**Exhibit B**

**FINDINGS**

**PARADIGM WINERY**

**USE PERMIT APPLICATION *№* P13-00289**

**1277 DWYER ROAD, OAKVILLE, CALIF., 94562**

**ASSESSOR’S PARCEL *№.* 027-540-003**

**Environmental Determination**

The Planning Commission (Commission) has received and reviewed the proposal pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County’s Local Procedures for Implementing CEQA, and finds that**:**

1. The project is Categorically Exempt, pursuant to the California Environmental Quality Act, Section 15301 [See Class 1 (“Existing Facilities”)]; Section 15303 [See Class 3 (“New Construction or Conversion of Small Structures”)]; and Section 15304 [See Class 4 (“Minor Alterations to Land”)], which may be found in the guidelines for the implementation of the California Environmental Quality Act and see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B; and, Section 15061(b)(3), General Rule, where there is no potential for causing a significant environmental effect. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Use Permit**

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

**2.** The Commission has the power to issue a use permit under the zoning regulations in effect as applied to the Property.

The project is consistent with AP (Agricultural Preserve) zoning district regulations. A winery (as defined in Napa County Code §18.08.640) and uses in connection with a winery (see Napa County Code § 18.16.030) are permitted in an AP-zoned district subject to use permit approval. The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990, *as amended*) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), as applicable.

**3.** The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code have been met.

The use permit application has been filed and noticing and public hearing requirements have been met. The hearing notice was posted on December 23, 2013 and copies of the notice were forwarded to property owners within 300 feet of the Property. The CEQA public comment period ran from December 24, 2013 through January 14, 2014.

**4.** The grant of a use permit, as conditioned, will not adversely affect the public health, safety, or welfare of the County of Napa.

Various County departments and divisions have reviewed the project and commented regarding water, access, permits, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the ongoing protection of public health and safety.

**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.

The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990), the 2009-2010 Winery Definition Ordinance Update (Ord. No. 1340, 2010), and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), all as applicable.

General Plan **Agricultural Preservation and Land Use Goal AG/LU-1** guides the County to, “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” General Plan **Agricultural Preservation and Land Use Goal AG/LU-3** states the County should, “support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.” Approval of this project furthers both of these key goals.

The subject parcel is located on land designated Agricultural Resource (AR) on the County’s adopted General Plan Land Use Map. This project is comprised of an increase in daily visitation as outlined in and limited by the approved project scope (see Exhibit C, Condition of Approval № 1 *et seq.*)

As approved here, the use of the property for the accessory uses thereto supports the economic viability of agriculture within the county consistent with General Plan **Economic Development Policy E-1** (“The County’s economic development will focus on ensuring the continued viability of agriculture…”).

As analyzed at item **№ 10**, below, the winery will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. The project is consistent with General Plan **Conservation Policies CON-53** and **CON-55**, which require that applicants for discretionary land use approvals prove the availability of adequate water supplies which can be appropriated without significant negative impacts on shared groundwater resources.

Napa County’s adopted General Plan reinforces the County’s long-standing commitment to agricultural preservation, urban centered growth, and resource conservation. On balance, this project is consistent with the General Plan’s overall policy framework and with the Plan’s specific goals and policies.

**6.** Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold, is assumed not to have a significant effect on groundwater levels. Based on the submitted Phase One water availability analysis, the 26.25 acre subject valley floor property has a water availability calculation of 26.25 acre feet per year (af/yr), which is arrived at by multiplying its 26.25 acre size by a 1 af/yr/acre fair share water use factor. According to the applicant, existing water usage on the parcel is approximately 8.295 af/yr, including .645 af/yr for winery water use, .15 af/yr for landscape, and 7.5 af/yr for irrigation of established vineyards. The approval of the increased visitation would require an additional .12 af/yr would raise the applicant’s water use to 8.415 af/yr, a figure that is well below the fair share water use level. Based on these figures, the project would be below the established threshold for groundwater use on the property. The County is not aware of, nor has it received any reports of, groundwater shortages near the project area. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.