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Recommended Findings

**PLANNING COMMISSION HEARING – MAY 7, 2025
RECOMMENDED FINDINGS**

**C-STORE REPLACEMENT AND NEW CARWASH
USE PERMIT MAJOR MODIFICATION (P23-00300-MOD)
111 HOWELL MOUNTAIN ROAD, ANGWIN
APN 024-400-001**

ENVIRONMENTAL:

The Planning Commission (Commission) has received and reviewed the proposed Categorical Exemptions pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds the project:

1. The project is Categorically Exempt from the California Environmental Quality Act ("CEQA") pursuant to the following Sections: 15301 (Class 1, Existing Facilities), which exempts a project that consists of additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less, such as a replacement convenience store; 15302 (Class 2, Replacement or Reconstruction), which exempts a project which replaces a commercial structure with a new structure of substantially the same size, purpose, and capacity, such as a convenience store; 15303 (Class 3, New Construction or Conversion of Small Structures), which exempts a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet. In floor area, such as a carwash; and 15311 (Class 11, Accessory Structures), which exempts on-premises signs. The project site 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
2. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. Records are located at the Napa County Planning, Building, and Environmental Services Department, 1195 Third Street, Second Floor, Napa.
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.

PLANNING AND ZONING ANALYSIS

USE PERMIT:

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

4. The Commission has the power to issue a Use Permit Modification under the Zoning Regulations in effect as applied to property.

Analysis: The project site is within the (PD) Planned Development zoning district which allows all commercial uses permitted in the CN and CL districts, including gasoline service stations, convenience stores, carwashes, and limited neighborhood-serving non-

residential uses. The project, as conditioned, complies with the requirements of the Napa County Zoning Ordinance (Title 18, Napa County Code) as applicable.

5. The procedural requirements for a Use Permit Modification set forth in Chapter 18.124 of the Napa County Code (zoning regulations) 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 adopt Categorical Exemptions were posted and published in the Napa Valley Register on April 24, 2025, and copies of the notice were forwarded to property owners within 1,000 feet of the Property, as well as other interested parties. The public comment period ran from April 24, 2025, to May 7, 2025.

6. The grant of the Use Permit Modification, 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 adversely affect health, safety or welfare of the County. Various County divisions and departments have reviewed the project and commented regarding the site access, drainage, 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.

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 and any applicable specific plan.

Analysis: Compliance with the Zoning Ordinance

The project is consistent with the PD zoning district regulations. Gasoline service stations and retail stores, less than five thousand square feet in gross floor area (as defined in the Napa County Code Section 18.28.030) are permitted in the PD District subject to an approved use permit. The proposed use is consistent with the PD zoning district regulations, as condition, including setbacks, landscaping, building height, and parking requirements. The project, as conditioned, complies with the requirements of the Zoning Code, as applicable.

Analysis: Compliance with the General Plan

As proposed and conditioned, the requested Use Permit Modification is consistent with the overall goals and policies of the 2008 Napa County General Plan. The General Plan land use designation for the subject parcel is Urban Residential (UR).

General Plan Agricultural Preservation and Land Use Goal AG/LU-5 guides the County to “plan for commercial, industrial, recreational, and public land uses in locations that are compatible with adjacent uses and agriculture.” General Plan Policy AG/LU-57 states that “The County shall seek to maintain Angwin’s rural setting and character while providing opportunities for limited commercial services focused on the Angwin community.” Policy AG/LU-58 states “The “urbanized” area of Angwin shown on the County’s land use map and zoned Planned Development shall contain institutional uses (i.e., the college), residential uses, and limited neighborhood-serving non-residential uses.”

8. The proposed use will not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin in Napa County.

Analysis: The Pacific Union College Water & Sewer System will provide water service and sewer service, which is licensed by the California State Water Resource Control Board. A “Will Serve” letter has been issued by Pacific Union College indicating it has adequate capacity to serve the project.

General Plan Policies:

Policy AG/LU-34: The following standards shall apply to lands designated as Urban Residential on the Land Use Map of this General Plan.

Intent: Provide, in identified urban areas, for development of a full range of urban housing opportunities, such as detached or attached single-family dwellings, multiple dwellings, townhouses, row houses, condominiums, live/work lofts, and cluster housing, in a desirable relationship to planned common use space, limited commercial, institutional, educational, child care, cultural, recreational, and other uses, while at the same time preserving the quality of urban areas.

General Uses: Single-family dwellings, multiple dwellings, mobile home parks, child care centers, limited commercial and institutional uses (denser uses subject to specified conditions).

Policy AG/LU-57: The County shall seek to maintain Angwin’s rural setting and character while providing opportunities for limited commercial services focused on the Angwin community.

Policy AG/LU-58: The “urbanized” area of Angwin shown on the County’s land use map and zoned Planned Development shall contain institutional uses (i.e., the college), residential uses, and limited neighborhood-serving non-residential uses.

