



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 2/4/2020  
Agenda Placement: 10A

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

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

**REPORT BY:** Patrick Ryan, Engineering Manager - PBES - (707) 253.4892

**SUBJECT:** Adopt a resolution amending the Napa County Road and Street Standards

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### **RECOMMENDATION**

Director of Planning, Building and Environmental Services (PBES) and County Fire Marshal request adoption of a resolution amending the Napa County Road and Street Standards (the Road Standards) to accomplish the following:

1. Address and reflect changes to the California Board of Forestry and Fire Protection's (the Board of Forestry) State Responsibility Area (SRA) Fire Safe Regulations;
2. Provide consistency with Napa County's Small Winery Protection and Use Permit Streamlining Ordinance (the Small Winery and Streamlining Ordinance); and
3. Improve consistency in the application of the Road Standards.

### **EXECUTIVE SUMMARY**

The proposed resolution, if adopted, would amend various sections of the Road Standards to accomplish the following:

1. Establish minimum wildfire protection standards compliant with the Board of Forestry's SRA Fire Safe Regulations and meet the needs of current firefighting apparatus;
2. Provide a more reasonable basis for imposing Road Standards on small wineries and certain minor modifications to winery use permits; and
3. Improve consistency and regulatory clarity in the uniform application of the Road Standards by updating existing language to comport with existing State requirements, local zoning codes and general plan policies.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?

No

County Strategic Plan pillar addressed: Effective and Open Government - Strengthen effective, efficient and fiscally responsible County operations.

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Categorical Exemption Class 8. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA). [See Class 8 (“Actions by Regulatory Agencies for Protection of the Environment”) which may be found in the guidelines for the implementation of CEQA at 14 CCR §15308.] The proposed action is also exempt from CEQA under the General Rule because 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 CEQA, 14 CCR 15061(b)(3).]

**BACKGROUND AND DISCUSSION**

The Road Standards were first adopted in 1971 for the purpose of meeting the objectives outlined by the 1970 Road Standard Advisory Committee including, but not limited to, providing reasonable standards related to terrain, parcel size, and providing adequate safety and service. The Road Standards have been amended 13 times over the past 49 years. These amendments have included, but are not limited to, updating design criteria and details, accessibility requirements, and creating procedures to apply for an exception to the Road Standards. In 2017, the Road Standards were amended to allow the County a greater range of options in the local administration of private road developments for sites located completely within the Local Responsibility Area and not designated as being in a Very High Fire Hazard Severity Zone. The 2017 amendment allowed an exception to the Road Standards where measures provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response. The Road Standards were last amended in April 2019. That amendment to subsection (c) of Section 2 (Scope of Standards) made the Road Standards applicable to applications for a new Use Permit or a Major Modification to a Use Permit. The 2019 amendment provided a more practical basis and nexus for imposing the Road Standards on the types of applications that actually result in an intensification of use and potentially add more vehicles to the roadway network.

The proposed amendments before the Board today have been initiated as a result of revisions to the Board of Forestry's 2020 SRA Fire Safe Regulations, to ensure consistency with the Small Winery and Streamlining Ordinance, and recommendations by Engineering Division staff and the County Fire Marshal to improve regulatory clarity and consistency in the uniform application of the Road Standards. The proposed revisions reflect the continued effort of Napa County to comply with the SRA Fire Safe Regulations and meet the objectives of the Road Standards while preserving public health, safety, and welfare and protecting development from wildfire and other emergencies.

**Public Outreach**

On January 10, 2020, Staff from the Engineering Division of the PBES Department notified 92 stakeholders and design professionals by email of the proposed amendments to the Road Standards and of a workshop to solicit public input on the amendments scheduled for January 16, 2020. On January 16, 2020, Engineering Division staff and the County Fire Marshal held a workshop which was attended by eleven (11) interested persons. Stakeholders

identified a few errors and inconsistencies in the draft Road Standards that staff has addressed and incorporated into the Road Standards being considered today. Overall, the stakeholders supported the proposed amendments to the Road Standards.

### **Proposed Substantive Amendments**

The proposed resolution before the Board would amend various sections of the Road Standards. The substantive revisions are described below along with the justification for the proposed change.

