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## HOUSING ELEMENT LAW

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### Issue

The County has had concerns for many years with the State-mandated Regional Housing Needs Allocation (RHNA) process due to the conflict it creates between local land-use policies (e.g., preservation of agricultural lands and city-centered growth policies) and State and regional mandates to create more housing. There are two major obstacles that continue to challenge Napa County in meeting housing obligations.

One obstacle in complying with these mandates is that agricultural areas like Napa County are largely unpopulated and have few public services in vast stretches within their unincorporated territory. **The latest RHNA Methodology and Final Allocation prioritized an allocation that promotes infill development, protects environmental and agricultural resources, and reduces the region's greenhouse gas emissions by prioritizing specific growth geographies – Priority Development Areas (PDAs) and High Resource Areas (HRAs).** The only PDAs that are designated within Napa County are located in the Cities of Napa and American Canyon; there are no PDAs within the unincorporated area. HRAs are either located within cities or are located in Moderate, High, or Very High Fire Hazard Severity Zones. **Of those located in the unincorporated area, none are near transit.** **Affordable-Housing** should be built in locations near workplaces and urban centers that have the full complement of infrastructure, transit, and other services. Napa County supports enacting legislation and seeking administrative mechanisms that would achieve maximum flexibility for agricultural counties in their efforts to site and build affordable housing within a county. Further, Napa County seeks authority during state housing element cycles to recognize that expenditures made to support affordable housing are credited towards the County's RHNA obligation when those units are built.

The second obstacle is the State's effort to limit development in the Wildland – Urban Interface. Napa County is unique – it benefits from having the country's first Agricultural Preserve, which limits development in premium agriculture land, and prevents the County from urban sprawl. It is in large part because of these limitations that Napa County continues to be the Country's premier winegrape region, known worldwide, contributing billions to the State's economy. At the same time, however, the State is pushing local governments to meet increasing housing numbers, which together has proven to be extremely challenging, and almost impossible to meet the State's goals around preventing development in the WUI and increasing housing

numbers, while not losing what put Napa Valley on the world map – the Agricultural Preserve and the wine grape region that flourished subsequently.

Compounding these critical aforementioned issues in Napa County is climate change. Housing Element Law should take into consideration how local agencies are working to reduce GHG and should take a nuanced approach instead of one size fits all.

## **Action**

1. Support legislative efforts intended to limit the exposure of county governments in civil liability lawsuits. Advocate and work with other counties in writing specific legislation and seeking administrative mechanisms that limit regional housing allocations in the unincorporated areas of prime agricultural counties such as Napa. Additionally work with HCD to formulate a high resource area definition and methodology that takes into consideration topography, wildland interface designations, and the lack of potential expansion for infrastructure, transit and social services.
2. Continue efforts at the administrative level with the Association of Bay Area Governments (ABAG) and HCD to help implement Plan Bay Area, which locates housing near jobs and transit, and preserves prime agricultural land. Also, the County will continue to work collaboratively with its municipalities to ensure future city-centered growth within Napa County.
3. Seek changes in State legislation that will broaden the actions that count towards progress in meeting regional housing allocations to include programs, such as the county's worker proximity housing program that provides financial assistance to home buyers with incomes below 100% of the county's average median income.
4. Seek legislative or administrative mechanisms to provide local jurisdictions with more input in identifying and certifying the adequacy of sites for housing throughout the County. In particular, provide that housing sites in unincorporated Napa County with densities less than 20 dwelling units per acre are suitable for affordable housing.
5. Seek legislation that would allow transfers of regional housing allocations during the housing element planning period when the County provides funds or land for affordable housing within cities.
6. Seek and/or support legislation that acknowledges the unique nature of Napa County, including exempting Napa County from onerous mandates that don't take into account agriculture. Oppose efforts that require Napa County to build in agricultural lands.-