

RESOLUTION NO. 2019-53

RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, AMENDING THE NAPA COUNTY ROAD AND STREET STANDARDS TO CLARIFY THE APPLICABILITY OF THE STANDARDS TO CERTAIN TYPES OF USE PERMIT APPLICATIONS

WHEREAS, the County wishes to have the State Board of Forestry and Fire Protection (the “Board of Forestry”) certify amendments to the County’s Road and Street Standards (“Road and Street Standards”), all local ordinances, and all relevant Fire Marshal policies related to the Fire Safe Regulations (“Regulations”) to ensure they are consistent with the Regulations and thereby maintain local control over the inspection and exception process connected with the enforcement of the Regulations and Road and Street Standards and the other requirements of the Regulations within those portions of unincorporated Napa County that are within the State Responsibility Area as defined in Public Resources Code Sections 4126-4127, and the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Article 1 through Article 5; and

WHEREAS, the criteria for the design of road and street improvements in Napa County are set forth in the booklet on file with the Clerk of the Board of Supervisors, entitled “Adopted Road and Street Standards, Napa County (dated April 27, 1971 and as amended through September 26, 2017),” hereinafter referred to as the “Road and Street Standards”; and

WHEREAS, pursuant to Napa County Code Sections 17.02.470 and 17.36.010(B) the Road and Street Standards may be amended from time to time by resolution of the Board of Supervisors; and

WHEREAS, the Road and Street Standards have been revised twelve times since their adoption on April 27, 1971 and were last revised on September 26, 2017, by Resolution No. 2017-156; and

WHEREAS, the Engineering Division of the Planning, Building and Environmental Services Department and County Fire Department have reviewed the Road and Street Standards and recommend that they be amended to clarify the scope of subsection (c) of Section 2 to be inclusive to only new Use Permit applications or a Major Modification to an existing Use Permit, as reflected in the proposed amended Road and Street Standards attached as Exhibit “A” and incorporated here by reference; and

WHEREAS, the proposed amendment would result in the Road and Street Standards being applied to those certain types of Use Permit applications that potentially increase intensity, generate vehicle trips, contribute to the County’s roadway network and have a nexus for imposing the requirements.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby resolves as follows:

1. The Board hereby finds that the proposed amendment to the Road and Street Standards attached as Exhibit “A” are exempt from the California Environmental Quality Act (“CEQA”) under

the General Rule because it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore the CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3).] The Board further finds that the proposed amendment is exempt from the CEQA pursuant to Categorical Exemption Class 8 because it been determined that this type of project does not have a significant effect on the environment. [See Class 8 (“Actions by Regulatory Agencies for Protection of the Environment”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15308.]

2. The Board hereby adopts the amendment to Section 2 of the Road and Street Standards attached as Exhibit “A” and incorporated here by reference.

3. The Board hereby directs the Clerk of the Board to place a copy of the amendment to Section 2 of the Road and Street Standards attached as Exhibit “A” in the booklet entitled “Adopted Road and Street Standards, Napa County (dated April 27, 1971 and as amended through April 16, 2019), on file with the Clerk of the Board.

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 23rd day of April, 2019, by the following vote:

AYES:	SUPERVISORS	WAGENKNECHT, RAMOS, DILLON, PEDROZA and GREGORY
NOES:	SUPERVISORS	NONE
ABSTAIN:	SUPERVISORS	NONE
ABSENT:	SUPERVISORS	NONE

NAPA COUNTY, a political subdivision of the State of California

By:


 RYAN GREGORY, Chair of the Board of Supervisors


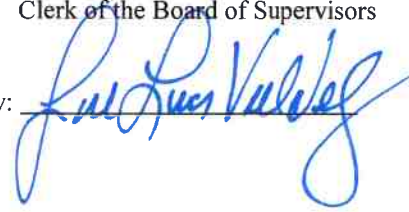
<p>APPROVED AS TO FORM Office of County Counsel Deputy County Counsel</p> <p>By: <u>Laura J. Anderson (e-signature)</u></p> <p>Date: <u>April 3, 2019</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: April 23, 2019</p> <p>Processed By:  Deputy Clerk of the Board</p>	<p>ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors</p> <p>By: </p>
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EXHIBIT "A"

2. SCOPE OF STANDARDS

These Standards are not applicable retroactively to existing roads, streets and driveways or facilities. These Standards shall apply to all construction within the unincorporated portions of Napa County beginning on the date they are adopted by the Board of Supervisors. Activities which will trigger application are included, but not limited to:

(a) Application for a building permit for new construction (as defined on Page 7), not relating to an existing structure,

(b) Application for a building permit for any work, addition to, remodel, repair, renovation, or alteration of any building(s) or structure(s) that results in:

i. fifty percent increase or more of square footage, and

ii. the increase is greater than 1,500 square feet;

iii. The application of (i) and (ii) will be evaluated as construction accumulated on the same structure within a 36 month time period,

(c) Applications for a new Use Permit or Major Modification of an existing Use Permit,

(d) Road construction, including construction of a road that does not currently exist, or extension of an existing road, and

(e) New subdivisions created by Parcel Map or Final Map,

(f) Conditional certificates of compliance.

In the event a structure is destroyed by a disaster the reconstruction of the existing structure may not be considered new construction and may find relief from these Standards provided the following two conditions are met:

(a) The replacement structure's livable space will not be greater than 125 percent of the original structure's livable space (based on square footage), and

(b) Napa County staff determines the driveway was not a contributing factor in delaying or prohibiting emergency responders from accessing the original structure or for safe evacuation during the disaster.

If both provisions above cannot be met, then the reconstruction of the existing structure shall be considered new construction and subject to these Standards accordingly.