

**From:** [Dameron, Megan](#)  
**To:** [MeetingClerk](#)  
**Cc:** [Parker, Michael](#)  
**Subject:** Fw: P22-00241  
**Date:** Tuesday, April 15, 2025 8:44:39 PM  
**Attachments:** [Planning Meeting 41625.pdf](#)

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**From:** Kerry Smith <[thewrightcorner@earthlink.net](mailto:thewrightcorner@earthlink.net)>  
**Sent:** Tuesday, April 15, 2025 4:24 PM  
**To:** Dameron, Megan <[megan.dameron@countyofnapa.org](mailto:megan.dameron@countyofnapa.org)>  
**Subject:** P22-00241

Dear Commissioner Dameron,

I wanted you to have time to read this and have my letter before the hearing tomorrow.

Applicants for a Use Permit are advised that the County is required to follow the Permit Streamling Act (PSA). You can see this for yourself as it's noted on the first page, top right hand side, of the Napa County Use Permit application. The PSA's only job is to set up a legal timeline that the County is obligated to follow in the permitting process.

These are the 4 basic PSA timeline stages:

1. In the application stage, the County has 30 days to review an application and only within that period can it request further documentation. If the County does nothing with the application, in the 30 day window, the application is deemed to be complete and no further information can be requested from the applicant for processing. If the County fails to acknowledge the deemed complete application and does not start processing it, the applicant's only avenue is to take the County to Court for an order to force the County to process the application. Next is for the County to process the application by compiling all the necessary information. After the initial first 30 days, the County is no longer allowed to ask for new information outside the scope of the initial requests.
2. Once all the information requested by the County has been submitted the application is then deemed complete. From this point, the county now has 30 days to make a CEQA determination. It will be either an EIR, a Negative Declarative or a Mitigated Declaration. If the County fails to make a determination, within this timeframe, the applicant's only option is to take the County to court and the judge will then compel the County to make a CEQA determination.
3. Starting at the date at which the application was deemed complete, if the determination is a need for an EIR then the timeline is a year. If it's determined to be a Negative Declaration then it must be completed and adopted within 180 days. If the County fails to complete and adopt the EIR or Negative Declaration within this timeline then the applicant now has two avenues to compel; one is by use of the court and the other by a public notice.
4. The County then has 60 days to "approve" or "disapprove" the permit itself. If the county fails to approve or disapprove within 60 days, then the permit is complete and "deemed approved".

Thank you,

Kerry Smith  
The Wright Corner, Inc.  
707 812-5006

April 16, 2025

Dear Commissioners,

**Use Permit Mod P22-00241** [Wright's Corner APN 047-110-017-000] application was submitted on June 22, 2022, received and (ultimately) affirmed by the Napa County Planning Department as "complete" on **June 18, 2024**. Based on the fact that we invoked the California's Permit Streamlining Act (PSA), the permit was deemed completed and approved by state law on **March 2nd, 2025**.

The employees of Napa County are refusing to abide by the Rule of Law and issue the permit. They contend (see attached email excerpt [Item 1](#)) that the Negative Declaration, that had been determined appropriate within the legal 30 day time line of the completed application, had yet to be "adopted," thereby denying our permit was "deemed approved". Yet the codes (see attached Public Resource Code 21151.5(a)(1)(B)(2) & California Code of Regulations 14 CCR § 15107) define the mandatory time limit for such action as, "**One hundred eighty days for completing and adopting negative declarations.**" Abiding by legislation, the expiration of this stage of the time line occurred on **December 15, 2024**.

