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Recommended Findings

PLANNING COMMISSION HEARING – FEBRUARY 3, 2021

RECOMMENDED FINDINGS

SHANTI WINES

USE PERMIT APPLICATION P20-00188

194 CAMINO ORUGA, SUITE 9

ASSESSOR'S PARCEL NUMBER 057-270-013-000

ENVIRONMENTAL:

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

Consideration and possible adoption of a Categorical Exemption pursuant to Section 15301 of CEQA, Class 1 – Existing Facilities, which exempts minor alterations to existing structures and Section 15303, Class 3 – New Construction or Conversion of Small Structures, which exempts the conversion of facilities consisting of no more than 2,500 square feet. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5. Appendix B, Class 3 (New Construction or Conversion of Small Wineries) of the Napa County CEQA Guidelines, exempts the construction and operation of small wineries that 1) are less than 5,000 square feet in size; 2) produce no more than 30,000 gallons of wine per year; 3) do not generate more than 40 vehicle trips per day and five peak hours trips, except during marketing events; 4) hold no more than ten marketing events per year, each with no more than 30 attendees, except for one wine auction event with up to 100 persons in attendance; and 5) hold no temporary events.

USE PERMIT:

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

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

Analysis: The proposed winery is consistent with the NVBP, and is consistent with the GI:AC (General Industrial: Airport Compatibility) zoning district regulations that permit agricultural processing facilities, including wineries, 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 use.

2. The procedural requirements set forth in Chapter 18 of 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 January 15, 2021, and copies were forwarded to the property owner, applicant representative, interested parties, local agencies and all owners of real property, including businesses, corporations or other public or private entities, as shown

on the latest equalized assessment roll within one thousand feet of the subject property. The public comment period ran from January 15, 2021 to February 2, 2021.

3. The grant of Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County.

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.

4. The proposed winery use complies with the applicable provisions of 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 (NVBP).

Analysis: The proposed Use Permit is consistent with the Napa County General Plan, the NVBP, and Chapter 18 of Napa County Code.

The goals established by the Napa County General Plan identify agriculture and related activities as the primary land use in Napa County, with urban uses encouraged to locate in existing cities, towns and urbanized areas (Goals AG/LU-1 and -2). The NVBP was established to address the County's industrial and business park development and employment needs, and it implements the General Plan in the Airport Industrial Area (General Plan Policy AG/LU-38 and NVBPSP General Goals A.1, A.5, B.1 and C.1). The Zoning Ordinance provides the regulatory framework for implementation of the General Plan and also facilitates implementation of the NVBPSP.

The proposed project site has a General Plan land use designation of Industrial. As described in General Plan Policy AG/LU-51, lands designated Industrial provide an environment for "a variety of industrial uses such as warehouses, manufacturing, wineries and food processing facilities that are industrial in character." General Plan Policy AG/LU-96 further recognizes agricultural product processing facilities (such as wineries, and any use clearly accessory to a winery) as compatible with the NVBP. The project, as proposed and conditioned, is consistent with these and other General Plan policies concerning local job-generating, industrial land uses (each applicable General Plan policy is enumerated at the conclusion of these findings).

The proposed project site has an NVBP land use designation of Industrial, and it is located within Zone D of the GI:AC (General Industrial: Airport Compatibility) District as described in chapter 18.80 of the Zoning Ordinance. Most nonresidential uses, including but not limited to wineries, warehousing and similar light industrial uses are normally acceptable within the IP:AC District, and new wineries more specifically require Planning Commission approval of a use permit (NVBP, page 62, and County Code Sections

18.44.020.B.5 and 18.80.040). All proposed modifications to the condominium unit will occur within the interior of the structure, and no exterior modifications to the layout of the site are proposed with this application.

5. 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 Napa County Code.

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

Applicable General Plan (GP) and NVBP / AIASP Goals and Policies:

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| GP 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. |
| GP 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. |
| GP 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. |
| GP Policy CC-2: | New wineries and other uses requiring the issuance of a Use Permit should be designed to convey their permanence and attractiveness. |
| GP 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. |

NVBPSP Goal A.1	Provide a specific plan that recognizes the economic importance to the County and region of the airport industrial area, and responds to the area's identification in the Napa County General Plan as the principal County location for meeting short-term and long-term requirements for industrial development.
NVBPSP Goal A.5	Provide for expanded employment opportunities for County residents in order to achieve regional (ABAG) and County (General Plan) goals for a more balanced distribution between jobs and people, and reduced out-of-County commuting.
NVBPSP Goal B.1	Treat the planning area as a priority location for meeting both near-future and long-term requirements for industrial development in the County.
NVBPSP Goal C.1	Reserve sufficient property in the planning area to satisfy future demands for orderly industrial growth.