



Agenda Date: 10/18/2005
Agenda Placement: 8B
Set Time: 10:00 AM 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 conservation regulations ordinance

RECOMMENDATION

First and final reading and adoption of an ordinance amending Sections 18.108.027 (Sensitive Domestic Water Supply Drainages), 18.108.050 (Exemptions), 18.108.060 (Slope Regulations--Prohibited Uses) and 18.108.140 (Security, Violations, And Penalties) of the Conservation Regulations as they Relate to Exemptions, Uses Prohibited Without An Exemption and Security Required For Erosion Control Plans.

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

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 Conservation Regulations of the Napa County Code.

Section One amends Section 18.108.027 to provide flexibility in meeting the 60% tree canopy cover requirement. With this change, contiguous parcels under common ownership may be considered (for this ordinance only) as one for the purpose of meeting the 60% requirement, so long as certain conditions are met.

Section Two amends Section 18.108.050 to include additional exemptions for minor trenching so long as the work occurs outside of established stream setbacks and during the dry season. Minor trenching would include utility lines for individual parcels, water tank lines, and solar panel installations. Trenching for multiple parcels (such as in support of a subdivision), would not be included. This change provides greater flexibility for home owners for small jobs which have a low probability of impacting streams. Post hole digging is also exempted.

Section Three amends Section 18.108.060 to add a missing reference.

Section Four amends Section 18.108.140 to correct and clarify the process of posting security to protect against failed agricultural erosion control plans. The section changes the amount of the required security, and provides several new options to meet this requirement. These adjustments were requested by several property owners who had difficulty posting the required bonds under the old language.

SUPPORTING DOCUMENTS

- A . Tracked Ordinance
- B . Final Ordinance

CEO Recommendation: Approve

Reviewed By: Andrew Carey