



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 5/22/2012  
Agenda Placement: 9D  
Set Time: 10:00 AM  
Estimated Report Time: 1 Hour

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**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

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### **RECOMMENDATION**

Joint meeting of the Board of Supervisors and Planning Commission with discussion and possible direction to staff regarding the following topics:

1. Code enforcement program status report: accomplishments and ongoing efforts.
2. Pending special projects requested by the Commission and the Board.
3. Other issues of mutual interest.

### **EXECUTIVE SUMMARY**

The Conservation, Development and Planning Commission meets periodically with the Board of Supervisors to discuss items of a planning nature. This is the first such meeting in 2012 and is intended to provide the Commission and the Board with an update regarding the County's code enforcement program and to allow for prioritization of some of the special projects that have been tasked to the Department in recent months.

### **PROCEDURAL REQUIREMENTS**

1. Planning Commission roll call & Planning Commission Chair calls Planning Commission Special Meeting to order
2. Staff presentation
3. Public comment
4. Board & Commission discussion and direction to staff
5. Planning Commission Chair recesses Planning Commission Special Meeting.

**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****Annual Code Enforcement Update**

The Department's code enforcement program provides for abatement of property nuisances as well as building code, health and safety, and land use (zoning and use permit) violations within the County of Napa. Staff will provide a power point summary of the program for this past year and invite questions from the Board and Commission.

During the FY2011/12 year, the code enforcement program was staffed by three full time positions within the Department of Conservation, Development and Planning. However, code enforcement activities are coordinated across departments, and violation abatement in one area often coincides with abatement in other areas, involving the work of staff from the Departments of Public Works, Environmental Management, the Fire Marshall, the Sheriff's office, the District Attorney's office, and County Counsel, as well as Planning, Conservation, and Building staff who are not assigned to code enforcement on a full-time basis.

As the power point presentation will explain, code enforcement is a resource-driven function, and the success of the program (i.e. the number of cases investigated and resolved) is heavily dependant on the funding available and the assignment of staff resources. At present, half of the full-time code enforcement staff (i.e. 1.5 FTE) are funded by building permit revenues and the remaining positions are general fund supported. The District Attorney and County Counsel are often able to recover staff costs associated with abatement activities, and these revenues (i.e. reimbursements for staff time as a result of settlement agreements) also support the code enforcement function within the various departments. Nonetheless, code enforcement requires some level of general fund support. Staff would appreciate receiving an indication from the Board and Commission as to whether the resources currently allocated to the code enforcement function are in line with their objectives.

**Special Projects of a Planning Nature**

A small fraction of the general fund support received by the Conservation, Development and Planning Department on an annual basis is set aside to support zoning code changes and special projects requested by the Board of Supervisors and the Commission. (In past years, this support was estimated as translating into approximately 0.20 FTE.)

As a result, when there are multiple special projects vying for attention, it's important for Department to understand the Board's priorities so that the most important projects are addressed first. The following special projects are currently programmed for attention in the coming year (where there is a deadline or time-frame already established, this is noted):

1. complete phase two of the groundwater study (this is currently funded and underway);
2. participate in the SubRHNA process and prepare for the housing element update starting in June 2013 (a Board report is scheduled for June 5);
3. prepare possible ballot language to permit the restaurant at the Chardonnay golf course to be open to the general public (a Board report is scheduled for June 19);
4. schedule a joint Board of Supervisors/Planning Commission study session to review the rural recreation findings in the zoning ordinance (tentatively scheduled for the next joint meeting on July 10);
5. develop a possible zoning ordinance amendment related to farmworker housing, making the code more clear and more closely aligned with State law;
6. develop a possible zoning ordinance amendment that would explicitly prohibit the use of infrastructure (e.g. roads, septic, etc.) that is located on agricultural land to support commercial development on parcels zoned CL and CN;
7. schedule a Planning Commission study session to assess the merits of possible updates to the Airport Industrial Area Specific Plan suggested by the "blue ribbon" committee, including (a) a name change; (b) permitting more approvals at a staff level, rather than requiring Commission action; and (c) permitting more uses "by right" via preparation of a program level EIR. Report back to the Board after the study session;
8. prepare for adoption and implementation of the Climate Action Plan (General Plan Action Item CON-CPSP-currently scheduled for June 26), including development of a fee mitigation or local offset program;
9. develop potential amendments to the zoning ordinance to provide location criteria for churches (General Plan Action Item AG/LU-125.1);
10. update the analysis of cumulative impacts undertaken in the General Plan EIR (certified in June 2008), particularly as it relates to wineries and other applications that the Commission reviews on a regular basis;
11. prepare possible amendments to the temporary events ordinance related to film shoots and film releases.

Within the context of the next housing element update starting in mid-2013 (number 2 above), staff has also been asked to consider (a) ways to legalize and preserve illegal units that can meet health and life safety standards, and (b) rent stabilization for mobile home parks. In addition, criteria for MTC's One Bay Area Grant program and changes in State law suggest we should (c) incorporate a "complete streets" policies into the Circulation Element of the General Plan, and (d) potentially make other changes to the General Plan Safety, Land Use, and Conservation Elements.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan