

RESOLUTION NO. 2023-001

A RESOLUTION OF THE NAPA COUNTY PLANNING COMMISSION, STATE OF CALIFORNIA, RECOMMENDING THAT THE NAPA COUNTY BOARD OF SUPERVISORS CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPT FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE HOUSING ELEMENT AND SAFETY ELEMENT UPDATE TO THE NAPA COUNTY GENERAL PLAN

WHEREAS, Napa County ("County") proposes updates to the Housing Element and Safety Element of the Napa County General Plan ("General Plan"), as well as associated amendments to other elements of the General Plan as necessary to ensure consistency (the "Project"); and

WHEREAS, the Housing Element is a required element of general plans pursuant to Government Code Section 65302(c); and

WHEREAS, Article 10.6 (Housing Elements) of the Government Code requires the County to adopt a sixth revision to the Housing Element for the eight-year planning period 2023 through 2031 to accommodate the County's regional housing needs allocation ("RHNA") of 106 housing units; and

WHEREAS, the County has prepared an update to the Housing Element that would facilitate development of up to 760 new housing units, which meets the County's RHNA as well as additional units for a buffer to ensure that the County maintains adequate sites at all income levels throughout the Housing Element planning period; and

WHEREAS, the Safety Element is a required element of general plans pursuant to Government Code Section 65302(g); and

WHEREAS, the County determined that the Project requires review under the California Environmental Quality Act ("CEQA") (Public Resources Code Sections 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 *et seq.*); and

WHEREAS, on January 24, 2022, the County issued a Notice of Preparation of an environmental impact report ("EIR") and Notice of Public Scoping Session for the Project; and

WHEREAS, a scoping session was held on February 16, 2022, to provide responsible, trustee, federal agencies, and members of the public the opportunity to comment on the scope and content of the environmental analysis to be included in the EIR; and

WHEREAS, written comments from public agencies and members of the public were accepted during the 45-day scoping period that ended at 5:00 p.m. on February 25, 2022; and

WHEREAS, a Notice of Availability of the Draft EIR was issued on August 23, 2022;
and

WHEREAS, on October 5, 2022, during the public review and comment period, the Napa County Planning Commission held a public hearing to receive comments on the Draft EIR; and

WHEREAS, the public review and comment period concluded on October 7, 2022; and

WHEREAS, the EIR is a program EIR, as authorized by CEQA Guidelines Section 15168, which analyzes the potentially significant environmental effects of the overall development potential of the Project and not the site-specific impacts of any individual development project, the details of which are not known at this time; and

WHEREAS, the Final Environmental Impact Review ("Final EIR") consists of the Draft EIR, responses to comments on the Draft EIR, text revisions to the Draft EIR, responses to late comments, and all documents incorporated therein; and

WHEREAS, on December 30, 2022, the Final EIR and Notice of Availability of the Final EIR and Notice of a Public Hearing by the Planning Commission on January 11, 2023, was transmitted to the State Clearinghouse, members of the Planning Commission, Board of Supervisors, agencies, commenters on the Draft EIR including agencies that commented on the Draft EIR, and other interested groups and individuals, as well as being published in the Napa Valley Register; and

WHEREAS, the County received late comments on the Draft EIR following the close of the public review and comment period ("Late Comments") and, although, pursuant to Public Resources Code Section 21091(d) and State CEQA Guidelines Section 15088(a) written responses are not required, responses to Late Comments have been provided in the Final EIR; and

WHEREAS, the Napa County Planning Commission has reviewed and considered the information in the Draft EIR, Final EIR, responses to Late Comments, EIR administrative record, CEQA Findings, State CEQA Guidelines, and the Napa County Local Procedures for Implementing the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Napa County Planning Commission has reviewed and considered the Final EIR and makes the following findings, recommending certification of the Final EIR for the Housing Element and Safety Element updates:

1. The above recitals are true and correct, reflect the independent judgment of the Planning Commission, and are hereby incorporated by this reference.
2. Notices of the Planning Commission hearing to receive comments on the Draft EIR and hearing to recommend certification of the Final EIR were given as required by

law and the actions were conducted pursuant to CEQA Guidelines Sections 15088, 15088.5, 15089, and 15090.

