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Findings

**PLANNING COMMISSION HEARING – JULY 20, 2016  
FINDINGS**

**NAPA VAULT STORAGE FACILITY  
USE PERMIT #P14-00296-UP & TENTATIVE MAP #P15-00298  
SOSCOL FERRY ROAD, NAPA, CA 94558  
APN 057-170-018**

**ENVIRONMENTAL DETERMINATION:**

The Planning Commission (Commission) has received and reviewed the proposed mitigated 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 Planning Commission has read and considered the Mitigated Negative Declaration prior to taking action on said Mitigated Negative Declaration and the proposed project.
2. The Mitigated Negative Declaration is based on independent judgment exercised by the Planning Commission.
3. The Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).
4. 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, and Environmental Services Department, 1195 Third Street, Room 210, Napa, California.
5. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment.
6. There is no evidence, in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.

**PLANNING AND ZONING ANALYSIS:**

**USE PERMIT:**

The following findings must be made in order to approve the 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. That:

7. 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 the 1986 Napa Valley Business Park Specific Plan, and is consistent with the General Industrial: Airport Compatibility Combining (GI:AC) zoning district regulations which permit heavy manufacturing; auto wrecking and salvage; recycling, agricultural processing facilities, and other uses which, in the opinion

salvage; recycling, agricultural processing facilities, and other uses which, in the opinion of the approving officer or body, are consistent with the intent of the GI:AC district and similar in their environmental effects to the listed uses. The proposed mini-storage can be found to be a similar use to uses which require approval by use permit. The project site is located in Zones C & D of the Airport Land Use Compatibility Plan which also allows the proposed uses.

8. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code (Use Permits) have been met.

Analysis: The Use Permit application has been filed, noticed and public hearing requirements have been met. The hearing notice was posted on June 17, 2016 and copies were forwarded to property owners within 1000 feet of the subject parcel and all other interested parties. The CEQA public comment period ran from June 17, 2016 to July 17, 2016.

9. The granting 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 departments have reviewed the project and commented regarding grading, drainage, parking, water, waste water disposal, traffic and access, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the ongoing protection of the public health and safety.

10. 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: Compliance with the Zoning Ordinance**

The proposed use is consistent with the General Industrial: Airport Compatibility Combination (GI:AC) zoning district regulations, as conditioned, including setbacks, landscaping, building height, parking requirements, lot coverage and floor area ratio.

**Analysis: Compliance with the General Plan and Napa Valley Business Park Specific Plan.**

The General Plan designates the airport area for industrial development. The project site is located within the General Plan land use designation Industrial and within the General Industrial designation of the 1986 Napa Valley Business Park Specific Plan (NVBPSP) which allows the proposed use. The project site is also within Compatibility Zones C & D of the Napa County Airport Land Use Compatibility Plan, which also allows the proposed use. The NVBPSP has been reviewed for the proposals consistency. The proposed use is consistent with the goals, requirements, standards and policies in the General Plan, the NVBPSP, and the Land Use Compatibility Plan. The project is located within an area designated by the NVBPSP as difficult to sewer and recommendation that development be limited to low intensity industrial uses which do not require common sewerage.

11. The proposed use would not require a new water system or improvements causing significant adverse effects, either individually or cumulatively, on the 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 Napa County Code Section 13.15.070 or Section 13.15.080.

Analysis: The subject property is not located in a “groundwater deficient area” as identified in Section 13.15.010 of the Napa County Code. 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, for purposes of the application of the County’s Groundwater Conservation Ordinance, assumed not to have a significant effect on groundwater levels. Based on the submitted *Tier 1* water availability analysis, the 10.32 acre subject valley-area parcel has a water availability calculation of 10.32 acre feet per year (af/yr), which is arrived at by multiplying its approximately 10.32 acre size by one acre feet per year per acre fair share water use factor. The Water Demand Calculations submitted for the project placed water demand for existing uses on the property (mini storage, .20 af/yr.; landscaping, .43) at .63 af/yr. The proposed mini storage project places a reduced demand approved for the parcel (winery with visitation, marketing plus landscaping – 9.41 af/yr.). Based upon this figure, the project would be well below the established threshold for groundwater use on the property and is projected to decrease by 8.78 af/yr. The County is not aware of, nor has it received any reports of, groundwater shortages near the project area. 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.

**NAPA VALLEY BUSINESS PARK SPECIFIC PLAN – VARIATION TO DEVELOPMENT STANDARDS:**

The Planning Commission may modify the above site development standards applicable to a project if the following site-specific findings can be met:

12. The proposed modifications comply with the variation procedure requirements of Title 18 of the Napa County Code (Section 18.40.250 or 18.44.210, as applicable based on subject property zoning);

Analysis: Pursuant to Section 18.44.210, the Planning Commission may allow, as part of approval of a use permit, deviations from the development standards for “Setbacks”. The applicant has requested a setback reduction from 150 to 75 feet from Suscol Creek.

In addition to findings required pursuant to Section 18.124.070, the Commission shall make the following additional findings:

- a. The development plan results in a project that is superior in terms of design and environmental impacts when compared to a project processed under the development standards specified by this chapter.

