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Recommended Findings
Napa Wildlife Rescue
P19-00495-UP

**PLANNING COMMISSION HEARING – JULY 15, 2020
RECOMMENDED FINDINGS**

**NAPA WILDLIFE RESCUE
USE PERMIT #P19-00495-UP
4001 MIDDLE AVENUE, NAPA, CA 94559
APN 047-202-005, 047-202-006**

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Categorical Exemption 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. Because of the reuse of existing features, conversion of existing structures, and minimal alterations to condition of land, the project is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15301 (Class 1 Existing Facilities), Section 15303 (Class 3 New Construction or Conversion of Small Structures), and Section 15304 (Class 4 Minor Alterations to Land).
2. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 and is not within the boundaries of any airport land use plan.
3. 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, Second Floor, Napa, California.

USE PERMIT

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

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. Wildlife Rescue Centers (N.C.C. § 18.08.638, " ... a facility permitted by the U.S. Department of the Interior, the U.S. Fish and Wildlife Service, and/or the California Department of Fish and Game addressing the rehabilitative needs of wildlife where such wildlife species are now or once were native to the county. A wildlife rescue center may include structures not to exceed a cumulative five thousand square feet of interior area. Such wildlife rescue center structures may include medical rooms, rooms housing wildlife, and accessory uses such as reception areas, offices, training rooms, restrooms, storage areas, and break rooms. Wildlife rescue centers may also include wildlife cages and/or pens provided that such facilities comply with all county-required yards and setbacks, regardless of whether or not such cages and/or pens would otherwise require a building permit. Standalone wildlife cages and/or pens shall not be subject to the cumulative five thousand square foot interior area limitation.") are allowed within the AW district pursuant to N.C.C. § 18.20.030(D). All required findings can be made and the project

complies with the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), as applicable.

5. 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 appropriately filed, noticed, and public hearing requirements have been met. The hearing notice and intent to find the project categorically exempt from CEQA was posted and published in the Napa Valley Register on July 1, 2020, and copies of the notice were forwarded to property owners within 1,000 feet of the Property.

6. The grant of a 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 condition will not adversely affect health, safety or welfare of the County. Affected County divisions and departments have reviewed the project and commented regarding the proposed site access, grading, drainage, the existing septic system capacity, parking, building permits, 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.

4. 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 any applicable specific plan.

Analysis: Compliance with the Zoning Ordinance

The project is consistent with the AW (Agricultural Watershed) zoning designation regulations. A Wildlife Rescue Center (as defined in the Napa County Code Section §18.08.638) is permitted in the AW district subject to an approved use permit. The project, as conditioned, complies with zoning regulations specific to the AW designation and those that are applied to all zoning designations found within NCC §18.104 (Zoning District Regulations). The project also complies with NCC §18.108 (Conservation Regulations).

Analysis: Compliance with the General Plan

The subject parcel is located on land designated Agricultural Resource (AR) on the County's adopted General Plan Land Use Map. This project is comprised of a Wildlife Rescue Center with purposes restricted to rescue, rehabilitation and release of wildlife within Napa County. The project, as proposed and conditioned, serves to preclude any urbanizing, expansion of existing building footprint, loss of agricultural land, or other activities which might otherwise conflict with the requirements of the Napa County General Plan.

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. Specific General Plan Policies which will be achieved through the proposed Use Permit have been outlined in a General Plan Consistency Memorandum and provided as an attached to the Staff Report.

5. 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: A Water Availability Analysis for the project was completed by Stillwater Civil Design on March 27, 2020. The project site has an area of 2 acres, an existing single-family home, an existing barn/workshop, an existing dog kennel, an existing groundwater well and an existing standard septic system. The existing well supplies potable water to the existing single-family residence and landscaping. Three (3) non-project wells were identified within 500 feet of the existing project well.

Currently single-family residences are exempt from determining groundwater demand and availability, and are not subject to groundwater permitting. Napa County guidelines for analyzing water availability provides an approximate range for determining annual groundwater demand of a single-family residence, between .50 af/yr and .75 af/yr. The applicant's Water Availability Analysis estimated peak seasonal daily operational water use for the Wildlife Rescue Center and found that annual groundwater demand of the proposed project would average to .49 af/yr. Because the estimated water demand of the project is less than the existing baseline water demand of the single-family residence this project would not result in a substantial increase of the demand of groundwater supplies or interfere with groundwater recharge or a lowering of the local groundwater level. The project includes a condition of approval requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.