Policy CC-36: Residential and other noise-sensitive activities shall not be located where noise levels exceed the standards contained in this Element without provision of noise attenuation features that result in noise levels meeting the current standards of the County for exterior and interior noise exposure.

Policy CC-38: The following are the County’s standards for maximum exterior noise levels for various types of land uses established in the County’s Noise Ordinance. Additional standards are provided in the Noise Ordinance for construction activities (i.e., intermittent or temporary noise).

EXTERIOR NOISE LEVEL STANDARDS

(LEVELS NOT TO BE EXCEEDED MORE THAN 30 MINUTES IN ANY HOUR)

| Land Use Type | Time Period | Noise Level (dBA) by Noise Zone Classification | | |
|----------------------------------|-------------------|--|----------|-------|
| | | Rural | Suburban | Urban |
| Single-Family Homes and Duplexes | 10 p.m. to 7 a.m. | 45 | 45 | 50 |
| | 7 a.m. to 10 p.m. | 50 | 55 | 60 |
| | 10 p.m. to 7 a.m. | 45 | 50 | 55 |

| | | | | |
|---|-------------------|----|----|----|
| Multiple Residential 3 or More Units Per Building (Triplex +) | 7 a.m. to 10 p.m. | 50 | 55 | 60 |
| Office and Retail | 10 p.m. to 7 a.m. | 60 | | |
| | 7 a.m. to 10 p.m. | | | |
| Industrial and Wineries | Anytime | 75 | | |

- a) For the purposes of implementing this policy, standards for residential uses shall be measured at the housing unit in areas subject to noise levels in excess of the desired levels shown above.
- b) Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction at the industrial use.
- c) Where projected noise levels for a given location are not included in this Element, site-specific noise modeling may need to be conducted in order to apply the County's Noise policies.
- d) For further information, see the County Noise Ordinance.

Policy CC-39: The following are noise compatibility guidelines for use in determining the general compatibility of planned land uses:

**NOISE COMPATIBILITY GUIDELINES
(EXPRESSED AS A 24-HOUR DAY-NIGHT AVERAGE OR LDN)**

| Land Use | Completely Compatible | Tentatively Compatible | Normally Incompatible | Completely Incompatible |
|-------------|-----------------------|------------------------|-----------------------|-------------------------|
| Residential | Less than 55 dBA | 55-60 dBA | 60-75 dBA | Greater than 75 dBA |
| Commercial | Less than 65 dBA | 65-70 dBA | 75-80 dBA | Greater than 80 dBA |
| Industrial | Less than 70 dBA | 70-80 dBA | 80-85 dBA | Greater than 85 dBA |

See Policy CC-43 for the definitions of these four levels of compatibility.

Policy CC-43: The following definitions shall be used in combination with the standards in the Noise

Compatibility Guidelines shown above.

- a) "Completely Compatible" means that the specified land use is satisfactory and both the indoor and outdoor environments are pleasant.
- b) "Tentatively Compatible" means that noise exposure may be of concern, but common building construction practices will make the indoor living environment acceptable, even for sleeping quarters, and the outdoor environment will be reasonably pleasant.
- c) "Normally Incompatible" means that noise exposure warrants special attention, and new construction or development should generally be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. Careful site planning or exterior barriers may be needed to make the outdoor environment tolerable.

- d) “Completely Incompatible” means that the noise exposure is so severe that new construction or development should generally not be undertaken.

Policy CC-45: Development in the area covered by any Airport Land Use Compatibility Plan (ALUCP) shall be consistent with the noise levels projected for the airport. Where necessary, noise insulation or other measures shall be included to maintain desired interior noise levels.

Policy CC-49: Consistent with the County’s Noise Ordinance, ensure that reasonable measures are taken such that temporary and intermittent noise associated with construction and other activities does not become intolerable to those in the area. Construction hours shall be limited per the requirements of the Noise Ordinance. Maximum acceptable noise limits at the sensitive receptor are defined in Policies CC-35, CC-36, and CC-37.

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 CON-82: The County shall require applicants seeking demolition permits to demonstrate compliance with any applicable BAAQMD requirements, particularly those related to asbestos-containing materials.

Policy E-6: The County values the businesses which currently operate in Napa County. Business retention strategies will be integral to meeting the County’s economic goals.

Policy SAF-16: Consistent with building and fire codes, development in high wildland fire hazard areas shall be designed to minimize hazards to life and property. Action Item SAF-16.1: Develop site criteria and construction standards for development in high fire hazard areas, and adopt standards to restrict urbanizing these areas as defined in Policy AG/LU-27 unless adequate fire services are provided. Action Item SAF-16.2: Continue to implement “Napa Firewise” through information and education programs, community outreach, and fuel modification.