Analysis: The General Industrial zoning district allows a wide variety of heavy industrial uses. The project consists of a low intensity personal storage unit facility where the units are owned by individual parties. Any project that meets the 150 ft. creek setback is not required to do any environmental enhancement to the creek. The permittee for the project originally approved on this property

voluntarily proposed to enhance the habitat within the proposed corridor with the removal of non-native vegetation (primarily Himalayan blackberry) and promoting growth and maintenance of native species. The applicant is proposing to continue the maintenance of the environmental upgrades authorized by a Section 1602 Lake and Streambed Alteration Agreement filed with the California Department of Fish and Wildlife (CDFW) filed on the property.

- b. The development plan results in a cohesive design and treatment of the site, including architecture, landscaping, signage and lighting.

Analysis: The project has a high quality design indicative of the more stringent Industrial Park standards with high quality architecture, landscaping, signage and lighting.

- c. The orientation and location of buildings, structures, open space and other features of the site plan protect and enhance existing natural resources or site features including significant existing vegetation and maintain and enhance existing views from and through the site.

Analysis: The project will be visible from Highway 29 and will provide a suitable view in keeping with an important gateway location to Napa County. The design of the project structure proposes an earth toned color palette which fits in to the surrounding areas, with stone accents throughout adding visual interest. Additionally, both ends of the site have a raised gabled roof feature to enhance the curb appeal of the project. The project also has extensive improvements along the frontage, with several trees as well as decorative boulders and native plants. Additionally, metal trellises are provided within the middle buildings for ivy to grow on.

- d. The overall project is consistent with the intent, purpose and applicable standards of the Napa County Airport industrial area specific plan.

Analysis: The Specific Plan seeks to promote the stewardship and enhancement of Suscol Creek as an environmental attribute (both upstream and downstream of the proposal). There are existing developments that with similar or smaller natural area setbacks than what is proposed as part of this project. Approval of this project will result in environmental enhancement of a significant section of the creek that otherwise may not be enhanced if the project were to simply meet the setback.

- e. The site plan minimizes the effect of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.

Analysis: The project is generally a low traffic generator when compared to other allowed heavy industrial uses. In addition, the project has a very low building floor area ratio with appropriate vehicular and pedestrian design.

- f. The site plan shall encourage alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicyclists including covered parking for bicycles and motorcycles where appropriate. Public

transit stops and facilities shall be accommodated as appropriate and other incentive provisions considered which encourage non-automotive travel.

Analysis: The project complies with all standards for alternative transportation and is located on the designate route of the Bay Trail between Napa City and American Canyon. In addition, the project proposes the incorporation of a 10' wide trail into the landscape frontage of the project.

- g. The site shall provide open space and landscaping which complement building and structures. Said open space shall be provided in a manner so as to be useful to residents, employees, or other visitors to the site. Landscaping shall be used to separate and/or screen service and storage areas, separate and/or screen parking areas from other areas, break up expanses of paved area, and define open space for usability and privacy.

Analysis: The project has a low density open design featuring landscaping indicative of Napa Valley. The character of the facility's frontage structures is in keeping with high design expectation for industrial facilities in the Industrial Park developments. No outdoor storage is proposed at the facility or will be permitted via the conditions of approval. The lower portion of the site adjacent to Suscol Creek will remain in its natural state.

- h. Design of the site plan and proposed structures shall respect design principles in terms of maintaining a balance of scale, form and proportion, using design components which are harmonious and materials and colors which blend with elements of the site plan and surrounding areas. Location of structures shall take into account maintenance of view. Rooftop mechanical equipment shall be incorporated into the roof design or screened from adjacent properties. Utility installations such as trash enclosures, storage units, traffic control devices, transformer vaults, and electrical meters shall be accessible and screened.

Analysis: The design of the project exceeds the standards of the General Industrial district and should represent a standout example high quality development in the General Industrial district. The project incorporates many elements of design used in an industrial park setting with the extension of landscaping in the west side yard and decorative features on the structures.

- i. Signs, lighting fixtures, landscape improvements and similar common area features shall complement the site plan and avoid dominating the site and/or existing buildings on the site or overwhelming the building or structures to which they are attached. Multiple signs on a given site shall be of a consistent design theme.

Analysis: Because of the nature of the proposed business, minimal signage will be proposed at the facility.

- j. Provisions have been made for the permanent use and maintenance of parking areas and other common area fixtures used jointly by owners of the parcels included within the development plan.

Analysis: The project has been designed with adequate areas of parking as a function of the facility operations. The operations and maintenance of the facilities will be controlled by an owners association.

13. The proposed modifications, considered together with site specific mitigation measures and restoration where necessary, will provide superior overall aesthetic, environmental, and/or economic benefit than the minimum development standards set forth in the Specific Plan.

Analysis: The applicant's proposal for the stream enhancement/restoration, upgraded architecture and the incorporation of a bike path along the project frontage will provide superior overall aesthetic, environmental and economic benefit than the minimum developments standards set forth in the Specific Plan. The 150 ft. stream setback corridor standard does not have any stream maintenance standards.

