

EXHIBIT A - FINDINGS

NAPA COUNTY PLANNING, BUILDING & ENVIRONMENTAL SERVICES DEPARTMENT

PLANNING COMMISSION HEARING – DECEMBER 18, 2013

**FARM COLLECTIVE WINERY
USE PERMIT # P13-00331-UP
APN 057-300-001, 003 & -004**

ENVIRONMENTAL:

The Planning Commission (Commission) has reviewed this proposed use permit pursuant to the provisions of the California Environmental Quality Act (CEQA) and Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The proposed project is Categorically Exempt pursuant to CEQA Section 15301 (Class 1, Existing Facilities); Section 15302 (Class 2, Replacement or Reconstruction); and Section 15303 (Class 3, New Construction or Conversion of Small Facilities) of the State CEQA Guidelines; the above project conforms to these specific Categorical Exemptions. Class 1, Existing Facilities, applies to the operation, permitting and licensing of minor alterations to existing private structures or facilities involving negligible or no expansion of use beyond that existing at the time of the agency's determination. Class 2, Replacement or Reconstruction, applies to reconstruction of existing structures and facilities where the new structure will be located on the same site as the original one and will have substantially the same purpose and capacity as the original with negligible or no expansion of capacity. Class 3, New Construction or Conversion of Small Facilities, applies to installation of new equipment and facilities in structures and conversion of existing structures from one use to another when only minor modifications are made to the exterior of the structure. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

USE PERMIT:

The Commission has reviewed the use permit request in accordance with the requirements of the Napa County Code §18.124.070 and makes the following findings:

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

Analysis: The project is consistent with the 1986 Napa Valley Business Park Specific Plan and is consistent with IP:AC (Industrial Park:Airport Compatibility Combining) zoning district regulations which permit agricultural processing facilities, including wineries, upon grant of a use permit. The project site is located in Zone D, Common Traffic Pattern, of the Airport Land Use Compatibility Plan which also allows the proposed winery use.

3. The procedural requirements for a Use Permit set forth in Chapter 18.124 of the Napa County Code 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 Categorical

Exemption were posted on December 7, 2013, and copies were forwarded to appropriate persons on the mailing list. The public comment period ran from December 7, 2013, through December 17, 2013.

4. 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 project as proposed and conditioned will not affect the health, safety or welfare of the County. Various County divisions and departments and responsible agencies have reviewed the project and commented regarding waste disposal, water, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the protection of the public health, safety, and welfare.

5. 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 Napa Valley Business Park Specific Plan.

Analysis: Compliance with the Zoning Ordinance

The proposed use is consistent with the Industrial Park: Airport Compatibility Combination (IP:AC) zoning district regulations, as conditioned, including building setbacks, building height, parking requirements, lot coverage and floor area ratio.

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

The goals established by the Napa County General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to concentrate urban uses in existing cities and urban areas. The Napa Valley Business Park Specific Plan was established to support agriculture and meet industrial and business park needs consistent with the 1986 Specific Plan. This proposal is consistent with both the General and Specific Plan. The General Plan designates the airport area for industrial development. The project site is located within the General Plan land use designation Industrial and within the Business/Industrial Park designation of the 1986 Specific Plan which allow the proposed use. The project site is also within Compatibility Zone D of the Napa County Airport Land Use Compatibility Plan (ALUCP), which also allows the proposed use. The Specific Plan and ALUCP have been reviewed for the proposal's consistency. The proposed use is consistent with the goals, requirements, standards and policies in the General Plan, the Specific Plan, and the ALUCP. Policy AG/LU-96 of the County General Plan recognizes wineries, and any use clearly accessory to a winery, as compatible to the Specific Plan.

Overall, the project was evaluated for and found to be consistent with General Plan policies concerning industrial land uses (listed separately below at the conclusion of these findings).

6. That the proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on an 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 Sections 13.15.070 or 13.15.080 of the County Code.

Analysis: The City of American Canyon will continue to provide water service consistent with a previously issued “will serve” letter indicating that they have adequate capacity to serve the project.

General Plan Policies:

Policy AG/LU-37: The County will locate industrial areas adjacent to major transportation facilities. Necessary utilities and services, including child care centers, will be planned to meet the needs of the industrially zoned areas.

Policy AG/LU-38: The Airport Industrial Area Specific Plan (AIASP) (*recently renamed the Napa Valley Business Park Specific Plan) was adopted in 1986 to set forth detailed land use and circulation standards, capital improvement requirements, associated financing, and improvement sequencing measures, as well as necessary supporting policies and regulatory procedures for the industrial area near Napa County Airport. The AIASP, as amended, implements the General Plan in the Airport Industrial Area.

Policy AG/LU-39: The County will plan for the reservation of sufficient industrial property to satisfy future demands for orderly growth and economic development of the County. Non-agriculturally oriented industry shall not be located on productive agricultural lands, but should be located in areas more suitable for industrial purposes.

Policy AG/LU-93: The County supports the continued concentration of industrial uses in the South County area as an alternative to the conversion of agricultural land for industrial use elsewhere in the county.

Policy AG/LU-95: New land uses in the South County Industrial Areas shall be compatible with or buffered from adjacent industrial uses and consistent with the Land Use Compatibility Plan for Napa Airport.

Policy AG/LU-96: The Airport Industrial Area is planned for industrial and business/industrial park uses that support agriculture and meet industrial and business park needs consistent with the 1986 AIASP. In 2004, the AIASP was amended to recognize two hotels which were subsequently approved for construction. Further commercial uses in the area shall be limited to local-serving uses that support or serve the industrial and business park uses.

Policy AG/LU-95: New land uses in the South County Industrial Areas shall be compatible with or buffered from adjacent industrial uses and consistent with the Airport Land Use Compatibility Plan for Napa Airport.

Policy AG/LU-96: The Airport Industrial Area is planned for industrial and business/industrial park uses that support agriculture and meet industrial and business park needs consistent with the 1986 AIASP. In 2004, the AIASP was amended to recognize two hotels which were subsequently approved for construction. Further commercial uses in the area shall be limited to local-serving uses that support or serve the industrial and business park uses.

Policy CON-13: The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and

habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans.

Policy CON-60.5: All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.

Policy CON-72: The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.

Policy CON-77: All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with BAAQMD's air quality improvement programs to reduce emissions. In addition to these policies, the County's land use policies discourage scattered development which contributes to continued dependence on the private automobile as the only means of convenient transportation. The County's land use policies also contribute to efforts to reduce air pollution.

Policy CON-81: The County shall require dust control measures to be applied to construction projects consistent with measures recommended for use by the BAAQMD.

Policy E-10: Ancillary uses in the Airport Industrial Area shall be limited to locally-serving (i.e., business park supporting) uses, with regard to both nature and extent, as specified in the AIASP.

Policy SAF-20: All new development shall comply with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment as to:

- 1) Adequacy of water supply.
- 2) Site design for fire department access in and around structures.
- 3) Ability for a safe and efficient fire department response.
- 4) Traffic flow and ingress/egress for residents and emergency vehicles.
- 5) Site-specific built-in fire protection.
- 6) Potential impacts to emergency services and fire department response.