

**PLANNING COMMISSION HEARING – SEPTEMBER 17, 2014  
EXHIBIT A - FINDINGS**

**THE SHED/COUNTRY STORE & BBQ (AKA PUMPKING PATCH)  
USE PERMIT #P14-00110  
3100 GOLDEN GATE DR, NAPA, CALIFORNIA 94559  
APN 047-230-034**

**ENVIRONMENTAL DETERMINATION:**

The Planning Commission (Commission) has received and reviewed the proposed Negative Declaration 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 Planning Commission has read and considered the Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
2. The Negative Declaration is based on independent judgment exercised by the Planning Commission.
3. The Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).
4. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building, and Environmental Services Department, 1195 Third Street, Room 210, Napa, California.
5. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment.
6. There is no evidence, in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.

**USE PERMIT REQUIRED FINDINGS:**

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

7. The Commission has the power to issue a use permit under the zoning regulations in effect as applied to the property.

Analysis: The project is consistent with AW:PS (Agricultural Watershed: Agricultural Produce Stand Combination) zoning district regulations. Section 18.102.040 provides that delicatessens with outdoor barbeque and wine tasting are uses permitted upon grant of Use Permit.

8. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code (Use Permits) have been met.

Analysis: The use permit application has been filed, noticed and public hearing requirements have been met. The hearing notice was posted on August 28, 2014, and copies were forwarded to property owners within 300 feet of the subject parcel.

9. The granting of the use permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

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

10. 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.

Analysis: 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 property is zoned AW:PS (Agricultural Watershed: Agricultural Produce Stand Combination). Section 18.102.040 of the Napa County Code provides that delicatessens with outdoor barbeque and wine tastings are permitted upon grant of a use permit in the district with which the PS designation is combined. The proposed project is an expansion of the existing market and seasonal Pumpkin Patch and Christmas to add a delicatessen with outdoor barbeque and wine tastings.

This proposal is consistent with the *Napa County General Plan 2008* Goal AG/LU-1 to preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County. As provided in Measure J (1990) and Measure P (2008, in effect through 2058), any changes to the Land Use Map which would re-designate land designated as Agricultural Resource or Agriculture Watershed Open Space as of February 1, 1990 requires voter approval.

The subject parcel is located on land designated Agriculture, Watershed and Open Space (AWOS) on the County's adopted General Plan Land Use Map. As provided under Measure J, the property owner secured voter approval of Measures Z and K, the property was rezoned to allow the uses existing on the subject property and the zoning district was amended to allow the proposed uses of this project upon grant of a use permit.

General Plan Agricultural Preservation Policy AG/LU-45 states that "...Pursuant to Measure K (2008), a parcel which is zoned as an agricultural produce stand may be allowed to establish accessory delicatessen, outdoor barbeque and wine tasting uses.

General Plan Agricultural Preservation and Land Use Policy AG/LU-136 states: "Measure K (2008), Stanley Lane Deli Ordinance: The Land Use Element of the Napa County General Plan is hereby amended to add a new subsection to read in full as follows: "A parcel which is zoned as an agricultural produce stand may be allowed to establish accessory delicatessen, outdoor barbeque and wine tasting uses."

Therefore, the proposal to add the delicatessen, outdoor barbeques and wine tasting uses to the existing commercial operation is consistent with the General Plan Agricultural Preservation and Land Use Goals and Policies.

11. In the case of a development or improvement with a reasonably foreseeable connection to a public water supply as defined in Section 13.15.010, regardless of the number of parcels served, that the proposed use would not require a new water system or utilize an existing water system necessitating a groundwater permit pursuant to Chapter 13.15. This finding shall not be required if the applicant presents substantial evidence demonstrating that the use of groundwater for such development or improvement would not have a significant adverse effect on the underlying groundwater basin; or if that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Section 13.15.070 or [13.15.080](#) of this code.

Analysis: The City of Napa will provide water service and the project does not propose the construction of a new water system or utilize an existing water system necessitating a groundwater permit pursuant to Chapter 13.15. The City of Napa currently provided water to the subject project and has indicated that with the reduction of most of the lawn landscaping, the applicant's water use has been reduced significantly.