



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 10/24/2017

Agenda Placement: 10D

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

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

REPORT BY: David Morrison, Director, Planning, Building & Environmental Servi - (707) 253-4805

SUBJECT: Adopt a Resolution Approving New Section 12 B in the County Policy Manual

RECOMMENDATION

Director of Planning, Building and Environmental Services requests adoption of a resolution creating a policy in Napa County Policy Manual, Part I: Section 12B, Rebuilding After a Disaster effective October 24, 2017 to provide responsive and effective post disaster permitting services.

EXECUTIVE SUMMARY

In October, 2017, Napa County experienced devastating wildfires. The damage sustained by property owners due to the magnitude and scope of these fires support the need for additional measures to be taken by the County to effectively provide responsive and timely post disaster permitting services. The attached policy provides a framework for assisting property owners in rebuilding their homes and businesses immediately after a disaster.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, second, discussion and vote on item.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: 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. The proposed action allows for the repair and maintenance of existing public and private structures as provided for under 14 California Code of Regulations 15301 (State CEQA Guidelines) - Class 1 Categorical Exemption. The proposed action allows for the reconstruction and replacement of existing structures and facilities as provided for under 14 California Code of Regulations 15302 (State CEQA Guidelines) - Class 2 Categorical Exemption. The proposed action involves the issuance of permits for ministerial projects as provided for under 14 California Code of Regulations 15268 (State CEQA Guidelines). The proposed action involves emergency projects as provided for under 14 California Code of Regulations 15269 (State CEQA Guidelines).

BACKGROUND AND DISCUSSION

In October, 2017, Napa County experienced devastating wildfires. On October , 2017, the interim County Executive Officer and the Director of Emergency Services issued a proclamation regarding the existing or threatened existence of a local emergency. On October 10, 2017, the Board of Supervisors adopted a resolution ratifying the actions of the County Executive Officer and the Director of Emergency Services, and declared a local emergency pursuant to Government Code Section 8630.

On October 9, 2017, Governor Edmund G. Brown Jr. issued an emergency proclamation for Napa, Sonoma and Yuba counties due to the effects of multiple fires, including the Tubbs and Atlas fires, which have damaged critical infrastructure, threatened thousands of homes and caused the evacuation of residents.

On October 10, 2107, President Donald Trump declared a major disaster in the State of California and ordered Federal aid to supplement State and local recovery efforts in the counties of Butte, Lake, Mendocino, Napa, Nevada, Sonoma, and Yuba.

The scale of the current disaster is significant. Although the damage assessment continues, it appears that hundreds of homes have been destroyed, as have hundreds of outbuildings and dozens of commercial structures. Additional measures need to be taken by the County to effectively provide responsive and timely permitting services to assist property owners in recovering from enormous damage resulting from the magnitude and scope of these fires. The attached policy provides a framework for assisting property owners in rebuilding their homes and businesses immediately after a disaster, while continuing to ensure that standards for public health and safety and environmental protections are being met.

The policy will be triggered upon the Board declaring a specific event as a disaster. For example, in the past few years the Board has declared emergencies for the 2014 Earthquake, the Valley Fire, and the 2017 Winter Storms. Each event generated specific circumstances which are addressed in the attached policy. The policy addresses the following areas:

- a. Local Emergency Declaration
- b. Building Codes and Ordinances
- c. California Environmental Quality Act (CEQA)
- d. Code Compliance
- e. Demolition and Debris Removal
- f. Erosion Control Permits
- g. Fees
- h. Legally Non-Conforming Uses

- i. Rebuild Permit Priority
- j. Roads and Streets Standards (RSS) Requirements
- k. Set Back Requirements
- l. Temporary Housing
- m. Temporary Utility Connections
- n. Temporary Uses
- o. Unpermitted Construction
- p. Use Permits
- q. Viewshed
- r. Water Supply
- s. Wastewater

The policy provides the Directors of Planning, Building and Environmental Services, Fire, and Public Works to utilize discretion as it relates to certain development-related fees, with the written concurrence of the County Executive Officer.

The goal of the policy is to achieve a timely and systematic approach to recovery efforts and lessen the regulatory burden to the extent possible on those impacted by the disaster.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Helene Franchi