



Agenda Date: 10/11/2005
Agenda Placement: 8C
Set Time: 2:00 PM PUBLIC HEARING
Estimated Report Time: 15 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Cathy Gruenhagen for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Steven Lederer, Deputy Planning Director, 253-4417
SUBJECT: Public Hearing - Adoption of Process Improvements ordinance

RECOMMENDATION

First reading and intention to adopt an ordinance implementing process improvements for various procedural and administrative practices designated in the Napa County Code, including those dealing with slope easements, second and guest unit design, reduced setbacks for certain accessory structures, entry structure design, Viewshed applicability to small lot subdivisions, road setback requirements in certain existing subdivisions, political signs, use permit expiration, and certificates of legal nonconformity.

EXECUTIVE SUMMARY

This ordinance makes several improvements to various sections of the Napa County Code. The proposed changes are designed to streamline and make more flexible the processes involved.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Categorical exemption pursuant to Class 5 (CEQA Guidelines Section 15305), Minor alterations to land use limitations.

BACKGROUND AND DISCUSSION

The attached ordinance is designed to improve various procedural and administrative practices designated in the Napa County Code, including those dealing with slope easements, second and guest unit design, reduced setbacks for certain accessory structures, entry structure design, Viewshed applicability to small lot subdivisions, road setback requirements in certain existing subdivisions, political signs, use permit expiration, and certificates of legal nonconformity.

Sections One, Two, Three amend Section 17.02.050, 17.26.060, 18.010.020 to allow slope easements to be modified administratively (without a Planning Commission hearing) so long as the intent of the slope easement (County ability to maintain roadways) is still met. This change will reduce the administrative effort and cost needed to accomplish this task.

Sections Four and Six amend Section 18.104.080 and 18.104.180 to eliminate the "single level" and height restrictions from guest cottages and second units so long as the structures include design features which preclude future illegal expansions. This change provides greater flexibility for home owners while maintaining the existing County requirements to preclude illegal expansions.

Section Five amends Section 18.104.140 to allow water tanks (under certain conditions) and solar panels to take advantage of the same reduced setbacks as other accessory structures so long as the accessory structure is no greater than 15 feet high or within 70 feet of the street. This change provides greater flexibility for homeowners while still protecting neighbors from intrusive structures near property lines. At the request of the Planning Commission, an additional sentence was added to make clear that any mechanical equipment placed in the setback area is required to meet the noise ordinance (Section 8.16 of the Napa County Code).

Section Seven amends Section 18.104.275 to correct the wording on how entry structures need to be constructed. This change provides additional flexibility for home owners while still ensuring the public safety in ensuring that cars will not need to back into traffic as a result of a closed gate.

Section Eight amends Section 18.106.030 to eliminate Viewshed requirements from preexisting small lot subdivisions. Experience has demonstrated that application of viewshed requirements to these previously approved (Prior to December 2001) subdivisions is impractical and adds little benefit since generally speaking there are already visible homes clustered together.

Sections Nine, Ten, and Eleven amend Sections 18.112.090, 18.112.115, and 18.112.120 to reduce road setbacks in certain subdivisions where those road setbacks are neither warranted nor practical, and clarifies responsibilities for identifying road setback requirements. This change provides greater flexibility in project design and eliminates the need for repetitive variance applications.

Section Twelve amends Section 18.116.020 to allow greater flexibility in displaying political signs during election campaigns, and provides other clarifying language to sign procedures. Two possible size limitations were considered by the Planning Commission and are included in the ordinance for consideration by the Board of Supervisors. Staff notes that the Board requested that the County, if possible, conform our sign regulations with those of the incorporated cities. Given that the sign regulations for all the cities are different from each other, that goal was not achievable.

Section Thirteen amends Section 18.124.080 to clarify that extensions for "use" of a use permit beyond two years are not authorized.

Section Fourteen amends Section 18.132.030 to provide greater flexibility in adopting non-conforming structures to current Americans with Disability Act (ADA) requirements and allow for minor adjustments where such changes decrease the non-conformity in question.

SUPPORTING DOCUMENTS

A . Tracking Copy

B . Ordinance

CEO Recommendation: Approve

Reviewed By: Andrew Carey