



Agenda Date: 2/26/2008
Agenda Placement: 9A
Set Time: 9:00 AM PUBLIC HEARING
Estimated Report Time: All Day

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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

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 staff presentation, take public testimony, and continue their deliberations regarding the 2008 General Plan Update. Following their deliberations, the Planning Commission may either conclude its public hearing and make a recommendation to the Board of Supervisors on the General Plan Update and the Final Environmental Impact Report (EIR), or continue its public hearing to a later date. Following a recommendation by the Planning Commission, the Board of Supervisors will conduct a formally noticed public hearing to 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 2009. The Board of Supervisors will not take their final action on the 2008 General Plan Update and EIR until March 18, 2008 or later.

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 February 26, 2008 to hear a presentation regarding the proposed 2008 General Plan Update, receive public testimony, and continue their discussions and deliberations. At the close of the hearing, the Planning Commission may take their final action on the proposed General Plan Update and Environmental Impact Report (EIR), or may continue their hearing to a later date. The Board will not take their final action on the General Plan Update and EIR until March 18, 2008 or later.

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. 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.

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. (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. Additional detail is provided in the attached table of Implementation Section costs.
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. As part of their recommendation to the Board of Supervisors, the Planning Commission will review and consider information in the Final Environmental Impact Report (EIR). Prior to considering adoption of the proposed General Plan Update, 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 a comprehensive 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 aids 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, along with tracked-changes versions of most sections of the General Plan Update illustrating changes between the February 2007 and December 2007 draft documents.

Status of the Hearing Process

On January 15, 2008, the Planning Commission and the Board of Supervisors met in joint session to hear a presentation regarding the proposed General Plan Update, to receive public testimony, and to begin their deliberations. At that meeting, the Commission and the Board identified a list of issues for further discussion, including five "big picture" issues: (a) growth projections and policies (including the jobs/housing balance); (b) the Urban and Rural Residential areas informally referred to as "bubbles;" (c) costs and details of the proposed implementation program; (d) water-related issues; and (e) the text, map, and policies related to Angwin. These topics are addressed individually below.

At the January 15th meeting, the Commission and the Board also discussed a number of other issues, some of which required follow-up by staff, and received written responses to comments on the plan and EIR, as well as a list of text changes recommended to the December 3, 2007 Draft General Plan Update. During the course of the meeting, the Board and the Commission directed staff to include additional text changes supporting workforce housing, data collection and assessment of cumulative impacts associated with wineries, roundabouts, periodic review of the Viewshed Ordinance and views from Lake Berryessa, and consideration of the potential for recreational use prior to abandoning unneeded rights of way. The Commission and the Board also expressed their desire to redesignate Skyline Park and/or somehow ensure its continued use as parkland, and requested an analysis of options. On January 16, 2008, the Planning Commission received additional testimony and continued their deliberations. At the conclusion of the meeting, the Commission directed staff to include several additional changes to the text of the December 3, 2007 General Plan Update and to prepare for subsequent hearings on January 30, 2008 and February 6, 2008. These additional hearings were held and resulted in the outcomes/direction summarized below by topic.

(a) Growth Projections & Policies

On January 30, 2008, the Planning Commission received additional testimony and continued their deliberations, with a focus on issues related to growth projections and policies; and the urban "bubbles." These issues were analyzed by staff, and background information was provided in a memorandum to the Commission, which is attached to this staff report.

At the conclusion of the meeting, the Commission directed staff to include several changes to the text of the December 3, 2007 General Plan Update specifically addressing these issues. One of the changes clarifies that growth projections used in the EIR are not intended as goals or as statements of policy, but are merely presented for analytical purposes. (See list of errata and text changes, attached.) Another change would ensure that the County reviews population and employment projections at least as frequently as it updates the Housing Element (see text change proposed for Policy E-18).

(b) The So-Called Urban "Bubbles"

At the direction of the Board and the Commission, staff prepared a list of options for consideration of changes to the so-called "urban bubbles," which are those areas designated Urban or Rural Residential on the County's Land Use Map. (See attached memorandum and diagram.) Following review of these options and receipt of public testimony on January 30, 2008, the Commission directed staff to substantially modify Action Item Ag/LU-114.1 regarding future planning to address the "urban bubbles" and changed it from priority "B" to priority "A." As

modified, Action Item Ag/LU-114.1 is now proposed as follows:

"Undertake a systematic planning effort to review and adjust the boundaries of areas designated Urban Residential and Rural Residential on the Land Use Map, with the objective of preserving agricultural uses and eliminating areas zoned and used for agriculture from these designations. The planning process shall prioritize review of areas that are not contiguous to incorporated cities, and shall consider the following factors at a minimum: the development potential of each area based on zoning; infrastructure and services availability; community character; physical constraints such as topography; and the desires of potentially affected property owners within each area. The County shall not support requests for rezoning from agricultural to non-agricultural zoning districts in these areas until the review and adjustment of area boundaries is complete. (A; CDPD)"

It should be noted that this action item is not intended to apply to Angwin, since the boundaries of the Angwin area have been reviewed during the course of the General Plan Update, and are proposed for adjustment as explained further below. The Berryessa Estates area is also proposed for adjustment in the General Plan Update to eliminate agriculturally zoned land from the Rural Residential designation. This suggests that the Berryessa Estates area, and the remaining review of its potential *expansion* to include residentially-zoned parcels, will not need to be prioritized.

