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CEQA Categorical Exemption Memo  
Napa Wildlife Rescue  
P19-00495-UP



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**David Morrison**  
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**MEMORADUM**

<b>To:</b> Planning Commission	<b>From:</b> Trevor Hawkes, Planner III
<b>Date:</b> July 1, 2020	<b>Re:</b> Napa Wildlife Rescue Use Permit Application #P19-00495 Categorical Exemption Determination Assessor Parcel #047-202-005 & -006

**BACKGROUND**

Pursuant to Section 303 of Napa County’s Local Procedures for Implementing the California Quality Act (CEQA), the Planning Division has prepared this environmental evaluation for the proposed Napa Wildlife Rescue Use Permit Application (File #P19-00495-UP).

The applicant proposes to convert an existing single-family residence and two accessory structures into a Wildlife Rescue Center (N.C.C. §18.08.638). The existing single-family residential home and garage measure 2,824 square feet and will be converted for uses such as reception/intake, offices, break room, animal medical exam and procedure, animal isolation and euthanasia, animal medical food preparation and laundry. The accessory structures include an existing unconditioned 460 square foot dog kennel to be utilized for small mammal enclosures, and an unconditioned 3,600 square foot barn/workshop (2,400 square feet is enclosed and 1,600 square feet consists of a portico area) to be utilized for interior avian enclosures and equipment storage. In order to meet the maximum allowable size restriction for Wildlife Rescue Center (5,000 square feet), the applicant requests that the two accessory structures be recognized as Wildlife Cages and/or Pens, which are not subject to the 5,000 square foot interior limitation in the Napa County Code. The project also proposes the placement of small outdoor animal enclosures (cumulatively less than 120 square feet), nine (9) parking spaces, rehabilitated and new landscaping, a new 2,500 gallon fire water tank and improvements to the existing driveway to bring it into compliance with the Napa County Road and Street Standards.

**EXISTING SETTING**

The project is located on two (2) parcels totaling 2.1 acres (APN 047-202-005 and 047-202-006: 4001 Middle Avenue, Napa) that have a General Plan land use designation of Agricultural Resource (AR), and is located in the AW (Agricultural Watershed) zoning district.

Access to the property is from Middle Avenue via a paved driveway. The nearest residences to the project site is approximately 65 feet to the southwest and 78 feet to the southeast. Vineyards border the northeast and northwest boundaries of the project.

**PAST APPROVALS**

April 18, 1973: The two subject parcels are included in Crestfield Kennel's Use Permit application #U-577273, approved by the Napa County Planning Commission. U-577273 sought to expand the existing kennel capacity from 20 to 40 dogs, and included office and living quarters for employees. The Use Permit was limited to one year with the option to seek renewal. No action is taken on the UP and it is voided a year later.

October 23, 1974: The two subject parcels and the dog kennel (existing) are included in Crestfield Kennel's Use Permit application #U-127475, approved by the Napa County Planning Commission. U-127475 expanded the existing kennel capacity from 20 to 75 dogs, and included other features such as training and grooming services. The Use Permit was limited to three (3) years with the option to seek renewal.

July 8, 1976: Building permits are issued for the Single Family Residence located on APN 047-202-007.

December 7, 1977: The two subject parcels and the dog kennel are included in Crestfield Kennel's Use Permit renewal application #U-247778, approved by the Napa County Planning Commission. The Use Permit was limited to five (5) years with the option to seek renewal.

August 3, 1985: The two subject parcels and the dog kennel are included in Crestfield Kennel's Use Permit renewal application #U-498283, approved by the Napa County Planning Commission. No time limitation is applied to U-498283.

January 8, 1992: Building permits are issued for the 3,600 square foot barn/workshop located on APN 047-202-007.

April 5, 2005: Very Minor Modification P05-0086 is administratively approved to relocate a 1,440 square foot structure and 10 kennel runs. Permit is issued to Wine Country Pet Resort and the permit no longer includes the two subject parcels.

### **CEQA EXEMPTION CRITERIA AND ANALYSIS**

Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. This project qualifies as an exempt activity under three (3) sections of Article 19:

Class 1: Existing Facilities [California Code of Regulations (CCR) §15301]

Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Examples enumerated in CCR §15301 include:

- (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.
- (b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.
- (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.
- (h) Maintenance of existing landscaping, native growth, and water supply reservoirs.

The proposed project takes advantage of 2,998 square feet of existing driveway, two accessory structures measuring a cumulative 4,060 square feet, an existing well, septic system, and existing landscaping. The existing driveway will be resurfaced to comply with current Napa County Road and Street Standards. Minor interior alterations and repairs will be made to the two existing accessory structures. The well and septic system have been found to be adequate for the proposed use and require no expansion. Existing landscaping and native growth will be maintained.

#### Class 3: New Construction or Conversion of Small Structures [CCR §15303]

Consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Examples enumerated in CCR §15303 include:

- (a) One single-family residence, or a second dwelling unit in a residential zone.
- (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

The applicant intends to convert a one (1) single-family residence into a Wildlife Rescue Center. No expansion of floor area of the existing SFR is planned. Two (2) existing accessory structures will also be converted for housing standalone wildlife cages and pens. The applicant also intends to construct a 2,500 gallon fire water tank.

#### Class 4: Minor Alterations to Land [CCR §15304]

Consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

Examples enumerated in CCR §15304 include:

- (a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.
- (b) New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping

The applicant intends to grade an additional 2,138 square feet of additional driveway and nine (9) parking spaces. Grading will take place on land that has a grade of less than 5% in all directions. Four (4) trees are intended to be removed for the parking lot (three (3) deciduous tree measuring less than six (6) inches in diameter, one (1) evergreen measuring nine (9) inches in diameter), but due to their location on the property the trees do not qualify as scenic. The proposed project will also comply with Napa County Code §18.108.020 (Conservation Regulations, General Provisions) which mandates vegetation retention and removal mitigation within the Agricultural Watershed zoning designation. Staff has review Napa County GIS maps and determined the grading will take place in an area that is not a waterway, wetland, designated scenic area, official mapped area of severe geologic hazard or Seismic Hazard Zone. Applicant also intended to plant a vegetable garden and fruit trees at the property.

Under Section 15300.2 of the CCR, a Class 3 and a Class 4 exemption cannot be used if environmental sensitivities exist at the site. All exemptions are disqualified from being used if the project will have cumulative impacts, create a significant impact due to unusual circumstances, damage a scenic resource within a state highway, be located on a site listed as a hazardous waste site or damage a historic

resource. Staff has reviewed the project location with the Napa County GIS maps and sensitivity layers and determined the project is not within any areas of hazardous or critical concern. The project is not located within a state scenic highway, it is not listed as a hazardous waste site, nor are there any recorded historic resources on the property. Having reviewed the application, Staff finds no unusual circumstances appear to exist with this request. The proposed employment plan and the amount of trips that the site will generate do not create a cumulative impact due to traffic. The project has been determined to provide adequate parking on the site to accommodate the proposed land use operations and not impact the surrounding neighborhood. Wastewater generated by the project would be treated on-site using the existing septic system. The Water Availability Analysis (WAA) prepared for the project has shown that there is sufficient groundwater for the project, which is equivalent to a single-family residence and would not affect groundwater in the surrounding area. The proposed project as part of the entitlement will be subject to a groundwater standard conditions of approval requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should ground water resources become insufficient to supply the use. The project will not require a new water system or other improvements and will not have a negative impact on local groundwater in the vicinity.

Therefore, these exemptions have been determined appropriate for the proposed project and this proposal meets the Categorical Exemptions listed above.