

FINDINGS

**Chohan / Turnkey Technologies Industrial Building
Use Permit # P08-00557-UP
Assessor's Parcel # 057-250-032**

ENVIRONMENTAL DETERMINATION

The Conservation, Development, and Planning Commission (Commission) has reviewed this project pursuant to the provisions of the California Environmental Quality Act (CEQA) and Napa County's Local Procedures for Implementing CEQA and makes the following finding(s):

1. That the proposed project is Categorically Exempt pursuant to Section 15301, Class 1(k), of the State CEQA Guidelines, which exempts the subdivision of an existing commercial building from CEQA where no physical changes occur which are not otherwise exempt.

USE PERMIT

The Commission has reviewed the Use Permit request in accordance with the requirements of the Napa County Zoning Ordinance, Section 17.14.060 of that ordinance requires that the Commission "shall deny approval of a tentative map if it makes any of the following findings:"

1. The Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to the property.

Analysis: The proposed warehouse development is consistent with 1986 Airport Industrial Area Specific Plan, V. Land Use Element, C. General Industrial Areas, 2. Allowable Uses, (h) "Other heavy manufacturing and assembly uses, outdoor storage and warehousing uses, and nuisance-related refining and processing uses," subject to site plan view or use permit approval by the Planning Commission. Zoning Ordinance Section 18.40.020.B.5, GI:AC (Industrial Park: Airport Compatibility Combining) District regulations, permit the same light industrial, warehousing, manufacturing and office uses upon grant of use permit by the Planning Commission.

2. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code (zoning regulations) have been met.

Analysis: The use permit application has been filed and notice and public hearing requirements have been met. The hearing notice and intent to adopt a Mitigated Negative Declaration were posted on February 10, 2009 and copies were forwarded to the appropriate persons on the mailing list and appropriate public agencies. The written comment period was from February 11, 2009 to March 3, 2009.

3. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Granting the Use Permit for the warehouse development as proposed and conditioned will not affect the health, safety or welfare of the County. Various County departments have reviewed the project and commented regarding water, access, parking, building permits, and fire protection. The City of American Canyon and the Napa Sanitation District have agreed to provide public water and sewer service, respectively. Conditions are

recommended which will incorporate these comments into the project to assure the protection of the public health and safety.

4. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan and the Airport Industrial Area Specific Plan.

Analysis: Compliance with the Zoning Ordinance

Provision	Required	Proposed
Height	35 feet	35 feet
Setbacks	Front: 20 feet Side: 0 feet Rear: 20 feet	Front: 25 feet Side: 57 feet Rear: 87-150 feet
Lot Coverage	Maximum 50 %	37 %
Parking	Office: 1/250 sq. ft. = 15 Warehouse: 1/1,000 sq. ft. (first 20,000 sq. ft.) & 1/ 2,000 sq. ft. thereafter = 31 Manufacturing: 1/500 sq. ft.= 18 Project Total: 64 spaces	18 spaces 19 spaces 31 spaces Proposed: 57 + 13 (future) = 70 spaces
Floor Area Ratio	50% if office uses do not exceed 5% of total floor area	37.1%
Lot Size	20,000 sq. ft.	2.41 acres

According to 1986 Airport Industrial Area Specific Plan, Land Use Element, Parking and Loading Requirements, parking ratios are applied by the type of use within a building. The chart above details how office and warehouse floor area ratios apply to the project.

There is no shortage of required parking, i.e., 70 spaces are shown where a minimum 64 are required. Although warehouse use parking requirements were reduced in the 1998 Airport Specific Plan revision, those standards were eliminated by the courts. The current design guidelines, however, allow parking requirements to be established by the Planning Commission through a use permit.

Analysis: Compliance with the General Plan and Airport Industrial Area Specific Plan.

The General Plan designates the airport area for industrial development. The project site is located within the General Plan's "Industrial" land use designation and within the "Business/Industrial Park Area" of the 1986 Airport Industrial Area Specific Plan (AIASP). The AIASP specifically allows the proposed warehouse use under Chapter V. Land Use Element, C. General Industrial Area, 2. Allowable Uses, (h) "Other heavy manufacturing and assembly uses, outdoor storage and warehousing uses, and nuisance-related refining and processing uses" uses which require use permit approval by the Planning Commission. The project site is also within "Compatibility Zone D" of the Napa County Airport Land Use Compatibility Plan, which also allows industrial warehouse uses. The AISAP has been reviewed for the proposal's consistency. The proposed use is consistent with the goals, requirements, standards and policies in the General Plan and the Specific Plan.

5. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under §13.15.070 or 13.15.080 of this code.

Analysis: The City of American Canyon will provide water service and the Napa Sanitation District will provide sewer service. "Will serve" letters have been issued by both jurisdictions indicating that they have adequate capacity to serve the project.