#### **Amendments Triggered by the 2020 Board of Forestry SRA Fire Safe Regulations**

The Board of Forestry's SRA Fire Safe Regulations establish the minimum wildfire protection standards in conjunction with building, construction, and development in the SRA. When adopting amendments, Napa County shall ensure that local ordinances, rules, regulations or general plan policies are equal to or more stringent than the minimum standards of the Fire Safe Regulations. The Board of Forestry may certify local ordinances as equaling or exceeding the Fire Safe Regulations when they provide the same practical effect. The intent of the proposed changes to the Road Standards is to provide the same practical effect as the SRA Fire Safe Regulations toward wildfire suppression strategies and tactics, and provisions for fire fighter safety, so that the Board of Forestry may certify the revised Road Standards.

Currently, the classification of Residential Driveways only allows a residential driveway to serve one (1) residential parcel meeting PBES development standards, and any number of accessory buildings. The 2020 Fire Safe Regulations changed the classification of Residential Driveways to allow a residential driveway to serve more than one parcel. As such, staff has revised Section 14 (Street and Road Classifications) of the Road Standards to allow residential driveways to serve as the minimum vehicular access for up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or non-industrial buildings on each parcel. Because of the proposed revision to Residential Driveways, Table 15.1 (Turnout Space on Existing Residential Driveways) has also been amended for consistency.

The 2020 Fire Safe Regulations also changed the roadway grade and vertical clearance design criteria. Under the 2020 Fire Safe Regulations, roadway grade may exceed sixteen (16) percent, not to exceed twenty (20) percent. Section 15 (Roadway Grade) of the Road Standards has been revised to incorporate the language directly from the State and Section 15(c) has been revised to codify an existing administrative PBES Department and Fire Marshal practice of not supporting roadway grades greater than twenty (20) percent. The 2020 SRA Fire Safe Regulations also revised the vertical clearance standard from fifteen (15) feet to thirteen (13) feet, six (6) inches. Section 15(a) (Roadway Structures) has been revised to mirror the Board of Forestry's new vertical clearance requirement.

#### **Amendments Triggered by Napa County's Small Winery Protection and Use Permit Streamlining Ordinance**

Following a public workshop on October 15, 2019, the Board of Supervisors directed staff to prepare an ordinance to (1) create a streamlined process for small wineries to: convert their exemptions into use permits through a public hearing; (2) delineate categories of modifications to use permits, with appropriate levels of public review and approval based on the extent of the modification; and (3) streamline major modifications to use permits in the Napa Valley Business Park. On January 28, 2020, the Small Winery and Streamlining Ordinance was introduced, and had a first reading and intent to adopt with adoption anticipated on February 4, 2020.. The ordinance takes effect thirty (30) days after adoption. The Small Winery and Streamlining Ordinance necessitates changes to the Road Standards to identify the access design criteria for small wineries with average daily traffic (ADT) volumes less than or equal to 40 and to clarify the Road Standards applicability to Use Permits, Major Modifications and Minor Modifications with ADT volumes greater than 40.

Section 14 (Street and Road Classifications) has been revised to apply the Agricultural Road classification to those

small wineries with ADT volumes of less than or equal to 40. The design criteria for an Agricultural Road for these small wineries has also been revised in Section 15 (Design Criteria) of the Road Standards to be equivalent to the residential driveway minimum design requirements. As amended, Agricultural Roads shall be constructed to provide fourteen (14) feet of travel way and unobstructed vertical clearance of thirteen (13) feet, six (6) inches along its entire length. The travel way shall, at a minimum, consist of a ten (10) foot wide all weather surfaced travel lane with four (4) feet of drivable shoulder. For Agricultural Roads between one hundred fifty (150) feet and eight hundred (800) feet in length, a standard inter-visible turnout shall be provided near the midpoint of the roadway as approved by the County Engineer. Where Agricultural Roads exceed eight hundred (800) feet in length, standard inter-visible turnouts shall be provided no more than four hundred (400) feet apart. Section 4 (Definitions) of the Road Standards has also been amended to include a new definition of Average Daily Traffic (ADT) as meaning the average 24-hour traffic volume, both cumulative in-bound and out-bound trips, at a given location during peak season. Peak season for wineries is considered the harvest season between August 15 and October 31, which also corresponds to the regions fire season.

