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**Planning, Building & Environmental Services**

1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

**David Morrison**  
Director

## NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

Date: January 24, 2022

To: Agencies and Interested Parties

From: Napa County Planning, Building, and Environmental Services Department

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Napa County Housing Element Update

Review Period: January 24, 2022 to 5:00 PM on February 25, 2022

Napa County (County) proposes to prepare and adopt a comprehensive update to the Housing Element (of the General Plan) for Napa County for the period from January 2023 to January 2031 as required by State law. As part of the Housing Element Update (HEU or the project), the County also proposes to prepare and adopt limited amendments to other elements (or chapters) of the General Plan and the County's zoning map/regulations to maintain consistency with the updated Housing Element, and to improve consistency of the Safety Element with the *2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan* and comply with recent changes in State law.

Amendment of the County's General Plan is a discretionary action subject to the California Environmental Quality Act (CEQA). The County will serve as the lead agency under CEQA and will prepare an environmental impact report (EIR) for the project to satisfy the requirements of CEQA (Public Resources Code [PRC] Section 21000 et seq.). Consistent with CEQA Guidelines Section 15168, the EIR will be a program EIR, allowing the County to consider the impacts of adoption and implementation of the HEU as well as program wide mitigation measures. Subsequent discretionary actions would be evaluated to determine whether their impacts fall within the scope of the program EIR or whether additional environmental review is required.

### PURPOSE OF THIS NOTICE OF PREPARATION

In accordance with the California Code of Regulations (CCR) Section 15082, the County has prepared this notice of preparation (NOP) to inform agencies and interested parties that an EIR will be prepared for the above-referenced project. The purpose of an NOP is to provide information about the project and its potential environmental impacts sufficient to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures and alternatives that should be considered (CCR Section 15082[b]). The project location, description, and potential environmental effects are summarized below.

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Planning Division (707) 253-4417	Building Division (707) 253-4417	Engineering & Conservation (707) 253-4417	Environmental Health (707) 253-4471	Parks & Open Space (707) 259-5933
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## PROJECT LOCATION

Napa County is located in the northern San Francisco Bay area, approximately 50 miles due west of Sacramento, California. The County is bordered by Lake County to the north, Yolo and Solano County to the east, Sonoma County to the west, and San Pablo Bay to the south (Exhibit 1). The planning area for the Housing Element Update is the same planning area that was considered by the 2008 General Plan, which encompasses all unincorporated land in Napa County (Exhibit 2). The unincorporated County includes approximately 9,022 residential dwelling units and comprises 789 square miles.

## BACKGROUND

The Napa County General Plan was comprehensively updated in 2008 and contains goals and policies that guide land use decisions in unincorporated Napa County. The General Plan contains eight principal chapters or “elements” including an Agricultural Preservation & Land Use Element, a Housing Element, and a Safety Element. The County’s Housing Element was last updated and adopted in 2014.

State law requires local jurisdictions to update their housing elements on a regular schedule and to maintain consistency between the housing element and other elements of the general plan. Each city and county in the Bay Area must update their current housing element to the satisfaction of the State Department of Housing and Community Development (HCD) by January 31, 2023 and must plan for a number of new housing units referred to as their Regional Housing Needs Allocation (RHNA).

A RHNA is generally assigned to each jurisdiction by the Association of Bay Area Government (ABAG) Council of Governments for the eight year planning period and includes housing units at various levels of affordability (very low income, low income, moderate income, and above moderate). The County’s RHNA as of December 2021 is shown in Table 1, below and is subject to modification via transfer agreements with incorporated jurisdictions as described further below.

TABLE 1. NAPA COUNTY REGIONAL HOUSING NEEDS (RHNA) ALLOCATION AS OF DECEMBER 2021 <sup>a</sup>					
	Units by Income Group				Total Units
	Very Low	Low	Moderate	Above Moderate	
RHNA Allocation <sup>a</sup>	369	213	120	312	1,014
% of Total	36%	21%	12%	31%	100%
Notes: <sup>a</sup> The RHNA allocation shown here was adopted by ABAG on December 16, 2021 and may be modified via transfers pursuant to California Government Code Section 65584.07.					

Source: ABAG, December 2021.

