



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 7/15/2020

Agenda Placement: 7A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Trevor Hawkes, Planner III - 707-253-4388
SUBJECT: Napa Wildlife Rescue

RECOMMENDATION

CAROL POOLE / NAPA WILDLIFE RESCUE RESERVE / USE PERMIT NO. P19-00495-UP

CEQA Status: Consideration and possible adoption of Categorical Exemptions Class 1, 3, and 4. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities; Section 15303, Class 3 New Construction or Conversion of Small Structures; and Section 15304, Class 4 Minor Alterations to Land.] This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a request from Napa Wildlife Rescue for a Use Permit (No. P19-00495) to operate a Wildlife Rescue Center (N.C.C. §18.08.638). The requested Use Permit would contain the following actions: 1) conversion of an existing 2,824 square foot single-family residence and garage, 2) conversion of an existing barn/workshop (3,600 square feet) and a dog kennel (460 square feet) and recognition of the structures as standalone wildlife cages and/or pens, 3) small outdoor avian and animal enclosures (each enclosure no more than 120 square feet), 4) 2,138 square feet of additional paving to add nine (9) parking stalls and bring the existing driveway up to current Napa County Road and Street Standards, and 5) a vegetable garden, fruit trees, and additional landscaping. The project is located within the Agricultural Watershed (AW) zoning district and Agricultural Resource (AR) general plan designation at 4001 Middle Avenue, Napa; Assessor's Parcel No's 047-202-005 and -006.

Staff Recommendation: Find the project categorically exempt from CEQA and approve the Use Permit as conditioned.

Staff Contact: Trevor Hawkes, Planner III at 707-253-4388 or email trevor.hawkes@countyofnapa.org

Applicant: Carol Poole; phone 707-363-7807 or email cpoole1135@yahoo.com

EXECUTIVE SUMMARY**Proposed Actions:**

That the Planning Commission:

1. Find the project Categorical Exempt based on the CEQA Memorandum and Findings 1-3 in Attachment A; and
2. Approve Use Permit Application No. P19-00495-UP, based on Findings 4-8 of Attachment A, and subject to the recommended Conditions of Approval (Attachment B)

Discussion:

The requested use permit would allow the operation of a Wildlife Rescue Center (NCC §18.08.638) on property located 0.75 miles south of the State Highway 12 at the intersection of Middle Avenue and Cuttings Wharf Road. Wildlife Rescue Centers are an allowed use within the Agricultural Watershed zoning designation, under the issuance of a Use Permit, and allow activities that function to address rehabilitative needs of wildlife within the County of Napa. No structural development is a part of this Use Permit application; the applicant will instead convert an existing single-family residence and attached garage into uses that support animal care. Two existing accessory structures, a barn/workshop and a dog kennel, will be used for additional animal cage area and storage. The Use Permit request also provides for additional driveway, nine (9) new parking stalls, landscaping, a vegetable garden & fruit trees.

Staff believes all required findings can be made in support of this Wildlife Rescue Center and recommends approval of the proposed Use Permit.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of Categorical Exemptions Class 1, 3, and 4. It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Section 15301, Class 1 Minor Alterations to Existing Facilities; Section 15303, Class 3 New Construction or Conversion of Small Structures; and Section 15304, Class 4 Minor Alterations to Land, which may be found in the guidelines for the implementation of the California Environmental Quality Act at Title 14 CCR §15301, §15303, and §15304]. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Duncan Waldrop, Fielder Family Living Trust, 2016 Pilot Hill Court, Gold River, CA 95670, 916-425-6622

Applicant: Carol Poole, 1745 Spruce Street, Napa, CA 94559, 707-363-7807

Zoning: Agricultural Watershed (AW)

General Plan Designation: Agricultural Resource (AR)

Filed: December 12, 2019; **Complete:** May 25, 2020

Property Area: 2.1 acres, including Assessor's Parcel Nos. 047-202-005 (1.48 acres), 047-202-006 (0.60 acres).

Existing Development: Single-family residence with attached garage; dog kennel; barn/workshop; and a septic system and well.

Proposed Structural Development: None. Existing building footprints will not be expanded.

Hours of Operation:

Summer season (April – September) 7:30 a.m. – 9:00 p.m.

Winter season (October – March) 10 a.m. – 6 p.m.

Number of Employees:

Summer season – Four (4) three (3) hour shifts per day comprised of three (3) volunteers and one (1) employee. Volunteers work one (1) three (3) hour shift and employees work a consecutive six (6) hour double shift.

Winter season – Two (2) four (4) hour shifts per day comprised of two (2) volunteers and one (1) employee. Volunteers work one (1) four (4) hour shift and employees work a consecutive eight (8) hour double shift.

