

## **EXHIBIT A - FINDINGS**

### **NAPA COUNTY PLANNING, BUILDING & ENVIRONMENTAL SERVICES DEPARTMENT PLANNING COMMISSION HEARING – NOVEMBER 6, 2013**

#### **WOOLLS RANCH WINERY USE PERMIT & ROAD AND STREET STANDARDS EXCEPTION (P13-00187) APN: #035-010-054**

#### **ENVIRONMENTAL:**

The Planning Commission (Commission) has received and reviewed the proposed Subsequent 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 Subsequent Negative Declaration prior to taking action on said Subsequent Negative Declaration and the proposed project.
2. The Subsequent Negative Declaration is based on independent judgment by the Commission.
3. The Subsequent 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 Planning, Building & Environmental Services 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.

#### **ROAD & STREET STANDARDS EXCEPTION:**

The Commission has reviewed the attached Road and Street Standards Exception request in accordance with the requirements with the County's Road and Street Standards Section 3(D) and 3(E), and makes the following findings:

7. The exception will preserve unique features of the natural environment which includes, but is limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of at least 6" dbh and found by the decision-maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like.

Analysis: The existing private driveway varies in widths, generally less than 20-feet, portions are paved and portions are gravel. The driveway crosses steep slopes, preventing improvement to commercial standards for the affected length. The remainder of the

driveway will be improved to commercial standards. The Engineering Division has reviewed the request and has determined that the requested exception will preserve unique features in the natural environment such as steep slopes and vegetation in highly erodible landscapes.

8. Grant of the Road and Street Standards Exception will provide the same overall practical effect as the Standards do in providing defensible space, and does not adversely affect the life, safety, and welfare of the public or persons coming to the property.

Analysis: In order to avoid cutting into the hillside and have the same overall practical effect as a commercial driveway the reduced roadway width will be mitigated with a turnout which will allow oncoming vehicles to safely negotiate the driveway and allow clear passage. In addition, the stretch of driveway that will be less than 20-feet wide is straight allowing visibility between vehicles alerting each driver of the oncoming vehicle. The exception has been reviewed by the Napa County departments and divisions responsible for emergency services and will not have negative impacts on the public health, safety, or welfare.

### **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:

9. 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 (Agricultural Watershed) zoning district regulations. A winery (as defined in Napa County Code §18.08.640) and uses in connection with a winery (see Napa County Code § 18.20.030) are permitted in an AW - zoned district subject to use permit approval. The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), as applicable.

10. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code have been met.

**Analysis:** The use permit application has been filed and noticing and public hearing requirements have been met. The hearing notice was posted on October 17, 2013, and copies of the notice were forwarded to property owners within 300 feet of the Property. The public comment period ran from October 17, 2013 through November 5, 2013.

11. The grant of a 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, access, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the ongoing protection of public health and safety.

12. 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 Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), as applicable.

**General Plan Agricultural Preservation and Land Use Goal AG/LU - 1** guides the County to, “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” **General Plan Agricultural Preservation and Land Use Goal AG/LU - 3** states the County should, “support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.” Approval of this project furthers both of these key goals.

The subject parcel is located on land designated Agricultural Resources (AR) on the County’s adopted **General Plan Land Use Map**. This project is comprised of an agricultural processing facility (winery), along with wine storage, marketing, and other WDO - compliant accessory uses as outlined in and limited by the approved project scope (see attachment B, Condition of Approval No. 1 et seq.) These uses fall within the County’s definition of agriculture and thereby preserve the use of agriculturally designated land for current and future agricultural purposes. As approved here, the use of the property for the “fermenting and processing of grape juice into wine” (NCC §18.08.640) and for uses accessory thereto supports the economic viability of agriculture within the county consistent with **General Plan Agricultural Preservation and Land Use Policy AG/LU - 4** (“The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space...”) and **General Plan Economic Development Policy E - 1** (The County’s economic development will focus on ensuring the continued viability of agriculture...).

The General Plan includes two complimentary policies requiring that new wineries, “...be designed to convey their permanence and attractiveness.” (**General Plan Agricultural Preservation and Land Use Policy AG/LU - 10** and **General Plan Community Character Policy CC - 2**). The proposed addition to the existing building incorporates the architectural style, materials and details of winery buildings located throughout the County and will be fully in keeping with the permanence and attractiveness of older long standing structures. The proposed production building is designed to fit into and harmonize with the surrounding hillside.

As analyzed at item #13, below, the winery will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. The project is consistent with **General Plan Conservation Policies CON - 53 and CON - 55**, which require that applicants for discretionary land use approvals prove the availability of adequate water supplies which can be appropriated without significant negative impacts on shared groundwater resources.

Napa County’s adopted General Plan reinforces the County’s long standing commitment to agricultural preservation, urban centered growth, and resource conservation. On balance, this project is consistent with the General Plan’s overall policy framework and with the Plan’s specific goals and policies.

13. The proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin.

**Analysis:** Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels.

Based on the submitted phase one water availability analysis, Based on the submitted phase one water availability analysis, the 236.66 acre parcel has a water availability calculation of 118.33 acre feet per year (af/yr). Existing water usage on the parcel is approximately 10.41 for existing vineyards. This application proposes the construction of new buildings for winery uses. As a result of the foregoing, annual water demand for this parcel would increase from 10.41 af/yr to 12.14 af/yr. including 1.73. af/yr for the winery and landscaping. Based on these figures, the project would remain below the established fair share for groundwater use on the parcel. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. Based on these figures, the project would remain below the established fair share for groundwater use on the parcel. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.