Over the past 12 years, the County has entered into agreements with the City of American Canyon, the City of Napa, and the City of St. Helena, that would allow the County to transfer portions of its RHNA allocation to these jurisdictions pursuant to California Government Code Section 65584.07. These agreements reflect a shared commitment by the County and incorporated jurisdictions to agricultural preservation and urban centered growth, and the County is in the process of requesting ABAG’s approval of RHNA transfers on the basis of these agreements, which are shown in Table 2 below.

TABLE 2. RHNA TRANSFER AGREEMENTS AVAILABLE FOR USE BY THE COUNTY <sup>a</sup>					
Jurisdiction and Date of Agreement	Units by Income Group <sup>b</sup>				Total Units
	Very Low	Low	Moderate	Above Moderate	
City of Napa (December 17, 2019)	295	170	96	250	811
City of American Canyon (May 25, 2010)	46	38	46	56	168 <sup>c</sup>
City of American Canyon (May 2, 2017)	11	6	4	9	30
City of St. Helena (June 26, 2017)	1	0	0	1	2
Total Transfers Available	374	216	122	317	1,029

Notes:  
<sup>a</sup>Transfer agreements reflect agreement by the County and an incorporated jurisdiction to use the RHNA transfer process contained in Government Code Section 65584.07. Transfers are subject to ABAG approval during the period between ABAG's adoption of the final RHNA allocation in December 2021 and January 2031.  
<sup>b</sup>Except in the City of American Canyon May 25, 2010 agreement, the distribution of units by income group is not specified within the agreements and is presented here based on the distribution of units in the County's December 2021 RHNA.  
<sup>c</sup>Numbers in this agreement add up to 186, but the agreement specifically references 168 units.

Source: Napa County, January 2022

The County's request for a transfer pursuant to Government Code Section 65584.07 will seek to transfer approximately 90% of the County's RHNA based on the executed agreements and factors/circumstances that will be outlined in the request. If approved by ABAG, the transfers will modify the County's RHNA as shown in Table 3 below and the Housing Element Update will plan for that RHNA plus a buffer.

TABLE 3. NAPA COUNTY REGIONAL HOUSING NEEDS (RHNA) ALLOCATION BASED ON PROPOSED TRANSFERS <sup>a</sup>					
	Units by Income Group				Total Units
	Very Low	Low	Moderate	Above Moderate	
December 2021 RHNA Allocation	369	213	120	312	1,014
% of Total	57%		43%		100%
Proposed Transfers <sup>b</sup>	324	197	106	281	908
Revised RHNA <sup>a</sup> Allocation if Transfers are Approved	45	16	14	31	106
% of Total	57%		43%		100%

Notes:  
<sup>a</sup>The County is in the process of requesting transfers pursuant to California Government Code Section 65584.07 which – if approved by ABAG – would modify the County's RHNA as shown.  
<sup>b</sup>The proposed transfers would be based on signed agreements between the County and the cities of American Canyon, Napa, and St. Helena, although they would not transfer all of the units allowed for under all agreements.

Source: Environmental Science Associates, December 2021.

## PROJECT DESCRIPTION

The project analyzed in the EIR would update the County's Housing Element, including goals, objectives, policies, and implementation programs that address the maintenance, preservation, improvement, and development of housing in unincorporated Napa County. In addition, the HEU would identify sites appropriate for the development of multifamily housing, and the County would rezone those sites as necessary to meet the requirements of State law. The project would

also include amendments to other elements of the County General Plan in order to maintain internal consistency, to improve consistency of the Safety Element with the *2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan*, and to comply with recent changes in State law.

The HEU will be the subject of community outreach and will evolve based on community input before being submitted to HCD for review and before being considered for adoption by the County Board of Supervisors prior to January 31, 2023. Given the time needed to prepare an EIR, certain assumptions are being made about the contents of the HEU in order to initiate the environmental review process. Specifically, the County assumes and the EIR will analyze an HEU that would meet all legal requirements and:

1. include an updated housing needs assessment;
2. include updated goals, policies, and programs that address the maintenance, preservation, improvement, and development of housing and affirmatively further fair housing;
3. include a housing inventory that meets the County's final RHNA following transfers pursuant to Government Code Section 65584.07 and provide a buffer of additional housing development capacity, including sites for multifamily housing development within the unincorporated area;
4. require limited amendments to the Agricultural Preservation and Land Use Element of the General Plan as/if needed to acknowledge the housing sites;
5. require limited amendments to the County's zoning map and zoning ordinance to rezone the housing site(s); and
6. require limited amendments to the Safety Element of the General Plan to improve consistency of the Safety Element with the *2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan* and comply with recent changes in State law.