Adjacent General Plan Designation/ Zoning / Land Use:

North

AR (Agricultural Resource) General Plan designation – AW:AC (Agriculture Watershed; A Combination District) zoning

Adjacent to the project's northern boundaries are vineyard properties

East

Agricultural Resource General Plan designation – AW:AC zoning

Adjacent to the project's eastern boundaries are vineyard properties.

South

Agricultural Resource General Plan designation – AW zoning

Adjacent to the project's southern boundaries is the Jameson Rescue Ranch property and a single-family residential property.

West

Agricultural Resource General Plan designation - AW zoning

Adjacent to the project's western boundaries are vineyards and a single-family residential property.

Parcel History:

April 18, 1973: The two subject parcels are included in Crestfield Kennel's Use Permit application #U-577273, approved by the Napa County Planning Commission. U-577273 sought to expand the existing kennel capacity from 20 to 40 dogs, and included office and living quarters for employees. The Use Permit was limited to one year with the option to seek renewal. No action is taken on the UP and it is voided a year later.

October 23, 1974: The two subject parcels and the dog kennel (existing) are included in Crestfield Kennel's Use Permit application #U-127475, approved by the Napa County Planning Commission. U-127475 expanded the existing kennel capacity from 20 to 75 dogs, and included other features such as training and grooming services. The Use Permit was limited to three (3) years with the option to seek renewal.

July 8, 1976: Building permits are issued for the Single Family Residence located on APN 047-202-007.

December 7, 1977: The two subject parcels and the dog kennel are included in Crestfield Kennel's Use Permit renewal application #U-247778, approved by the Napa County Planning Commission. The Use Permit was limited to five (5) years with the option to seek renewal.

August 3, 1985: The two subject parcels and the dog kennel are included in Crestfield Kennel's Use Permit renewal application #U-498283, approved by the Napa County Planning Commission. No time limitation is applied to U-498283.

January 8, 1992: Building permits are issued for the 3,600 square foot barn/workshop located on APN 047-202-007.

April 5, 2005: Very Minor Modification P05-0086 is administratively approved to relocate a 1,440 square foot structure and 10 kennel runs. Permit is issued to Wine Country Pet Resort and the permit no longer includes the two subject parcels.

Code Compliance History:

There are no open or pending code violations for the two parcels. The County is not aware of any compliance issues on the property and no complaints have been filed.

Discussion Points:

Setting - Site topography is fairly flat with slopes of less than five percent in most of the site. The United States Department of Agriculture Soil Conservation Service Soils Map for Napa County indicates the project site is mapped as Haire Loam, two (2) to nine (9) percent slopes. Napa County's 2016 GIS Vegetation layer indicates the property as 'Urban or Built Up' but actual onsite vegetation is well developed, with grasses and shrubs within the interior of the property and the outer edges featuring trees of various maturity. No sensitive plant or animal species were identified on the County's Environmental Sensitivity Maps. The closest residence to the subject property is approximately 65 feet from the western property line. As outlined in the parcel history section above, both parcels included in this Use Permit request historically had been a part of a dog/cat kennel Use Permit (Crestfield Kennels) with the adjacent southeastern parcel; APN 047-202-007 (currently Jameson rescue ranch). Several site features exist with the subject property that speak to this history. The existing 460 square foot dog kennel on APN 047-202-006 was utilized under the prior permit. The existing access drive extends from the northwestern property line adjacent to Middle Avenue and connects to the access drive/parking lot of Jameson Rescue Ranch. The smaller .60 acre parcel, APN 047-202-006, maintains a 28 foot by 280 foot non-exclusive easement (DOC # 2018-0007936) with the adjacent property (currently Jameson Rescue Ranch), for parking, pedestrian and animal walkways.

Project Proposal - Napa Wildlife Rescue (NWR) is a non-profit 501c3 organization with the mission to rescue, rehabilitate, and release wildlife within Napa County. The applicant holds a Rehabilitation permit (MB781098-0) and a Special Purpose Possession permit (MB781101-0) with the United States Fish and Wildlife Service, as well as a California Native Species Exhibiting permit with the California Department of Fish and Wildlife. These permits allow NWR to rehabilitate a wide variety of injured wild species. The organization works with Silverado Veterinary Hospital, Napa County Animal Control, and fish & wildlife wardens for pickup of wild species, and also staffs a

rescue team for special circumstances. Besides the number of wildlife care services the organization provides, NWR also promotes wildlife education at elementary schools within Napa County and operates a booth at the City of Napa Farmer's Market for education purposes as well.

