



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 3/17/2010

Agenda Placement: 10B

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** John McDowell, Deputy Director - 299-1354  
**SUBJECT:** Annual Report on the Status of the General Plan and Implementation of the Housing Element

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### **RECOMMENDATION**

#### **ANNUAL REPORT ON THE STATUS OF THE GENERAL PLAN AND IMPLEMENTATION OF THE HOUSING ELEMENT PURSUANT TO GOVERNMENT CODE SECTION 65400(a)(2).**

**CEQA STATUS:** 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.

**Request:** Staff presentation and Commission discussion regarding an annual report to the California Department of Housing and Community Development and the California Office of Planning and Research pursuant to Government Code Section 65400(a)(2) reporting on the status of the General Plan and implementation of the Housing Element.

**Staff Recommendation:** That the Commission review the Annual Report and provide comments and questions to staff before the reports are submitted to the Board of Supervisors and the State.

**Staff Contact:** Nancy Johnson, 299-1352 (nancy.johnson@countyofnapa.org )

### **EXECUTIVE SUMMARY**

On April 1 of each year, the County is required, pursuant to Government Code 65400(a)(2), to report to the Department of Housing and Community Development (HCD) as well as the Office of Planning and Research (OPR) regarding reasonable and practical means for implementing the General Plan if a new plan, in total or in part, has been adopted. In addition, a separate report is required that details the progress of implementing the Housing Element.

Since adoption of the General Plan in 2008, the County has prepared and maintains a comprehensive list of implementation action items referenced in the General Plan. The attached list details each action item by element

and the status of implementation. In addition, the County implements its General Plan by applying the Plan's goals and policies to individual discretionary decisions in the course of the year. For example, when the Planning Commission considers applications for rezoning or for use permits, it considers those applications within the guidelines of the General Plan and so doing, further implements the General Plan. Similarly, when the Board of Supervisors undertakes rezoning or considers capital expenditures, it also applies the General Plan's goals and policies. Furthering General Plan implementation through day to day decision making is both sound public policy and also ensures implementation of mitigation measures from the General Plan Update EIR, since many of the mitigation measures were adopted as policies within the General Plan.

Also attached, is a list of Housing Element Programs from the Housing Element adopted in June of 2009 with corresponding completion dates. While there is some question from HCD as to the adequacy of the element, the Board of Supervisors adopted the Housing Element with the belief that this important chapter of the General Plan meets all statutory requirements and staff continues to implement the programs contained within the document. The goal of the Housing Element is to ensure housing for each economic segment of the community and to reduce constraints in the development of affordable and special needs housing.

### **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**

Each year, by April 1, the County has reported to the Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR), on the effectiveness of the policies and programs contained in the Housing Element. The most recent Housing Element was adopted by the Board of Supervisors in June 2009 and while HCD may question the completeness of the document, the Board and staff continue working to implement the plan with the belief that this important element of the General Plan meets all statutory requirements per Housing Element law. On November 20, 2009, the County was sued by David Grabill on behalf of Latinos Unidos de Napa alleging that the County did not include an adequate inventory of land suitable for residential development, but that argument is ongoing and a settlement has yet to be reached.

With the adoption of the new Housing Element, the County also adopted a series of implementing ordinances taking a proactive role in ensuring the programs set forth in the element are completed in a timely manner. The highlights of the changes include:

- 1 A simplified Growth Management System that clarifies how the amount of allowed permits is calculated and continues the rollover provision for affordable permits.
- 1 Commitment to rezone by June 20, 2011 a 20 acre portion of the Napa Pipe site which will allow development at a minimum density of 20 dwelling units/acre for 304 dwelling units. The new zoning

designation will allow between 152-202 dwelling units by right. (See Program H-5e of the 2009 Housing Element.)

- | Provision of financial assistance for private owners of dedicated farm worker housing.
- | Clarification of State law regarding farm labor housing on agricultural parcels.
- | A new policy regarding the redevelopment of existing mobile home parks that provides an incentive for 25% more units, consistent with a Planned Development (PD) zoning if the existing number of affordable units is maintained.
- | Allowing the development of emergency shelters as a permitted use without a use permit in areas zoned Industrial.
- | Amending the zoning ordinance to clarify that transitional and supportive housing are considered a residential use, and are subject to the same restrictions as other residential dwellings of the same type in the same zoning district.
- | Amending the zoning ordinance to remove the spacing requirements for medium and large residential care facilities from 1/2 mile of a hospital to five miles from a hospital.
- | The County continues to allow fee waivers for non-profit affordable housing developers.

Another project close to completion that will encourage the development of affordable housing in both the unincorporated areas of the county (primarily with an AHCD zoning designation) and in the cities where the county receives credit for money spent, is the development of policies and procedures for use of Affordable Housing Funds and a draft Notice of Funding Availability for release in spring of 2010. In the past, the County has spent more than \$12 million dollars to assist in the construction of more than 700 units of affordable housing without receiving Regional Housing Needs Assessment (RHNA) credit. The new policies and procedures will require a Memorandum of Understanding (MOU) to be executed when the County contributes to the construction of affordable units in the cities and town within the county, that provides the County with credit against the County's RHNA allocation. This supports the County's policy that growth should be directed to the urbanized areas to preserve agricultural land.

### **SUPPORTING DOCUMENTS**

- A . Housing Element Programs
- B . General Plan Implementation

Napa County Planning Commission: Approve

Reviewed By: John McDowell