The County proposes to use a variety of methods to meet its RHNA requirement, including continued development of single family homes and accessory dwelling units (ADU), a program to encourage development of farmworker housing units, and identification of multifamily housing sites.

The County's General Plan and zoning ordinance permits construction of one single family home on each legal lot, with the exception of areas that are zoned for industrial use. HCD guidance suggests that the County's HEU may assume development of market rate single family homes on currently vacant and buildable parcels.

The County's zoning also permits one Accessory Dwelling Unit (ADU) and one Junior Accessory Dwelling Unit (JADU) per parcel within residentially and Agricultural Watershed (AW) zoning. One JADU is permitted in Agricultural Preservation (AP) zoning. HCD guidance suggests that the County may assume that ADUs and JADUs continue to develop at the same pace and affordability levels that has occurred over the last three years, yielding approximately 72 units at a range of income levels over the eight year planning period of the HEU.

The County's zoning ordinance permits development of up to 12 individual farmworker housing units as an allowed use by right on every legal parcel in agricultural zones. The County is seeking to encourage additional development of farmworker units, is participating in ABAG's Farmworker Collaborative, and has not established a goal for unit production during the planning period.

The County is proposing to meet the balance of its RHNA and provide a "buffer" by identifying sites for development of multifamily housing at a minimum density of 20 dwelling units per acre. This is the "default density" considered affordable to lower income households under State law for unincorporated Napa County.

In identifying potential sites, the County is proposing to use the following screening criteria:

1. Sites must have access to existing or planned water, sewer, and other dry utilities with sufficient capacity available to support housing development; (*Source: State requirement*)
2. Sites must generally be between 0.5 and 10 acres in size; (*Source: State requirement*)

3. Sites must be located outside of areas designated Agricultural Resource or Agriculture, Watershed & Open Space as of September 28, 2007 (the date specified in Measure P, approved by the voters in November 2008). Notwithstanding this requirement, sites within an area designated Agricultural Resource or Agriculture, Watershed & Open Space may be identified for qualifying farmworker housing development and sites identified as an existing commercial establishment on General Plan *Figure AG.LU-2: Location of Parcels Subject to Policy AG/LU-45* may be identified for redevelopment.

In addition, the County's goal is to identify sites that are:

4. Located outside of high and very high fire severity zones as designated (in State Responsibility Areas) or recommended (in Local Responsibility Areas) by CalFire.
5. Located outside of Zones A through D of the applicable Airport Land Use Compatibility Plan.
6. Proximate to transit routes and/or employment opportunities and services (e.g. groceries).

Sites identified during development of the HEU will be evaluated using these criteria/goals and analyzed to determine their ability to meet State requirements plus a buffer.

An initial screening of potential sites has identified the following potential sites for additional analysis and community input:

1. Possible farmworker housing sites or incentives;
2. One or more existing housing element sites with additional incentives;
3. One or more small sites in the vicinity of Carneros Resort if utilities can be provided;
4. One or more sites between Foster Road and State Route 29 within the City of Napa Rural Urban Limit (RUL);
5. One or more sites needing State agreement (e.g. a site at Napa State Hospital);
6. The 9.8-acre Stonebridge School site in Carneros;
7. One or more sites in the Silverado Area if utilities can be provided;
8. One or more sites proximate to planned resorts at Lake Berryessa; and
9. Other sites to be identified via additional analysis and community input during preparation of the HEU.

Sites included in the HEU will be proposed for rezoning by applying the Affordable Housing Overlay Zone in Section 18.82 of the County's zoning ordinance to selected site(s) on the County's zoning map. This provision of the zoning ordinance would be amended to allow selected sites to develop at 20 dwelling units per acre without a use permit. Selected sites and HEU implementation programs may also require small adjustments to language or figures included in the Agricultural Preservation and Land Use Element of the General Plan to maintain internal consistency between the elements.

In conjunction with updates to the Housing Element itself, the project would include targeted updates to the Safety Element of the General Plan to improve consistency of the Safety Element with the *2020 Napa County Multi-Jurisdictional Hazard Mitigation Plan* and to comply with recent changes in State law.

