



Agenda Date: 3/18/2008
Agenda Placement: 9E
Set Time: 1:30 PM PUBLIC HEARING
Estimated Report Time: 1.5 hrs

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Gitelman, Hillary - Director
Conservation, Development & Planning
REPORT BY: Hillary Gitelman, Director - 253-4805
SUBJECT: 2008 General Plan Update/County of Napa General Plan Amendment

RECOMMENDATION

Director of Conservation, Development & Planning and Director of Community & Intergovernmental Affairs request that the Board of Supervisors receive the Planning Commission's March 5, 2008 recommendation, hold a public hearing regarding the 2008 General Plan Update, and either continue the public hearing to the Board's regular meeting of April 1, 2008 or consider adoption of a motion of intent to adopt two resolutions as follows:

1. A resolution certifying that the Final Environmental Impact Report (EIR) regarding the 2008 General Plan Update has been completed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and local implementing guidelines, that the Board has reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the County's independent judgment and analysis; and
2. A resolution rescinding all elements of the existing Napa County General Plan except for the Housing Element, and replacing them with the 2008 General Plan Update, consisting of the December 3, 2007 Public Review Draft together with the list of errata and text changes contained in exhibits to the resolution, adopting a mitigation monitoring program, and adopting CEQA findings, including findings of overriding considerations related to unavoidable significant impacts.

EXECUTIVE SUMMARY

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. The Planning Commission has provided the Board of Supervisors with their recommendations in the attached Planning Commission Resolutions No. 08-01 and No. 08-02, including a recommendation that text, goals, and policies related to water resources be relocated from the proposed Conservation Element to a separate Water Resources Element.

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.)

PROCEDURAL REQUIREMENTS

1. Chair announces agenda item.
2. Chair declares the Public Hearing open.
3. Staff reports on the item.
4. Questions by the Board
5. Chair invites public comment.
6. Chair declares the Public Hearing closed or entertains a motion to continue.
7. Chair invites a motion on the item.
8. Member makes a motion on the item.
9. Another member seconds the motion on the item.
10. Board discussion and debate.
11. Chair calls for the Vote on the motion on the item.
12. Chair announces the result of the Vote.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	The proposed General Plan Update is included in the Final FY 07-08 budget and contains goals and policies that will guide decision making in the future. Although generally, these have few costs, some include 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 which will be included in future year recommended budgets.
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 (EIR). Prior to adopting the General Plan Update, the Board will be asked to certify that the Final EIR 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, 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 adopt CEQA findings, including findings pursuant to CEQA Guidelines Section 15091 related to significant impacts, mitigation measures and alternatives, and a statement of overriding considerations related to significant and unavoidable impacts pursuant to CEQA Guidelines Section 15093.

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 many of 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 (NOP) of an Environmental Impact Report (EIIR) 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 EIR 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. A Final EIR containing public comments and responses as well as changes and additions to the Draft EIR 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 & Planning Commission Recommendation

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; (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. 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, January 30, and February 6, 2008, the Planning Commission received additional testimony and continued their deliberations. At the conclusion of these meetings, the Commission directed staff to include additional changes to the text of the December 3, 2007 General Plan Update regarding growth projections and policies, the urban "bubbles," the implementation plan, and a water resources element. On February 26, 2008, the Planning Commission and the Board of Supervisors met in joint session and heard public testimony mostly focused on issues related to Angwin, the other "urban bubbles," and water resources. At the close of the meeting, the Commission and the Board provided direction to the staff on these issues.

On March 5, 2008, the Planning Commission received additional testimony, closed the public hearing and adopted two resolutions, which are attached. The resolutions contain the Commission's recommendations that the Board of Supervisors certify the Final EIR and adopt the 2008 General Plan Update based on a series of findings, referenced materials and exhibits. Exhibit A contains the Commission's recommended changes to the text of the December 3, 2007 Public Review Draft of the General Plan Update. Exhibit B contains the Commission's recommended goals, policies, and action items related to water resources. The Commission also requested that staff continue to work with representatives of the Winegrowers and St. Helena Hospital to resolve issues contained in their letters (received on February 29 and March 3, 2008).

Today's Hearing & Next Steps

On March 18, 2008, the Board of Supervisors will hold a noticed public hearing on the General Plan Update, review the Planning Commission's recommendations, take public testimony, and have an opportunity to raise their own comments and concerns and provide direction to staff. An updated list of possible text changes including those recommended by the Planning Commission and those recommended by staff since March 5, 2008, has been attached for the Board's consideration, together with the map changes requested by the Board on February 26, 2008. Staff would appreciate an opportunity to present these materials, and to respond to any new issues that might be raised in the course of public testimony. Staff would also be happy to respond to any questions or concerns raised by the Board.

At the end of the meeting, staff is requesting that the Board continue their hearing until April 1 or April 15 for further discussion. If and when the Board closes the public hearing and takes their final action on the 2008 General Plan Update, the Board will be asked to certify the Final EIR in accordance with State law, and will also be asked to adopt specific findings regarding significant environmental effects, alternatives and mitigation measures. 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.

SUPPORTING DOCUMENTS

- A . Planning Commission Recommendation -- Resolution 08-01
- B . Planning Commission Recommendation -- Resolution 08-02
- C . Planning Commission Recommendation -- Exhibit A
- D . Planning Commission Recommendation -- Exhibit B
- E . Recommended Errata & Text Changes as of 3/11/08
- F . Recommended Map Revisions

CEO Recommendation: Approve

Reviewed By: Helene Franchi