



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/23/2016

Agenda Placement: 10A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: John McDowell for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: David Morrison, Director, Planning, Building & Environmental Servi - (707) 253-4805

SUBJECT: Reivew of Board of Supervisors' Direction on Agricultural Protection Measures

RECOMMENDATION

AGRICULTURAL PROTECTION MEASURES STUDY SESSION

CEQA Status: Feasibility and planning studies for possible future actions are Statutorily Exempt under 14 California Code of Regulations 15262 (State CEQA Guidelines) and CEQA is not applicable. These recommendations, in and of themselves, do not have a potential for resulting in a direct, physical change in the environment or a reasonably foreseeable indirect physical change, and therefore are not considered to be a project under 14 California Code of Regulations 15378 (State CEQA Guidelines). Also, 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 pursuant to the General Rule contained in the Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).

Request: In their meeting of March 2, 2016, the Planning Commission requested a review of the agricultural protection measures as directed by the Board of Supervisors.

Staff Recommendation: Ask any clarifying questions, take public comment, discuss the Board of Supervisors direction, and provide direction to staff regarding any implementations as they relate to the work of the Commission.

Staff Contact: David Morrison, Director; (707) 253-4805; david.morrison@countyofnapa.org

EXECUTIVE SUMMARY**Proposed Actions:**

That the Planning Commission:

- 1) Accept a brief presentation from and ask any clarifying questions of staff;
- 2) Take public comments;
- 3) Review direction provided by the Board of Supervisors on March 1, 2016, regarding new agricultural protection measures; and
- 4) Provide any direction to staff regarding implementation of any measures as they relate to the Commission's work.

Discussion:

On March 10, 2015, the Board of Supervisors and the Planning Commission held a joint special hearing to discuss and provide direction regarding concerns about the cumulative impacts of new development on the County. The hearing was attended by over 400 people. From that meeting, four actions were taken:

1. Direct staff to return with a draft resolution and guidelines to establish an Ad Hoc advisory committee to review the Winery Definition Ordinance and Conservation Regulations;
2. Form a Board of Supervisors ad hoc committee to plan a forum with the cities to discuss joint efforts to address regional land use issues;
3. Direct staff to revise the Circulation Element of the General Plan, including preparation of a draft traffic mitigation fee; and
4. Direct staff to complete the Climate Action Plan.

On March 24, 2015, the Board of Supervisors appointed an Agricultural Protection Advisory Committee (APAC), to address public concerns about the rate, intensity, and location of development within the unincorporated area. The APAC was made up of a broad cross-section of interests, including the wine industry, agriculture, businesses, cities, environmental organizations, neighborhood groups, and at-large members. In order to be forwarded, recommendations were required to receive at least two-thirds support of the committee. Ten public hearings over nearly 20 hours were held by the APAC, including hundreds of written and verbal comments. The APAC presented their final recommendations to the Planning Commission on September 10, 2015.

The Planning Commission held five public hearings on APAC's work, including hours of testimony and additional comments. The Commission made their final recommendations to the Board of Supervisors on November 4, 2015.

The Board of Supervisors held its first public hearing regarding the APAC recommendations on December 8, 2015. The hearing ran five hours and testimony was received from 73 different speakers. At the end of the hearing, the Board provided direction to staff regarding 10 of the 14 pending recommendations. The second meeting on January 5, 2016, ran for two hours. Staff provided additional analysis as requested by the Board and received further direction on resolving the remaining four items. The third hearing was held on March 1, 2016, and lasted one hour. Staff provided suggested language regarding the four remaining recommendations, which were modified and accepted by the Board of Supervisors.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Feasibility and planning studies for possible future actions are Statutorily Exempt under 14 California Code of Regulations 15262 (State CEQA Guidelines) and CEQA is not applicable. These recommendations, in and of themselves, do not have a potential for resulting in a direct, physical change in the environment or a reasonably foreseeable indirect physical change, and therefore are not considered to be a project under 14 California Code of Regulations 15378 (State CEQA Guidelines). Also, 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 pursuant to the General Rule contained in the Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).

BACKGROUND AND DISCUSSION

Attachment A provides a table which compares the final agricultural recommendations forwarded by the Planning Commission to the Board of Supervisors, with the final direction provided by the Board of Supervisors regarding agricultural protection measures.

With regards to future implementation of these measures, staff anticipates involvement by the Commission with the following specific items:

1. Review guidelines prepared by staff regarding the evaluation and consideration of variances.
3. Recommend a draft County Code Amendment to conform the definition of agriculture to General Plan policy.
4. Recommend a draft County Code Amendment to revise the Code Compliance process and procedures.
5. Recommend a draft County Code Amendment to establish a maximum development area for new residential uses in agriculturally zoned land.
6. Review guidelines regarding the calculation of outdoor impermeable areas proposed for hospitality.
8. Recommend a draft County Code Amendment to create a Small Winery Use Permit streamlining process.
9. Ensure that the accepted language is included in the Ordinances referred to in Measures 3, 4, 5, and 8.
10. Review the working schedule for General Plan action item implementation. Recommend the draft Climate Action Plan and revised Circulation Element of the County General Plan.
13. Review guidelines regarding winery comparison tables and locational criteria.
14. Review format for annual report on winery activity.

SUPPORTING DOCUMENTS

A . Attachment A - Comparison of Agricultural Protection Measures

Napa County Planning Commission: Approve

Reviewed By: John McDowell