## POTENTIAL ENVIRONMENTAL IMPACTS

Pursuant to CEQA and State CEQA Guidelines Section 15064, the discussion of potential effects on the environment in the EIR shall be focused on those impacts that the County has determined may be potentially significant. The EIR will also evaluate the cumulative impacts of the project when considered in conjunction with other related past, current, and reasonably foreseeable future projects. The County has determined that the project could result in potential environmental impacts in the following topic areas, which will be further evaluated in the EIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural and Historical Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

No initial study has been prepared, however the EIR will focus on those issue areas where potentially significant impacts may occur. Feasible mitigation measures will be identified to reduce any potentially significant and significant impacts.

## ALTERNATIVES TO BE EVALUATED IN THE EIR

In accordance with the State CEQA Guidelines (CCR Section 15126.6), the EIR will describe a range of reasonable alternatives to the project that are capable of meeting most of the project's objectives and that would avoid or substantially lessen any of the significant effects of the project. The EIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons why, and will identify the environmentally superior alternative. Among the alternatives being considered for inclusion in the EIR are the No-Project Alternative (required by CEQA), and an alternative that would include one or more different housing sites than those selected for inclusion in the HEU.

## DOCUMENTS AVAILABLE FOR PUBLIC REVIEW

This NOP is available for public review at the following locations:

Napa County Planning, Building, and  
Environmental Services Department  
1195 Third Street, Suite 210  
Napa, CA

Napa Main Library  
580 Coombs Street  
Napa, CA

St. Helena Library  
1492 Library Lane  
St. Helena, CA

This NOP is also available for public review online at <https://www.countyofnapa.org/2876/Current-Projects-Explorer> and has been provided to the Governor's Office of Planning and Research (OPR) "Clearing House" and the Napa County Clerk for posting along with a Notice of Completion.

The County is seeking input on the HEU as well as on the scope of the EIR. Project materials can be viewed online at: <https://www.countyofnapa.org/3250/2022-Housing-Element-Update>. To review materials in Spanish please contact Staff to request materials using the contact information below.

## PROVIDING COMMENTS

Agencies and interested parties may provide the County with written comments on topics to be addressed in the EIR for the project. Because of time limits mandated by State law, comments should be provided no later than 5:00 p.m. on February 25, 2022. Please send all comments to:

Napa County Planning, Building, and Environmental Services Department  
Attention: Trevor Hawkes  
1195 Third Street, Suite 210  
Napa, CA 94559  
Email: Trevor.Hawkes@countyofnapa.org

Agencies that will need to use the EIR when considering permits or other approvals for the project should provide the name, phone number, and email address of the appropriate contact person at the agency. Comments provided by email should include "Housing Element Update NOP Scoping Comment" in the subject line, as well as the name and physical address of the commenter in the body of the email.

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft EIR, which is anticipated to be available for public review in mid-2022.

## PUBLIC SCOPING MEETING

The Napa County Planning Commission will hold a public scoping meeting to inform interested parties about the proposed project and to provide agencies and the public with an opportunity to provide comments on the scope and content of the EIR. The meeting time and location are as follows:

Wednesday, February 16, 2022, at 9:00 a.m.

Napa County Administration Building Third Floor  
Board Chamber  
1195 Third Street  
Napa, CA 94559

This meeting will be conducted via teleconference using the Microsoft Zoom program in order to minimize the spread of the COVID-19 virus, in accordance with the State of Emergency proclaimed by Governor Newsom on March 4, 2020, Executive Order N-29-20 issued by Governor Newsom on March 17, 2020, and the Shelter in Place Order issued by the Napa County Health Officer on March 18, 2020, as may be periodically amended. To participate in the public scoping meeting, the public are invited to observe and address the Commission telephonically or electronically. Instructions for public participation will be included in the agenda for the meeting, which will be available one week prior to the meeting date.

The meeting space is accessible to persons with disabilities. Individuals needing special assistive devices will be accommodated to the County's best ability. Assistive listening devices are available for the hearing impaired from the Clerk of the Board; please call (707) 253-4580 for assistance. If an American Sign Language interpreter or any other special arrangement is required, please provide the Clerk of the Board with 48-hour notice by calling (707) 253-4417.