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Findings

**PLANNING COMMISSION HEARING –AUGUST 17, 2016
FINDINGS**

**OAKVILLE FARMS
USE PERMIT #P14-00042-UP
7810 SILVERADO TRAIL, NAPA, CALIFORNIA 94558
APN 031-050-047**

ENVIRONMENTAL DETERMINATION:

The Planning Commission (Commission) has received and reviewed the proposal pursuant to the provisions of the California Environmental Quality Act (CEQA), and finds that:

1. The proposed project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structure, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The application requests approval for a horse boarding and training stable, utilizing the existing barn, paddocks, and arenas.
2. The proposed project is categorically exempt from CEQA pursuant to Napa County's Local Procedures for Implementing CEQA Appendix B of under Class 1: (Existing Facilities), (a) reconstructing, resurfacing and/or seal coating of the pavement.
3. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

USE PERMIT REQUIRED FINDINGS:

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:

4. 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.

The definition of agriculture (NCC Section 18.08.040) means the raising of crops or livestock and includes animal husbandry, including, without limitation, the breeding and raising of cattle, sheep, horses, etc. However, in the AW zoning district, commercial boarding and training horse stables are only allowed upon grant of a use permit (NCC Section 18.20.030(D)). The proposed project is a use permit request to recognize an existing commercial horse boarding and training facility, utilizing the existing facilities with no proposal to expand or alter the existing facilities.

5. 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 August 5, 2016 and copies were forwarded to property owners within 1000 feet of the subject parcel and all other interested parties.

6. The granting of the use permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Various County departments have reviewed the project and commented regarding 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.

7. 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 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.

Goal AG/LU-1: Preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.

Policy AG/LU-1: Agriculture and related activities are the primary land uses in Napa County.

Policy AG/LU-2: "Agriculture" is defined as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses.

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."

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."

The project proposes the recognition of an established "public stable" defined as a facility for the commercial boarding of *horses* or for the housing of *horses* for rental, or both. Animal husbandry is an agricultural use and is consistent with the General Plan goals and policies to retain agricultural uses on agricultural lands. This project does not include horses for public recreational rental but proposes to provide care of horses of clients and to provide a facility where horses and their owners may receive riding and training lessons. The project proposes to utilize the existing stable, arenas, and paddocks with no further improvements proposed that would remove the land from or prevent the continuation of agriculture.

The project is also consistent with General Plan Conservation Policy CON-53 and CON-55, which require that applicants, who are seeking discretionary land use approvals, prove the availability of adequate water supplies, which can be appropriated without significant negative impacts on shared groundwater resources. As analyzed below, the proposed winery will not interfere substantially with groundwater recharge based on the criteria established by Napa County Public Works Department.

8. 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 *Phase One* water availability analysis, the 40.98 acre subject valley-area parcel has a water availability calculation of 40.98 acre feet per year (af/yr), which is arrived at by multiplying its approximately 40.98 acre size by a one acre feet per year per acre fair share water use factor. The Water Demand Calculations submitted for the project placed water demand for the existing uses on the property: (two residences – 1.05 af/yr; landscaping-.14 af/yr; and current 15 horses/livestock - .41 af/yr) at 1.6 af/yr. With no proposed change in the existing operations, based upon this figure, the project would be well below the established threshold for groundwater use on the property. 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.