3. All individuals, groups, and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the Draft EIR and to submit written comments on the adequacy of the Final EIR for certification. These opportunities for comment meet or exceed the requirements of CEQA, CEQA Guidelines, and the Napa County Local Procedures for Implementing the California Environmental Quality Act.
4. All comments submitted during the public review and comment period on the Draft EIR, and the public hearing on the adequacy of the Draft EIR conducted by the Planning Commission have been considered and responded to in the Final EIR, or included in the public record.
5. No new comments or information has been submitted during the Planning Commission hearings on the Project and the Final EIR that would change the analysis or conclusions of the Final EIR.
6. The Planning Commission was presented with all of the information in the administrative record, testimony, and EIR documents for the Final EIR, and has reviewed and considered this information and the Final EIR.
7. Based upon the information contained in the Final EIR, there will be sixteen significant and unavoidable environmental impacts resulting from the Housing Element Update in the following areas: aesthetics, air quality, cultural resources, greenhouse gas emissions, noise, transportation, and utilities and service systems. Although mitigation measures will be implemented, some impacts will remain significant and unavoidable, or in the case of cumulative impacts, cumulatively considerable. All other impacts can be mitigated to a less than significant level.
8. The benefits of the Housing Element Update outweigh the significant and unavoidable environmental impacts on aesthetics, air quality, cultural resources, greenhouse gas emissions, noise, transportation, and utilities and service systems for the following reasons:
 - a. The Housing Element Update promotes development in a manner that would accommodate anticipated population growth for the County and existing unmet need for housing, as required by the County's 6th Cycle RHNA.
 - b. The Housing Element Update responds to the broad range of housing needs in Napa County and enables development of an adequate supply of housing for the County's workforce, residents, and special needs populations by supporting a mix of housing types, densities, and affordability levels.
 - c. The Housing Element Update substantially complies with State Housing Law (Government Code Sections 65580, *et seq.*), which is necessary for the County to be eligible for certain state and federal funding programs for

affordable housing and to minimize exposure to enforcement suits and other penalties.

- d. The Housing Element Update complies with Government Code Section 65583, which requires that the County's Housing Element affirmatively furthers fair housing, while preserving the rural character of Napa County and perpetuating the safety and welfare of both existing and future residents.
9. The Final EIR has been completed in compliance with the intent and requirements of CEQA, CEQA Guidelines, the Napa County Local Procedures for Implementing the California Environmental Quality Act and reflects the independent judgment of the County.
10. Pursuant to CEQA Guidelines Section 15025(c), the Planning Commission has considered the information contained in the Final EIR prior to making a recommendation to the Board of Supervisors regarding the Project and Project alternatives.
11. The Secretary of the Planning Commission is hereby designated as the custodian of records, documents, and other materials that constitute the record of proceedings upon which the Commission's decision is based. These documents are located at:

Napa County Planning, Building and Environmental Services Department
1195 Third Street, Second Floor
Napa, CA 94559-3035

NOW, BE IT FURTHER RESOLVED that the Napa County Planning Commission recommends that the Napa County Board of Supervisors certify the Final EIR for the Housing and Safety Element updates to the Napa County General Plan 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.

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THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED
by the Planning Commission of the County of Napa, State of California, at a special meeting of
the Commission held on the 11th day of January 2023, by the following vote:

AYES: COMMISSIONERS Whitmer, Mazotti,
Dameron.

NOES: COMMISSIONERS _____

ABSTAIN: COMMISSIONERS _____

ABSENT: COMMISSIONERS _____

NAPA COUNTY PLANNING COMMISSION

Megan R Dameron
MEGAN DAMERON, Chair

<p>APPROVED AS TO FORM Office of County Counsel By: <u>Laura J. Anderson (e-sign)</u> Deputy County Counsel Date: January 5, 2023</p>	<p>APPROVED BY THE NAPA COUNTY PLANNING COMMISSION Date: <u>1/11/2023</u> Processed By: <u>[Signature]</u> Deputy Clerk of the Commission</p>	<p>ATTEST: ALEXANDRIA QUACKENBUSH Clerk of the Planning Commission By: <u>A. Quackenbush</u></p>
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