(c) Implementation Program

On February 6, 2008, the Planning Commission received additional testimony and continued their deliberations, with a focus on issues related to water resources and the proposed implementation program. In considering the implementation program, the Commission reviewed a table summarizing text changes to the implementation measures that had been requested previously, the relative cost of each item, and some comments about its implementation. At the conclusion of the meeting, the Commission directed staff to include several changes, which have been incorporated into a revised table and attached to this staff report. The table of implementation actions has also been reviewed by the County CEO, and the CEO's office has provided a memo regarding future funding of General Plan implementation.

(d) Water Issues

On February 6, 2008, the Planning Commission instructed staff to separate water-related text and policies from the balance of the Conservation Element to form a new, separate "Water Element." The Planning Commission also discussed a number of potential text changes and additions which are being reviewed and revised by staff and ground water experts under contract to the County. The resulting recommended text changes will be provided to the Board and the Commission as a separate transmittal in advance of their meeting of February 26, 2008.

(e) Angwin

The February 26, 2008 joint hearing of the Planning Commission and the Board of Supervisors provides an opportunity for additional public testimony as well as discussion and deliberation regarding issues previously discussed by the Planning Commission and the outstanding issues associated with Angwin. At the Board of Supervisor's request, the Planning Commission deferred any further deliberations about the map, text, and policies proposed for Angwin (pp. 43-45 of the Revised Draft General Plan Update) until this joint meeting. (Please note, however, there is one change to Policy Ag/LU-60 included in the list of recommended errata and text changes, attached.)

County staff recommends that the Board and Commission first invite public testimony on the Angwin issues, then determine if they wish to make any adjustments to the map on p. 43 of the Revised Draft General Plan Update, which is the outcome of direction provided at a joint meeting in October, 2007. Finally, staff desires final direction on changes to the text and policies on pp. 43-45. The current draft was developed by staff based on input

from the public, the Steering Committee, and the Planning Commission. The draft would neither encourage nor preclude Pacific Union College's pending development application, although the suggested policies would inform the County's analysis and consideration of the PUC's proposal following preparation of a detailed project-specific environmental impact report (EIR).

The group Save Rural Angwin has suggested substantial changes to this section, and other commenters are likely to provide additional input at the meeting. For Save Rural Angwin's suggestions and other comments received between December 3, 2007 and February 8, 2008, please see the attached comments and responses.

Next Steps

At the close of the hearing on February 26, 2008, the Planning Commission may take their final action on the proposed General Plan Update, indicating that they have reviewed and considered the Final EIR and providing their recommendation to the Board of Supervisors. (Two draft resolutions will be provided in materials transmitted to the Commission.) Alternatively, the Commission will continue their public hearing to a later date. The Board of Supervisors will not take their final action on the General Plan Update until March 18, 2008 or later, and may or may not choose to hold the previously scheduled public hearing on March 4, 2008.

Before taking any action on the General Plan Update, the Board of Supervisors will consider the Planning Commission's recommendations, as well as the information and analysis in the Final EIR and 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). 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.

Additional Comments/Responses

Many of the written and oral comments provided to the Planning Commission and the Board of Supervisors since the Revised Draft General Plan Update was issued on December 3, 2007 have been responded to orally at one of the public hearings. However some comments could not be responded to orally, and a memorandum is attached which provides responses to these comments and questions, focusing on new issues that have not already been addressed in responses to other comments included elsewhere in the public record. A supporting memo from Pacific Mutual Consultants (PMC) is also attached.

Any comments submitted to the Planning Commission and/or the Board of Supervisors during the balance of 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

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 is being updated throughout the hearing process to reflect changes requested by the Planning Commission and the Board of Supervisors. (See attached for the current list of all recommended and requested changes.)

SUPPORTING DOCUMENTS

- A . Memo RE: Growth Projections/Policies & Urban Bubbles
- B . Diagram of the 12 Urban Bubbles
- C . Table of Implementation Actions
- D . General Plan Funding Implementation Funding Memo
- E . Comments Received 12/3/07-2/8/08
- F . Responses to Written Comments 12/3/07-2/8/08
- G . List of Errata and Text Changes as of 2/15/08
- H . PMC Follow-up Memo

CEO Recommendation: Approve

Reviewed By: Helene Franchi