14. The proposed modifications are consistent with applicable airport safety regulations, and will not adversely impact applicable airport safety regulations.

Analysis: The proposed modification will not introduce light or glare and will not adversely impact airport safety regulations.

**TENTATIVE MAP:**

Pursuant to Section 17.14.060 of the Napa County Code, the Planning Commission shall deny approval of a tentative map if the Commission makes any of the following findings:

15. That the proposed map is not consistent with applicable general and specific plans. A proposed subdivision shall be deemed consistent with the Napa County General Plan and any applicable specific plan the County has officially adopted for the area where the land is located if the proposed subdivision or related land uses are compatible with objectives, policies, general land uses and programs specified by such plan or plans.

Analysis: The project site is designated as Industrial on the adopted Land Use Element of the Napa County General Plan, is within the General Industrial of the 1986 Napa Valley Business Park Specific Plan (NVBPSP) and is zoned GI:AC – General Industrial: Airport Compatibility Combination District. The project is consistent with the General Plan and NVBPSP designations, as well as the GI:AC zoning district regulations that apply to this property. The proposed building and site improvements associated with the use permit are consistent with applicable County regulations.

16. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

Analysis: The tentative map would create a 130 single lot subdivision for condominium purposes. The proposed 11-building, storage unit facility will divide the storage units into 128 condominium units for sale to individual owners, one owner's common area, and one storage unit. As a condominium subdivision, the 128 condominium properties do not technically have a separate lot area. Each condominium occupies air space within a commonly held single parcel, and in accordance with State law is considered similar to leased space. Minimum parcel sizes do not apply to condominiums because the space is not technically an independent parcel. Overall, the proposed tentative map is consistent with the General Plan and the NVBPSP.

17. The site is not physically suitable for the type of development.

**Analysis:** The property is located within the General Industrial: Airport Compatibility (GI:AC) zoning district and is located within a developing industrial. The proposed project is consistent with development standards contained in the zoning ordinance and the NVBPSP. Located near two state highways and a regional airport, the site is physically suitable for the proposed development.

18. The site is not physically suitable for the proposed density of development.

**Analysis:** The existing site is currently designated for storage development in the General Plan and the NVBPSP, subject to use permit approval. The site is generally level and has adequate common area for a sewage disposal area and a well. The subdivision of the eleven storage buildings into individual ownership opportunities does not increase the acceptable density or intensity anticipated by the Zoning Ordinance and NVBPSP. The extent of potential development on this site will not change as a result of the subdivision.

19. The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**Analysis:** An Initial Study/Mitigated Negative Declaration was prepared for the project which finds that the proposed project will not have a significant impact on any special status plant or animal species, wetlands or wildlife corridors on the project site or within the immediate vicinity. The design of the tentative map will not injure fish or wildlife or their habitat.

20. The design of the subdivision or the type of improvements is likely to cause serious public health or safety problems.

**Analysis:** The proposed development and the proposed tentative map are consistent with the GI:AC zoning district and NVBPSP. All private utilities and improvements, including water, waste disposal system, stormwater control improvements, fire protection storage, and driveways will be installed prior to occupancy of the storage facilities.

21. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

**Analysis:** There are no public easements through the project site.

### **GENERAL PLAN POLICIES:**

**Policy AG/LU-37:** The County will locate industrial areas adjacent to major transportation facilities. Necessary utilities and services, including child care centers, will be planned to meet the needs of the industrially zoned areas.

**Policy AG/LU-38:** The Napa Valley Business Park Specific Plan (NVBPSP) 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 NVBPSP, as amended, implements the General Plan in the Airport Industrial Area.

Policy AG/LU-39: The County will plan for the reservation of sufficient industrial property to satisfy future demands for orderly growth and economic development of the County. Non-agriculturally oriented industry shall not be located on productive agricultural lands, but should be located in areas more suitable for industrial purposes.

Policy AG/LU-93: The County supports the continued concentration of industrial uses in the South County area as an alternative to the conversion of agricultural land for industrial use elsewhere in the county.

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.

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 Napa Valley Business Park Specific Plan. In 2004, the NVBPSP 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.

Policy CON-13: The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans.

Policy CON-60.5: All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.

Policy CON-72: The County shall seek to reduce the energy impacts from new buildings by applying Title 24 energy standards as required by law and providing information to the public and builders on available energy conservation techniques, products, and methods available to exceed those standards by 15 percent or more.

Policy CON-77: All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with BAAQMD's air quality improvement programs to reduce emissions. In addition to these policies, the County's land use policies discourage scattered development which contributes to continued dependence on the private automobile as the only means of convenient transportation. The County's land use policies also contribute to efforts to reduce air pollution.

Policy CON-81: The County shall require dust control measures to be applied to construction projects consistent with measures recommended for use by the BAAQMD.

Policy E-10: Ancillary uses in the Airport Industrial Area shall be limited to locally-serving (i.e., business park supporting) uses, with regard to both nature and extent, as specified in the Napa Valley Business Park Specific Plan.

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.

Policy SAF-26: Development proposals shall be reviewed with reference to the dam failure inundation maps in order to determine evacuation routes.