Approval of the Use Permit would allow the organization to vacate the temporary facilities that they currently operate in and operate a Wildlife Rescue Center at the subject property. An existing 2,824 square foot single-family residence (SFR) and attached garage would be converted into the Wildlife Rescue Center. No expansion of the building footprint is proposed, and interior alterations to the structure will allow the operations of a number of activities associated with Wildlife Rescue Centers such as; reception/animal intake, office, volunteer break room, animal medical exam and procedure, animal isolation and euthanasia, animal food preparation and laundry. A proposed floor plan of the Wildlife Rescue Center is provided in Attachment G. Two existing accessory structures also reside on the property, a barn/workshop and a dog kennel. No expansion of these structures is proposed and the applicant plans to use the structures for wildlife cages and/or pens. Proposed floor plans for the two accessory structures have been provided in Attachment G. The proposal also includes placement of small outdoor animal enclosures on the property (each enclosure less than 120 square feet), the installation of landscaping, a vegetable garden, and fruit trees, and a small amount of earth moving for driveway expansion and nine (9) parking stalls.

The Wildlife Rescue Center will be open seven (7) days per week, operating in the winter season (October – March) with an eight (8) hour workday from 10:00 a.m. to 6:00 p.m. and operating in the summer season (April – September) with a 12 hour workday from 7:30 a.m. to 9:00 p.m. Staffing in the winter months includes two (2) four (4) hour shifts with one (1) employee and two (2) volunteers per shift. Staffing in the summer months includes four (4) three (3) hour shifts with one (1) employee and three (3) volunteers per shift.

Accessory Structures – The applicant proposes to convert a 2,824 square foot single-family residence and attached garage into a Wildlife Rescue Center (N.C.C. §18.08.638). Currently existing on the property are two accessory structures, a barn/workshop which measures 2,400 square feet of interior space and 1,200 square feet of a portico area that opens to the north, and an existing 460 square foot dog kennel. The definition of a Wildlife Rescue Center allows that it “may include structures not to exceed a cumulative five thousand square feet of interior area”. A caveat is allowed that wildlife cages and/or pens shall not be subject to the cumulative five thousand foot interior area limitation, regardless of whether or not such cages and/or pens would otherwise require a building permit. The combined (SFR, garage, existing dog kennel, existing barn/workshop) square footage of the structural roof area on the subject property is 6,884 square feet, exceeding the allowed maximum square footage of a Wildlife Rescue Center by 1,884 square feet. The applicant intends to utilize the existing dog kennel and the existing barn/workshop only for animal cages/pens and equipment storage (existing barn/workshop only). For this reason, the applicant is requesting that the two existing accessory structures be recognized as wildlife cages and/or pens and thus the areas would not be subject to the cumulative 5,000 square foot restriction.

Traffic and Parking – The project is located at the southwest intersection of Cuttings Wharf Road and Middle Avenue, approximately 0.75 miles south of Highway 12. Access to the property is achieved via a driveway which abuts Middle Avenue approximately 225 feet from the intersection of Cuttings Wharf Road and Middle Avenue. The applicant proposes to resurface approximately 2,998 square feet of existing driveway and add an additional 2,138 square feet of pavement to bring the driveway access into compliance with the Napa County Road and Street Standards and to provide nine (9) on-site parking spaces.

The applicant has provided an estimation of average daily car trips in summer (April – September) and winter seasons (October – March). Winter season is considered non-peak season and tends to have fewer wildlife patients. Because of this Napa Wildlife Rescue reduces their working hours to eight (8). A winter season work day includes two (2) - four (4) hour shifts, with as many as two (2) volunteers working for one (1) shift and an employee working a consecutive double shift. Due to the organization seeing less patients the average non-employee/volunteer trips to the facility will average out to one (1) trip for new patient drop off and one (1) trip for an

animal trainer or board member to the site. All together the applicant estimates their non-peak season average daily trips at approximately seven (7) ADT over an eight (8) hour period.

Because the summer season overlaps with a timeframe of higher wildlife activity within the county ("baby" patient season), Napa Wildlife Rescue increases their hours to a 12 hour work day. A summer season work day includes four (3) - three (3) hour shifts, with as many as three (3) volunteers working for one (1) shift and an employee working a consecutive double shift. Average non-employee/volunteer trips to the facility in the summer season is estimated to include; five (5) trips for patient drop off, two (2) trips for animal trainers and/or board members. All together the applicant estimates their peak season average daily trips at approximately 21 ADT over a 12 hour period, but with no more than six (6) people on site at any one time.

Napa Wildlife Rescue offers two (2) hour long training classes for their volunteers and interested public in the winter season, five (5) times a year on weekend days. Historically class attendance has averaged approximately 10 attendees, meaning that five (5) weekend days during the winter season the amount of people onsite could go as high as 17. Due to limited parking, the applicant has agreed to organize ride-share with attendees during these events.

Vegetation Retention and Removal Mitigation – The subject property is located in the Agricultural Watershed (AW) zoning designation, and proposes 2,138 square feet of earth moving for additional driveway width and nine (9) parking spaces. Development of the additional driveway and parking spaces will require the removal of some understory vegetation and canopy cover from four (4) trees (three (3) deciduous trees with a diameter below 6 inches, one (1) evergreen with a diameter of 9 inches). The applicant provided the following estimation of their compliance with NCC §18.108.020(C) & (D) (Conservation Regulations).

