



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 5/14/2013

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Melissa Gray for Hillary Gitelman - Director
Planning, Building and Environmental Services

REPORT BY: Hillary Gitelman, Director - 253-4805

SUBJECT: Special Joint Meeting with the Board of Supervisors

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; and
2. Other Commissioner/Supervisor comments or concerns.

EXECUTIVE SUMMARY

The Planning Commission meets periodically with the Board of Supervisors to discuss items of a planning nature. This is the first such meeting in 2013 and is intended to provide the Commission and the Board with an update regarding the County's code enforcement program. The Board and Commission may also wish to discuss other topics of interest that are within the jurisdiction of both.

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. Board Chair recesses Board of Supervisors Special Meeting.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

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

With the creation of the Department of Planning, Building and Environmental Services, the scope of the Department's enforcement activities has broadened to include building and zoning (including vineyard) violations, grading and floodplain violations, and environmental health violations. Staff is working on a consolidated set of policies and procedures for the Department, and welcomes input from the Board and Commission. Policies identified to date include the following:

1. The Department prioritizes the identification and abatement of code violations affecting the health and life safety of Napa County residents, employees, and visitors. The Department also prioritizes the abatement of violations that are causing or have the potential to cause environmental harm.
2. The Department relies on citizen complaints to identify zoning and vineyard violations requiring the attention of code enforcement staff. The Department also identifies zoning violations via an annual "spot" audit of use permit compliance and identifies vineyard violations via annual "winterization" inspections.
3. The Department relies on its personnel to observe and identify construction activities (including grading) being conducted without benefit of permits (or out of the scope of approved permits), and to identify businesses that are not in compliance with environmental health regulations or testing/reporting requirements.
4. The goal of the Department's code enforcement program is to obtain voluntary compliance from property or business owners found to be in violation of County Code or State law. Property or business owners who do not cooperate with Department staff and make reasonable progress towards abatement of identified violations will be referred to County Counsel or the District Attorney for legal enforcement action(s).
5. The Department seeks to avoid the permanent loss of dwelling units due to code enforcement actions except in cases where the units were constructed in violation of zoning restrictions in place at the time, or where the units cannot be feasibly rehabilitated to meet health and life safety requirements.

The consolidated procedures will address all aspects of the Department's code enforcement program, including communication regarding potential violations and ongoing investigations, and referrals to County Counsel and the District Attorney. To provide an overview of the program, staff will make a presentation summarizing activities over the past year and invite questions from the Board and Commission.

During FY 2012-2013, the Department's Planning and Building Division budgets included three full-time code enforcement positions. In addition, professional staff throughout the Department regularly engage in code enforcement activities, even though their positions are not dedicated exclusively to this function. For example, Environmental Health staff identify and pursue violations throughout the County (i.e. not only in the unincorporated area), and Planning staff conducts an annual "spot" audit of use permit compliance. The number of staff engaged in code enforcement is important, since code enforcement is a resource-driven function and the success of the program (i.e. the number of cases investigated and resolved) is directly related to the funding available and the assignment of staff resources.

SUPPORTING DOCUMENTS

None

Napa County Planning Commission: Approve

Reviewed By: Melissa Gray