To facilitate reasonable application of the Road Standards to existing wineries requesting modifications with de minimis intensification increases such as a modest increase in the number of full-time employees, tours and tastings, and deliveries, subsection (c) of Section 2 (Scope of Standards) has been amended. As amended, Section 2(c) of the Road Standards would apply to applications for a use permit, a major modification or a minor modification that proposes an ADT volume greater than 40. Currently, under Section 2(c), the Road Standards are triggered upon submittal of any application for a new use permit or a major modification of a use permit with any intensification increase. The proposed amendment would provide a more reasonable basis and nexus for imposing the Standards on the types of applications that generate more vehicles to the roadway network.

#### **Staff Recommended Amendments for Consistency and Uniform Application of the Road Standards**

In addition to the changes initiated by State and local regulations, Engineering Division staff and the County Fire Marshal are proposing amendments to improve consistency and regulatory clarity in the uniform application of the Road Standards. These revisions include adding a new subsection (d) to Section 2 (Scope of Standards) to impose the Road Standards on applications which propose to change the use and/or occupancy classification of an existing structure. For example, a building permit application to convert an existing utility or miscellaneous Group U building (e.g. Agricultural Barn) to a Group R-3 building (dwelling unit). The current Road Standards do not address this scenario and this staff proposed amendment would close this loophole.

Staff is also recommending Sections 9, 10 and 11 of the Road Standards be amended to be consistent with current zoning code and general plan policies regarding required parking, pedestrian, bicycle, bus facilities, and driveway entrances, as follows:

- I Section 9 (Parking Requirements), has been revised to be consistent with County Code Chapters 18.110 (Off-Street Parking and Loading Facilities) and 18.104 (Additional Zoning District Regulations) regarding off-street parking requirements. A new subsection (d) and new subsection (e) to Section 9 (Parking Requirements) has been included to provide consistency with General Plan Circulation Element Policies CIR-8 and CIR-9, respectively, in order to prevent excess parking for new development projects and to require electric vehicle charging stations for new housing and employment development projects.
- I A new subsection (d) to Section 10 (Pedestrian, Bicycle and/or Bus Facilities) is included to ensure bicycle facilities are provided for all non-residential uses as specified in Napa County Code Chapter 18.110, including language referencing the Countywide Bicycle Plan and Countywide Pedestrian Plan.
- I For consistency with County Code Section 18.110.050.A.2, Section 11 (Curb, Gutter and Sidewalk) has been revised to require that entries to driveways along arterial collectors and minor streets shall be separated by a minimum distance of one hundred twenty-five (125) feet or as required by the Director of Public Works to ensure proper traffic circulation and safety.

Staff is also recommending several clerical, non-substantive revisions and grammatical changes to the Road Standards such as omitting redundant information and specification found in multiple sections of the Road Standards.

### **CONCLUSION**

The proposed amendments continue the efforts of Napa County to meet the objectives of the Road Standards while preserving public health, safety, and welfare, and the continued compliance with existing State and local regulations. This resolution incorporates feedback from stakeholders, Board of Forestry staff, and the County Fire Marshal to improve regulatory compliance, clarify the Road Standards and reasonably apply the Road Standards where a nexus exists. This process aligns with the pillars and objectives of the County's Strategic Plan, specifically, by operating as an effective and open government and providing increased transparency in government operations while empowering residents. The proposed resolution will also protect or enhance the environment by reducing potential grading, paving, and road-widening currently imposed on various land use permit applications and require reasonable road improvements in conformance with the Road Standards where there is an intensification of use or generation of more vehicle trips greater than 40 ADT.

If adopted, the resolution must then be submitted to the Board of Forestry to certify that the amended Road Standards equal or exceed the SRA Fire Safe Regulations by providing the same practical effect. County staff has been in communication with representatives from the Board of Forestry and the County Fire Marshal's office during drafting of the proposed amendments and has shared the proposed amendments with both. Engineering Division staff is confident that the proposed resolution has the support of the Board of Forestry. If adopted today, the resolution would be forwarded to the Board of Forestry for certification at their next available Board meeting which is anticipated in March 2020.

Staff recommends adoption of the proposed resolution.

### **SUPPORTING DOCUMENTS**

- A . 2020 NCRSS Resolution
- B . 2020 NCRSS Resolution\_Exhibit A
- C . 2020 Napa County Road & Street Standards\_CLEAN
- D . 2020 Napa County Road & Street Standards\_REDLINED

CEO Recommendation: Approve

Reviewed By: Leigh Sharp