

[Print Page](#)**Napa Valley  
Register**

## **Plan together on south county, Napa Pipe**

By PETER DREIER

Tuesday, July 03, 2007

I would like to share key concerns submitted on Napa County's General Plan.

First, Napa County hasn't complied with state legal requirements regarding its existing Housing Element, requirements mandating annual hearings and evaluations of significant plan revisions to insure internal consistency.

How can the public adequately comment on the plan without this information? How can the county adopt a new 25-year plan while it is violating state law about what it has and has not done in the past three years in implementing the Housing Element?

The county can't complete its plan until it prepares the required evaluations. It may then be necessary to revise the plan to insure internal consistency and an adequate Housing Element.

Second, the plan creates a Transitional Land Use category for the Napa Pipe and Boca/Pacific Coast sites to meet future housing needs by allowing a mix of industrial, commercial or residential uses. There is no current evidence of sufficient infrastructure to support mixed uses or that the proposed housing will meet state requirements.

Creating this new zoning is premature and shows poor environmental planning lacking empirical evidence that the county can mitigate resulting social, fiscal and environmental impacts.

Adopting a transitional use prematurely conveys significant new mixed-use development rights worth millions to developers.

The transitional use should be replaced with South Napa Study Area that maintains only the industrial land use, but allows for the specific plans including mixed uses —contingent upon developer-paid environmental impact reports identifying all social, fiscal and environmental impacts on surrounding communities and a determination that impacts can be mitigated. The burden of proof is on the developer to demonstrate impact mitigation ensuring the public integrity of the approval process.

Third, Napa County Supervisors Dodd, Luce and Moskowite have publicly stated opposition to complying with the housing MOUs with the cities of Napa and American Canyon, and believe that future county housing allocations can be met on the Napa Pipe without having to provide compensation or mitigate impacts on the two cities. I would caution the supervisors that if the MOUs are terminated for cause, the county will lose its ability to maintain a certified Housing Element and be subject to reinstatement of the DeHaro lawsuit, effectively shutting down the county's ability to issue any other use or building permits.

The plan's agricultural preservation commitment needs to be strengthened and tempered with a corollary commitment to share decision-making land use powers as required in the MOUs.

The land use battleground in the future will be focused on South Napa area. The 91,000-plus citizens living in the two cities have a right to insure mitigations reducing impacts on the quality of their life and that municipalities can provide uncompromised basic services. Add the following Agricultural/land use goal:

- Creation of Joint South Napa Planning Area Authority of elected representatives of the county, the city of Napa and American Canyon, which has the land use authority on non-agricultural uses on unincorporated areas adjacent to the cities.

As a community, we have one opportunity to get it right. If we get it wrong, the resulting negative impacts will affect Napa citizens forever. I am not opposed to the concept of mixed use. I am opposed to a political process that attempts to fast-track approval of a specific proposal for short-term political goals that may not be achievable.

My fear is that supervisors will reject the concept of sharing land-use decision making with surrounding cities. It is a foreign concept to diminish their authority.

My hope is that supervisors will realize they have an opportunity to demonstrate true political responsibility and leadership by agreeing to share decision-making land use powers that better reflect meeting the future community needs.

There are several Napa organizations and citizens very concerned about the current process. If the board fails to change course there are two alternatives:

1. Work together to put a referendum on the June 2006 ballot to either require the supervisors to create a Joint South Napa Planning Area Authority or to create a Measure J-type referendum for non-agricultural land uses on unincorporated South Napa so voters have the final development approval decision.
2. Three supervisor seats are up for election in June 2006. Hopefully, there will be viable new candidates willing to change course on the General Plan and the approval process for Napa Pipe and Boca/Pacific Coast sites.

This Napa Pipe runaway train needs to be under public control and put on a side track until all of the related social, fiscal and environmental impacts and mitigations are developed. The developer should not be the engineer.

Napa citizens and their public interest need to be the engineer driving the approval process for both the Napa Pipe and Boca/Pacific sites and the General Plan.

(Dreier, a housing and planning consultant, lives in Napa.)