



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 3/8/2016

Agenda Placement: 6G

## 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:** John McDowell, Deputy Planning Director - 299-1354

**SUBJECT:** Adopt Resolution Establishing County Policy Regarding Administrative Permit Requirements for Certain Temporary Construction Staging Areas

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### **RECOMMENDATION**

Director of the Planning, Building and Environmental Services requests adoption of a resolution amending the Napa County Policy Manual in Part 1, effective as of March 8, 2016, to add Section 12A regarding administrative permit requirements for certain temporary construction staging areas.

### **EXECUTIVE SUMMARY**

Staff recommends that the Board adopt the proposed resolution to establish a policy setting forth the guidelines that shall apply to whether temporary construction staging areas are to be deemed to be permissible accessory land uses under Napa County Code Section 18.08.020, or whether they fall within the category of "remote" temporary construction staging areas that will be subject to a Zoning Administrator-issued administrative permit requirement. The proposed resolution and policy provide that the County generally considers temporary construction staging areas to be a permissible "accessory use" to an approved construction project and thus not required to be separately permitted. However, the resolution and policy will also provide that a remote temporary construction staging area ("RTCSA") that is not located on or adjacent to the property comprising the main construction site, may not be treated as an "accessory use" under Section 18.08.020 in certain circumstances discussed in the Background, below, and spelled out in the proposed resolution and policy. In those circumstances, an administrative permit would be required to afford nearby property owners an opportunity to comment on the proposal.

### **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.

**BACKGROUND AND DISCUSSION**

It has come to staff's attention that one or more parcels of real property in unincorporated areas of Napa County have been used for temporary construction staging purposes in locations that are not on or physically adjacent to any of the parcels comprising the main construction project sites ("Remote Temporary Construction Staging Areas" or "RTCSAs"), and where owners of real property located within 1,000 feet of those RTCSAs did not receive notice of the intended use of the property for construction staging until after the work had begun. In these instances, while the use of the RTCSAs may be generally compliant with the County Zoning Code and do not warrant a conditional use permit requirement, staff believes that adjacent owners should be afforded the right to receive notice of the intended use of these parcel and the opportunity to be heard regarding their intended use. Thus, while such RTCSAs would generally be permissible "accessory uses" under County Zoning Code section 18.08.20, if the owners of property within 1,000 feet of the proposed RTCSA site did not receive notice or opportunity to be heard in the process of the main project approval, or if evidence is presented to County Code Enforcement staff that the same site has been used on multiple occasions for similar purposes within the past five years, it would be reasonable to require that the RTCSA be subject to an administrative permit requirement (within the Zoning Administrator's purview). This process would provide an opportunity for the surrounding property owners to receive notice and to be heard regarding the proposed RTCSA use.

Staff anticipates that this new administrative permit requirement will apply only to a very narrow range of circumstances, since in most cases temporary construction staging areas are located on or adjacent to the construction project site, and since even when the RTCSA is not located immediately adjacent to a construction site, it is close enough so that property owners within 1,000 feet will have received notice of the overall project, including the intention to use the parcel in question as a Remote Temporary Construction Staging Area.

**SUPPORTING DOCUMENTS**

A . Resolution

CEO Recommendation: Approve

Reviewed By: Helene Franchi