Most of the parking area will be underneath the canopy of existing large trees that will remain. The canopy of two of the small trees to be removed are underneath the canopy of the large trees. The two trees that are visible from an aerial view have a total of approximately 800 square feet. 2.02 acre parcel = 88,000 square feet. Building, driveway, parking and gravel areas = 22,900 square feet. Tree Canopy = 36,400 square feet. The reduction in visible tree canopy is 800 square feet, leaving 35,600 square feet which is 98% of the existing tree canopy cover. Understory = 28,700 square feet. The reduction in the understory for driveway widening, parking area and small aviaries will be approximately 4,000 square feet or 86% of the existing understory.

Staff finds that the proposed project is compliant with the Conservation Regulations, and has included a Condition of Approval to the Use Permit that requires the applicant to record a perpetual protective easement as a condition prior to occupancy, preserving the remaining vegetation canopy cover.

Temporary Trailer Storage – For approximately 10 years, Napa Wildlife Rescue has been operating out of two medical trailers located on property owned by the County of Napa in the City of Yountville. Because of the applicant's status as a non-profit organization, the trailers represent a valuable investment. In the event that the applicant has not been able to repurpose or sale the trailers before they receive a certificate of occupancy and begin operations at the subject site, they are requesting temporary storage of the trailers on site. Staff has included a Condition of Approval to the Use Permit which will allows temporary storage up to one year from the date of approval.

Groundwater Availability - The applicant completed a Tier I Water Availability Analysis. Baseline groundwater use for the property currently is the single-family residential structure. County of Napa Water Availability Analysis Guidelines estimate of groundwater use for a primary residential structure as approximately 0.5 – 0.75 af/yr. The applicant's Water Availability Analysis calculated approximate peak daily water demand, based off applicant's intended water uses for the proposed Wildlife Rescue Center and found the proposed demand to be less than the current estimated demand on the property, at 0.49 af/yr. The proposed project would not result in a substantial increase in the demand of ground water supplies or interfere with groundwater recharge or lowering of the local

groundwater level. According to Napa County environmental resource mapping (Water Deficient Areas/Storage Areas), the project site is not located within a water deficient area and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area.

Greenhouse Gas Emissions - The County requires project applicants to consider methods to reduce Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department's Best Management Practices Checklist for Development Projects, and plans to incorporate many of the measures. Measures that the applicant plans to incorporate into their project are included as Attachment E. GHG Emission reductions from local programs and project level actions, such as the application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project specific on-site programs would combine to reduce emissions.

Public Comments – Public comments (of support/concerns) pursuant to the Public Hearing Notice have been received and included as Attachment H of this Staff Report. As of the final preparation of this report Staff has received 39 public comments in support of the application and zero (0) letters of concern.

Decision Making Options:

As noted in the Executive Summary Section above, staff is recommending approval of Use Permit P19-00495-UP with conditions of approval as described in Option 1 below. Decision making options also include a no project alternative and a continuance option.

Option 1 - Applicant's Proposal (Staff Recommendation)

Disposition - This option would result in approval of a Use Permit (P19-00495-UP) for the proposed operation of a wildlife rescue center in which 1 staff and 2-3 volunteers offer rehabilitative care to wildlife. Staff recommends this option as the request is consistent with the Zoning Ordinance, applicable General Plan policies, and other County regulations as presented in the Recommended Findings (Attachment A).

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant.

Option 2 - Modify the Applicant's Proposal

Disposition - This option would result in a reduction in overall or seasonal operations of the Center's operation, activities and the number of wildlife, staff and/or volunteers accessing the parcel to address concerns of the Commission and/or public comments if solicited.

Action Required - Follow proposed action listed in Executive Summary and amend scope and project specific conditions of approval to require a reduction in Center operations. This option would have proportionately fewer environmental impacts, since less groundwater and wastewater generation would be reduced and would result in less traffic trips during horse related events compared to those discussed in the staff report, and thus, no new analysis beyond that already discussed above would be necessary. If major revisions of the conditions of approval are required, item will need to be continued to a future date.

Option 3 - Deny Proposed Project

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of the Use Permit, Commissioners should articulate what aspect or aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the

General Plan and County Code, setting forth why the proposed Use Permit is not being approved.

Action Required - Commission would take tentative motion to deny the project and remand the matter to staff for preparation of required findings, based upon the Commission's statements. Staff would return to the Commission with the findings or denial on a specified date.

Option 4 - Continuance Option

The Commission may continue an item to a future hearing date at its own discretion.

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . CEQA Categorical Exemptions Memo
- D . General Plan Consistency Analysis
- E . Use Permit Application
- F . Water Availability Analysis
- G . Graphics
- H . Public Comments

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona