maintenance of a site's pre-development groundwater recharge potential; and (e) pump tests or hydrogeologic studies associated with new "high-capacity" wells and a prohibition of those shown to have the potential for well interference, environmental impacts, or saltwater intrusion. As noted above, the CEQA findings adopted by the Board of Supervisors will have to address any mitigation measures that

are not proposed for adoption.

Finally, CGC Section 65302.5 requires that local agencies submit proposed revisions to the Safety Element of their General Plans to the State (Department of Conservation Division of Mines & Geology and Board of Forestry & Fire Protection) for review prior to adoption, and CGC Section 65352(a)(9) requires local agencies to refer proposed General Plan revisions to other agencies and Native American tribes. In compliance with these requirements, County staff provided the February 2007 Draft General Plan Update to the required agencies and tribes. In an effort to provide every reasonable opportunity for input, County staff has again provided the December 2007 Revised Draft General Plan Update to the required agencies and tribes. The statutory deadline for agency and tribal responses precedes the March 4, 2008 date when the Board of Supervisors will consider adoption of the plan, allowing time for additional consultation and plan revisions if necessary.

### **SUPPORTING DOCUMENTS**

- A . Peter McCrae Letter
- B . Memo Responding to Late Comments
- C . Response to Grabill Letter
- D . WICC Letter Response
- E . Errata & Recommended Text Changes

CEO Recommendation: Policy Issue

Reviewed By: Helene Franchi