

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING THE NAPA COUNTY AIRPORT INDUSTRIAL AREA SPECIFIC PLAN RELATING TO TRANSITIONAL USES FOR OPEN AIR MARKETS AND DESIGN STANDARDS**

**WHEREAS**, California Government Code Section 65450 et seq. authorizes the County Board of Supervisors to adopt and amend Specific Plans; and

**WHEREAS**, the Airport Industrial Area Specific Plan (hereafter referred to as the "AIASP"), was adopted by the Board of Supervisors on July 29, 1986, and as amended through July 27, 2004; and

**WHEREAS**, the County of Napa has initiated consideration of an amendment to the AIASP (hereafter referred to as the "Transitional Use Specific Plan Amendment") to allow for the continued, expanded, and/or modified operation of open air markets and accessory uses, and for exceptions to design standards for such uses (See attached Exhibit A); and

**WHEREAS**, in compliance with Section 65090, notice has been published in the manner required by Section 6061 of the Government Code; and

**WHEREAS**, the Conservation, Development and Planning Commission (hereafter "Commission") conducted a duly noticed public hearing on February 20, 2008, for the purpose of receiving public testimony on the aforementioned Transitional Use Specific Plan Amendment, closed the public hearing and following the close of said hearing the Commission recommended approval of the Transitional Use Specific Plan Amendment to the Board of Supervisors; and

**WHEREAS**, pursuant to Public Utilities Code Section 21676, on February 6 and February 20, 2008, the Napa County Airport Land Use Commission (the "ALUC") reviewed the Transitional Use Specific Plan Amendment and determined that the Amendment was consistent with the Airport Land Use Compatibility Plan adopted by the ALUC on April 22, 1991, and as subsequently amended; and

**WHEREAS**, on May 6, 2008, the Board of Supervisors conducted a duly noticed public hearing on the Transitional Use Specific Plan Amendment, received testimony, closed the public hearing and following the close of said hearing, the Board of Supervisors proceeded to consider the Commission's recommendation regarding the Amendment; and

**WHEREAS**, on the basis of its review of the proposal, the Board of Supervisors has determined that the proposed amendment of the AIASP is consistent with all elements of the General Plan and the applicable requirements of state law; and

**WHEREAS**, the Board of Supervisors concluded that based upon the evidence presented at the public hearing that the proposal is exempt from CEQA pursuant to Section 15301 of Title 14 of the California Code of Regulations; and

**NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED** by the Board of Supervisors of the County of Napa, State of California as follows:

1. The foregoing recitals are true and correct.
2. The Board hereby approves and adopts the **Transitional Use Specific Plan Amendment** as set forth in Exhibit "A" attached hereto. Consistent with Article XI, Section 7 of the California Constitution and the County's General Plan, the Board finds that the **Transitional Use Specific Plan Amendment** and this Resolution are in the best interests of the public health, safety and welfare.
3. The Board hereby directs the Conservation, Development and Planning Department to implement the **Transitional Use Specific Plan Amendment** and the measures described therein.
4. This resolution shall take effect immediately upon its adoption.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board held on the 6<sup>th</sup> day of May, 2008 by the following vote:

AYES: SUPERVISORS \_\_\_\_\_

\_\_\_\_\_

NOES: SUPERVISORS \_\_\_\_\_

ABSENT: SUPERVISORS \_\_\_\_\_

\_\_\_\_\_  
BILL DODD, Chair  
Napa County Board of Supervisors

ATTEST: GLADYS I. COIL  
Clerk of the Board

By: \_\_\_\_\_

<b>APPROVED AS TO FORM Office of County Counsel</b>
By: <i>Robert Paul</i> (e-sign) Deputy County Counsel
Date: April 22, 2008

<b>Approved by the Napa County Board of Supervisors</b>
Date: _____
Processed by: _____ Deputy Clerk of the Board

## EXHIBIT “A”

The Napa County Airport Area Specific Plan is amended as follows, as indicated in bold:

1. Subparts g of Section B.2 “Allowable Uses - Light Industrial/Business Park Areas” of Chapter V “Land Use Element” is amended to read:

g. Manufacturing, compounding, processing, packing, treating, or storing of products such as food stuffs, pharmaceuticals, and toiletries. **Food manufacturing or processing plants may sell products produced on-site and may also establish a restaurant as an accessory use to the manufacturing or processing facility, provided food items sold at the restaurant included products manufactured on site. Any restaurant established under this provision would be required to cease operation if the primary food manufacturing or processing facility were to cease operations.** [I added this here initially, but I think it’s a better fit under “C” below, or we could put it in both sections – your thoughts?]

1. Subparts i.2.B., i.2.C, and i.2.D to Section B.2 “Allowable Uses - Light Industrial/Business Park Areas” of Chapter V “Land Use Element” are amended/added to read:

i. Ancillary retail, banking, and other professional or personal service commercial uses which are minor business park components, provided that:

2. Such retail, banking, and other professional or personal service commercial uses shall be located in the following areas:

B. Except as provided for in Sections i.2.C., i.2.D. **and i.2.E.** below, commercial uses located outside the Gateway Commercial Node are not permitted except for uses legally established prior to July 1, 2004.

C. Retail sales as an accessory use to other allowed uses, such as contractor’s showrooms, sales of products produced at wineries or food processing plants, may be allowed on a case-by-case basis through the project use permit on any Light Industrial/Business Park Area land. **Food manufacturing or processing plants may sell products produced on-site and may also establish a restaurant as an accessory use to the manufacturing or processing facility, provided food items sold at the restaurant included products manufactured on site. Any restaurant established under this provision would be required to cease operation if the primary food manufacturing or processing facility were to cease operations.**

E. **One service station with a drive through window for a coffee shop, one convenience market, and one carwash are permitted on the southeast corner of Airport Boulevard and Devlin Road. A fast food restaurant shall not be permitted.**

2. Subpart j.1.A to Section B.2 “Allowable Uses - Light Industrial/Business Park Areas” of Chapter V “Land Use Element” is amended to read:

j. Hotels and motels, provided that:

1. One business-serving hotel is allowed only within the Gateway Commercial Node and shall meet the following design standards:

A. Maximum **160** rooms.