

EXHIBIT A – FINDINGS

PLANNING COMMISSION HEARING – MAY 6, 2015

**Leaf and Vine Winery
Use Permit Application P14-00403 UP
190 Camino Oruga, Suite 24
Assessor's Parcel No. 057-270-008**

ENVIRONMENTAL:

The Planning Commission (Commission) has reviewed this application 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 proposed project is Categorically Exempt pursuant to Section 15301 (Class 1, Existing Facilities) and Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the State CEQA Guidelines. These sections of the CEQA Guidelines exempt from CEQA those projects that include changes in use of existing structures, as well as minor alterations and small additions to existing facilities. The proposed project site is surrounded by existing industrial development and public roadways and will be provided treated water and sanitary wastewater treatment services by the City of American Canyon and Napa Sanitation District, respectively. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

USE PERMIT:

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

2. The Commission has the power to issue the use permit under the zoning regulations in effect as applied to property.

Analysis: The winery is proposed to be operated on property located in the GI:AC (General Industrial: Airport Compatibility Combination) District. New wineries in the GI:AC District require Planning Commission approval of a use permit (Napa Valley Business Park Specific Plan, page 62; Airport Land Use Compatibility Plan, page 3-16; and Napa County Code Sections 18.44.020.B.5 and 18.80.040). With the exception of the addition of the new concrete pad for the new process wastewater tank, no changes to the layout of the site are proposed with this application, and there is no companion action necessary for the project that would require action by the Board of Supervisors.

3. 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 Categorical Exemption was posted on April 25, 2015, and copies were forwarded to appropriate persons on the mailing list. The public comment period ran from April 25, 2015, through May 6, 2015.

4. 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 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.

5. 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: This proposal is consistent with the 2008 Napa County General Plan, the 1986 Napa Valley Business Park Specific Plan (NVBPSP, formerly entitled Airport Industrial Area Specific Plan), and the Zoning Ordinance (Napa County Code Title 18).

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 NVBPSP 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 NVBPSP. The proposed project, as proposed and as 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 NVBPSP land use designation of *General Industrial*, and it is located within Zone D of the GI:AC (General Industrial: Airport Compatibility Combination) 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 GI:AC District, and new wineries more specifically require Planning Commission approval of a use permit (NVBPSP, page 62, and County Code Sections 18.44.020.B.5 and 18.80.040). With the exception of the addition of the new concrete pad for the new process wastewater tank, no changes to the layout of the site are proposed with this application.

6. 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 NVBPSP / AIASP goals and policies:

- 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 which 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.