



Agenda Date: 11/21/2006
Agenda Placement: 8A
Set Time: 9:15 AM PUBLIC HEARING
Estimated Report Time: 10 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Robert Peterson - Director
Public Works
REPORT BY: Nate Galambos, Principal Engineer Public Works , 259-8371
SUBJECT: Road & Street Standards and Zoning Ordinance Amendment

RECOMMENDATION

Director of Public Works requests the following:

1. Adoption of a resolution amending Section 3 of the County's adopted Road and Street Standards to allow grant of an exception to the Road and Street Standards and defining the "inspection authority" under section 1270.08 of the State Responsibility Area Fire Safe regulations based on the recommendations of the Ad Hoc Committee; and
2. Second reading and adoption of an ordinance expanding the duties of the Zoning Administrator to include hearing and deciding certain applications for exceptions to the County's Road and Street Standards.

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

EXECUTIVE SUMMARY

On April 4, 2006, the Board of Supervisors created an Ad Hoc Committee comprised of two of its members to review and make recommendations regarding the criteria by which road exceptions are evaluated and granted. The Ad Hoc Committee has worked with staff from Public Works, County Fire, and Conservation, Development and Planning departments.

On October 24, the Ad Hoc Committee presented its findings to the Board of Supervisors. The Board requested that the Ad Hoc Committee review its findings based upon this discussion and report back with final recommendations. The Ad Hoc Committee has met again, and stands by its previous recommendations.

Staff is requesting the Board discuss the issue and consider:

1. adoption of a resolution that would modify the road exception process outlined in Section 3 of the Napa County Roads & Streets Standards; and

2. adoption of the zoning ordinance expanding the Zoning Administrator's duties to include hearing and deciding certain applications for exceptions to the road standards.

The proposed changes would make the road exception process discretionary resulting in more flexibility for staff to mitigate impacts of road exception requests. The process would have non-public road road exceptions in conjunction with other discretionary permits such as a use permit, variance or subdivision map heard and decided upon by the Planning Commission or other approving body. Any exception request submitted in connection with a building permit for a single family residence shall be decided by the Zoning Administrator after appropriate environmental review by the Conservation, Development and Planning Department. The proposed ordinance would amend County Code Section 18.10.020 by expanding the Zoning Administrator's duties to include hearing and deciding exception requests in connection with a building or other ministerial permit.

A request for an exception to these Standards for a public road or public drainage facility shall still remain with the Director of Public Works and determined on a case-by-case basis.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

BACKGROUND AND DISCUSSION

On April 4, 2006, the Board of Supervisors established an Ad Hoc Committee comprised of two of its members to discuss and make recommendations regarding the road modification process, the criteria outlined in Section 3 of the Napa County Roads & Street Standards (revised August 31, 2004 by Resolution No. 04-150) that warrant road modifications, and the necessity of including a notification process to impacted community members in the immediate vicinity of the road modification request.

The proposed changes address the following issues:

- | Provided clearer definitions of warrants for road modifications;
- | Increased staff ability to mitigate impacts, often associated with modification requests, that are intended to provide the same overall practical effect as the standards towards providing defensible space and consideration towards the life, safety and welfare of the public;
- | Allows the issue to be discussed in an open forum in front of an approving authority such as the Planning Commission or the Zoning Administrator; and
- | provides for a notification process to impacted community members in the immediate vicinity of the road modification request.

During the October 24 Board discussion, the issue was raised that the proposed changes did not

address whether the same same road exception process should be applicable for the Local Responsibility Area (LRA) and the State Responsibility Area (SRA). Direction was provided to review this issue. After analysis of the proposed changes and how it is applied to either LRA and SRA, the Ad Hoc Committee concluded that there should be no differentiation between the requirements for the LRA and SRA. The proposed changes to the road exception process provides staff with the ability to mitigate any areas that do not meet the standard in both the LRA and SRA.

This recommendation is based on the fact that the LRA, while not as prone to the wild land fire as the SRA, does face its share of problems. The main issue is a large number of equipment need to respond to a structural fire in the LRA due to the rural nature of sites. Because of the number of responders, unimpeded access to the site is necessary to allow County Fire to adequately perform its duties. Any reduction in the required road width poses a serious threat to the ability of County Fire to adequately perform its duties. The LRA needs to meet the same requirements as the SRA and should be subject to the same process for requesting a modification. If there is mitigation that can be incorporated to allow for a reduction in the standards, while providing the same overall practical effect as meeting the standards, then those request would be granted through the proposed revised process.

SUPPORTING DOCUMENTS

- A . Resolution Amending Section 3 of the Road and Street Standards - Tracked Version
- B . Resolution Amending Section 3 of the Road and Street Standards - Clean Version
- C . Zoning Ordinance re: Zoning Administrator's Duties - tracked changes
- D . Zoning Ordinance re: Zoning Administrator's Duties - clean version

CEO Recommendation: Approve

Reviewed By: Andrew Carey