

“A”

Recommended Findings

**PLANNING COMMISSION HEARING – NOVEMBER 6, 2019
RECOMMENDED FINDINGS**

**GATEWAY EAST WINERY
USE PERMIT (#P18-00389-UP)
WEST SIDE OF GATEWAY ROAD EAST
APN'S 057-210-039 & 040 (SFAP)**

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Mitigated 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 Commission has read and considered the Mitigated Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
2. The Mitigated Negative Declaration is based on independent judgment exercised by the Commission.
3. The Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act.
4. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment.
5. 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 Conservation, Development & Planning Department, 1195 Third Street, Room 210, Napa, California.
6. Considering the record as a whole there is no evidence that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.

PLANNING AND ZONING ANALYSIS:

USE PERMIT: The following findings must be made in order to approve the 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:

7. The Commission has the power to issue a 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 the Industrial Park: Airport Compatibility Combining (IP:AC) zoning district regulations which permit wineries, warehousing/storage and office uses upon grant of a use permit. The project site is located in Zone D of the Airport Land Use Compatibility Plan which also allows the proposed uses.

8. 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 October 4, 2019, and copies were forwarded to property owners within 1,000 feet of the subject property and all other interested parties. The public comment period ran from October 4, 2019 through November 5, 2019.

9. 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 adversely affect the health, safety or welfare of the County. Various County divisions and departments have reviewed the project and commented regarding grading, drainage, 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, safety, and welfare.

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 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 setbacks, landscaping, parking requirements, lot coverage and floor area ratio.

Analysis: Compliance with the General Plan and Napa Valley Business Park 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 Napa Valley Business Park Specific Plan (NVBPSP) which allow the proposed use. The project site is also within Compatibility Zone D of the Napa County Airport Land Use Compatibility Plan, which also allows the proposed use.

The goals and objectives of the NVBPSP are to provide a specific plan which recognizes the economic importance to the County and region of the business park and responds to the area's identification in the General Plan as the principal County location for industrial development. The area is intended to provide for a mix of industrial development which is responsive to County desires, anticipated market demands, and landowner intentions. According to the NVBPSP land use policies, the Business/Industrial Park designation is intended to provide exclusively for modern, well-planned, non-nuisance light industrial and business park uses which are compatible with each other, the airport, the S.R. 29 corridor, and surrounding open space uses.

The goals established by the General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to plan for industrial land uses in locations that are compatible with adjacent uses and agriculture. Overall, the project was evaluated and found to be consistent with General Plan policies concerning industrial land uses (listed separately below at the conclusion of these findings). The proposal was reviewed for consistency with the NVBPSP. The proposed use is consistent with the goals, requirements, standards and policies in the General Plan, the NVBPSP, and the Airport Land Use Compatibility Plan.

11. The proposed use will not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on an affected groundwater basin in Napa County.

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.

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) 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 Airport Industrial Area Specific Plan. In 2004, the Airport Industrial Area Specific Plan 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 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 Airport Industrial Area Specific Plan. In 2004, the Airport Industrial Area Specific Plan 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 Airport Industrial Area Specific Plan.

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.

Policy SAF-26: Development proposals shall be reviewed with reference to the dam failure inundation maps in order to determine evacuation routes.