

RESOLUTION NO. 2023-

A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, REPLACING THE 2014 HOUSING ELEMENT OF THE GENERAL PLAN WITH THE UPDATED HOUSING ELEMENT FOR THE 2023-2031 PLANNING PERIOD, IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the State’s environmental and climate objectives” (Government Code Section 65589.5); and

WHEREAS, the Legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration” (Government Code Section 65589.5); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years”; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Napa County Board of Supervisors adopt a Housing Element for the eight-year period 2023-2031 to accommodate the Napa County's ("County") regional housing need allocation ("RHNA") of, initially, 1,014 housing units, which was reduced to 106 units by transfer agreements with the cities of Napa, American Canyon, and Saint Helena, approved by ABAG on March 17, 2022, in accordance with Government Code Section 65584.07; and

WHEREAS, the RHNA is comprised of 23 extremely low income units, 22 very low income units, 16 low income units, 14 moderate income units, and 31 above moderate income units; and

WHEREAS, to comply with State Housing Element Law, the County has prepared an Updated Housing Element for the 2023-2031 planning period (the "Housing Element" or “Housing Element Update”) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the County’s RHNA; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, as provided in Government Code Sections 65352 – 65352.5 the County referred the Housing Element to all California Native American tribes on the contact list provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, No California Native American tribe requested consultation; and

WHEREAS, the preparation, adoption, and implementation of the Housing Element requires a diligent effort to include all economic segments of the community; and

WHEREAS, the County conducted extensive community outreach over 15 months, beginning in October 2021, as described in detail in Appendix A to the proposed Housing Element Update; and

WHEREAS, in accordance with Government Code Section 65585(b), on June 9, 2022, the County posted the draft Housing Element and requested public comment for a 30-day review period, and on August 9, 2022, after responding to public comments, the County submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on November 7, 2022, the County received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on December 30, 2022, the County published a revised draft Housing Element responding to HCD's findings and requested public comment on the draft; and

WHEREAS, prior to considering and recommending changes to the General Plan, the Planning Commission is required to hold a public hearing pursuant to Section 65353 of the Government Code; and

WHEREAS, on January 11, 2023 the Planning Commission conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the County's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and

WHEREAS, after consideration of the proposed Housing element, pertinent maps, documents and exhibits, including HCD's findings, the County's response to HCD's findings, the staff report and all attachments, and oral and written public comments, the Planning Commission recommended that the Napa County Board of Supervisors adopt the Housing Element, as modified by the Planning Commission to remove the Bishop site from the Housing Element Site Inventory; and

WHEREAS, on January 11, 2023, the Napa County Airport Land Use Commission held a duly noticed public hearing to consider whether the 2023-2031 Housing Element was consistent

with the applicable airport land use compatibility plans pursuant to Public Utilities Code Section 21676(b) and concluded that it was consistent; and

WHEREAS, on January 24, 2023, the Board of Supervisors conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution and the Final Environmental Impact Report (FEIR) regarding the proposed Housing Element Update and Safety Element Update, reviewed the proposed Housing Element Update, and all pertinent maps, documents and exhibits, including HCD's findings, the County's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and

WHEREAS, the Napa County Board of Supervisors has certified the Final EIR as adequate and complete in compliance with CEQA, the State CEQA Guidelines, and the Napa County Local Procedures for Implementing the California Environmental Quality Act, and as adequate and complete for consideration in making a decision on the merits of the Project, which as defined includes the proposed Housing Element Update; and

WHEREAS, after receiving and considering public comments, the Board would like the two sites identified in the Housing Element as the Bishop site (APN 039-320-005) and the Altamura site (APN 039-320-016) be removed from the 2023-2031 Housing Element.

NOW, THEREFORE, BE IT RESOLVED, based on substantial evidence in the record:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. The Housing Element for the 2023-2031 planning period, substantially complies with State Housing Element Law, as provided in Government Code Section 65580 et seq., and contains all provisions required by State Housing Element Law as shown in Exhibit A to this resolution, incorporated by this reference.
3. As required by Government Code Section 65585(e), the Board of Supervisors has considered the findings made by the Department of Housing and Community Development (“HCD”) included in HCD’s letter to the County dated November 7, 2023~~2~~, consistent with Government Code Section 65585(f), and, as described in Exhibit B to this resolution and incorporated by this reference, ~~the County has~~ changed the Housing Element in response to HCD’s findings to substantially comply with the requirements of the State Housing Element Law as interpreted by HCD.
4. The Board of Supervisors hereby orders the Director of the Planning, Building, and Environmental Services Department or designee to remove the Bishop and Altamura sites from the 2023-2031 Housing Element.
5. Adoption of the Housing Element, as modified by this Resolution, is in the public interest and is necessary for the public health, safety and welfare of Napa County.

6. The Napa County 2014 Housing Element is hereby replaced in its entirety, and the 2023-2031 Napa County Housing Element (Bishop and Altamura sites removed), is hereby adopted.
7. This Resolution shall become effective immediately upon its adoption.
8. The Director of the Planning, Building, and Environmental Services Department or designee is hereby directed and authorized to (a) make all necessary changes to the Housing Element to make it consistent with the Board’s actions of this date, including changes reflected in the errata sheets presented to the Board; (b) file all necessary materials with HCD, for HCD’s certification of the Housing Element; and (c) make all non-substantive changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments required by HCD to achieve a finding of substantial conformance with State Housing Element Law.
9. The Director of the Planning, Building, and Environmental Services Department or designee is hereby directed to distribute copies of the Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the 24th day of January, 2023, by the following vote:

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| AYES: | SUPERVISORS | _____ |
| NOES: | SUPERVISORS | _____ |
| ABSTAIN: | SUPERVISORS | _____ |
| ABSENT: | SUPERVISORS | _____ |

NAPA COUNTY, a political subdivision of the State of California

By: _____
 BELIA RAMOS, Chair of the Board of Supervisors

Exhibit A: Compliance with Housing Element Statutory Provisions (Checklist)
Exhibit B: Findings/Response to HCD Letter dated November 7, 2022

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| <p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: S. Darbinian</p> <p>Date: January 23, 2023</p> | <p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date:</p> <p>Processed By:</p> <p>_____</p> <p>Deputy Clerk of the Board</p> | <p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p> |
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