

RESOLUTION NO. _____

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA, PROVIDING DIRECTION TO COUNTY STAFF
REGARDING SUNSETTING PERMIT APPLICATIONS SUBMITTED PURSUANT TO
THE COUNTY CODE COMPLIANCE PROGRAM ADOPTED IN 2018 AND
CONFIRMING THE POLICY APPLICABLE TO APPLICATIONS TO CORRECT USE
PERMIT VIOLATIONS**

WHEREAS, on December 4, 2018, the Board of Supervisors adopted Resolution 2018-164 (Use Permit Compliance Program), which established procedures and policies in connection with the processing of land use entitlement applications that are related to properties that are the subject of County Code violations; and

WHEREAS, the Use Permit Compliance Program established a deadline of March 29, 2019, by which all landowners who wished to apply for a permit to voluntarily remedy their violations, or for a status determination to clarify the extent of existing entitlements, must submit a substantially conforming application. Thereafter, applicants must make a continuous good faith effort to complete their applications in as timely a manner as is practicable. Landowners who submitted applications for status determinations were given additional time to submit an application if the status determination confirmed the existence of County Code violations; and

WHEREAS, in an effort to ensure that environmental impacts are not overlooked in reviewing applications to remedy use permit violations, the Use Permit Compliance Program also established that owners of properties with significant use permit violations must operate within their existing legal entitlements for one year from the date of the initial Notice of Violation before an application for a use permit or modification to an existing entitlement may be submitted to the County; and

WHEREAS, on October 15, 2019, the Board of Supervisors adopted Resolution 2019-130, which extended the time allowed for an owner who submitted an application for a status determination to submit a substantially conforming use permit or modification application after the resolution of their status determination; and

WHEREAS, the Board of Supervisors has adopted amendments to the Napa County Code streamlining the procedures for obtaining or modifying land use entitlements, making it easier than ever to comply with the Napa County Code requirements; and

WHEREAS, the Use Permit Compliance Program has been a success, achieving the purpose of resetting the expectations of landowners with existing violations and restoring confidence in the enforcement of land use regulations. During the Use Permit Compliance Program, the County received 47 total applications for new use permits or modifications to existing entitlements. The County also received 27 applications for status determinations, some of which

submitted applications for use permit modifications. In total, the County approved 35 use permits or modifications that corrected existing violations. The Board of Supervisors now looks to close the Use Permit Compliance Program, with direction to County staff on the handling of any remaining applications submitted under the Program.

NOW, THEREFORE, BE IT RESOLVED by the Napa County Board of Supervisors as follows:

1. The Board establishes that any pending applications submitted pursuant to the Use Permit Compliance Program must be brought to a hearing before the Planning Commission, or the appropriate decisionmaker, on or before April 30, 2026 (the Deadline). Any application that is not heard by the Deadline will be deemed abandoned, without further action by the County, unless a hearing has been noticed and the applicant has provided all necessary information and documentation to bring the application to a hearing.

2. Except for those applications that are heard or noticed to be heard pursuant to Paragraph 1, above, all properties that have new or continued violations of their land use entitlements must operate within their existing legal entitlements for one year from the date of the initial Notice of Violation, before a new use permit or modification to an existing entitlement may be approved by PBES. The applicants whose applications were deemed abandoned pursuant to Paragraph 1 must operate within their existing entitlement for one year from the Deadline. Owners, or other holders of use permits, may submit a use permit or modification application to remedy violation(s) during the one-year period while they operate within their legal entitlements. Public hearings for such use permit or modification applications shall not be held until the owner has operated within legal entitlements for one year from the date of the initial Notice of Violation, absent extraordinary circumstances, which shall be recognized in the sole discretion of the Director of the Planning, Building and Environmental Services Department.

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THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED
 by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board
 held on the 10th day of March, 2026, by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

ABSTAIN: SUPERVISORS _____

ABSENT: SUPERVISORS _____

NAPA COUNTY, a political subdivision of
 the State of California

By: _____
 AMBER MANFREE, Chair of the
 Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Jason M. Dooley (e-sign)</u> Chief Deputy County Counsel</p> <p>Date: <u>March 3, 2026</u></p> <p>Project ID: 13577963</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>_____ Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p>
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