The timeline is then set for the final action (see attached PSA Code § 65950 (a), "**A public agency that is the lead agency for a development project shall approve or disapprove the project within**" (...): (4) "**Sixty days from the date of adoption by the lead agency of the negative declaration,**" (...)). On December 17th, we provided the County with an advance 7-day notice that we were going to publish a "Public Notice" in the local newspaper to compel Napa County to complete the process. The notice, published on **January 2nd, 2025**, gave the County 60 days to approve or (disapprove) the permit (see attached PSA Code § 65956(b)). This action supersedes the County's argument that the timeline was suspended indefinitely because "*the 60-day clock (activated by adoption) has not started.*" It's important to note that the County never exercised its right to request a 90-day extension (see attached PSA 65957 or CA Code of Regs 14 CCR 15107 or Public Res Code 21151.5). The sixty day window expired on **March 2, 2025**, thus certifying Use Permit P22-00241 as **deemed complete** and **approved**. As a matter of note, after noticing them in December, we heard nothing from County until March 3rd.

The PSA was enacted to relieve applicants from protracted and unjustified governmental delays in processing their permit applications. To expedite decisions on development projects, the PSA sets out specific time limits within which a government agency must approve or disapprove an application for a land use permit. If the lead agency fails to expressly approve (or disapprove) an application within the applicable period, "the failure to act shall be deemed approval of the permit application for the development project." The PSA measures all time limits for final approval (or

disapproval) of an application in the environmental review process established by the California Environmental Quality Act (CEQA). In *Palmer v. City of Ojai* (1986) the Court of Appeal explained the "unmistakably clear" legislative intent of the PSA: "There was a dual concern for (1) establishing guidelines for communication between developer-applicants and public agencies, communication intended to remove gamesmanship from the application process, and (2) establishing time limitations which would allow full and fair consideration of applications for development by public agencies while protecting the applicants from the arbitrariness and caprice associated with unjustifiable delay."

The statutory framework strikes an ideal balance. It presents a middle option—one that does not strip the County of its discretionary power altogether but imposes a statutory time limit in which the County may exercise its discretion. After the time limit expires, the County relinquishes its right to impose discretionary standards, on a project, and the permit application becomes ministerial.

**Mr. Ryan Alsop, Napa County CEO, response in blue to our demand for issuing the permit.**

Email subject - RE: P22-00241 ministerial permit.

Ms. Smith:

Again, your project is before the Planning Commission on **4/16** (twelve days from today). I've, again, consulted County Counsel on this matter and their opinion is outlined for you below.

1. Gov Code section 65950(a)(4) requires a lead agency to approve or disapprove a project within 60 days from **adoption** of the Negative Declaration. Since the Negative Declaration has not yet been adopted, the 60-day clock has not started. Therefore, the project has not been "deemed approved" under the PSA.
2. CEQA has its own timelines for making environmental determinations. The 180-day time limit under CEQA to prepare a Negative Declaration, is directory not mandatory and there are no sanctions for failing to complete the Negative Declaration within that time frame. CEQA timelines are "directory," not "mandatory," meaning that a project is not "deemed approved" if the CEQA timeline is not met. Instead, the applicant's remedy is to sue to enforce the CEQA time limits. (*See Meridian Ocean Sys. v. State Lands Comm'n*, 222 Cal. App. 3d 153 (1990); *Sunset Drive Corp. v. City of Redlands*, 73 Cal. App. 4th 215 (1999).)
3. Unlike the PSA, there is no "deemed approved" provision in CEQA. "CEQA contains no 'deemed approval' provisions for cases where an agency fails to comply with the time requirements for environmental determinations. [Citations.] 'CEQA itself contains no automatic approval provisions and its time limits are directory rather than mandatory.'" (*Eller Media Co. v. City of Los Angeles* 87 Cal.



App. 4<sup>th</sup> 1217, 1219-1221 (2009).) Imposing an automatic approval process on CEQA is not dictated by the terms of either CEQA or the PSA, “and is inconsistent with the obvious distinct treatment environmental issues are accorded under the PSA....” (*Id. at p.1441*).

Referring to **Item 2 & 3**, The California Legislature enacted a series of measures to coordinate the time limits imposed by the PSA (Gov Code § 65920-65964), the California Environmental Quality Act (California Code of Regulations 15000-15387) and Public Resources Code § 21000 - 21189.9. These acts sit alongside the others and no one statute reigns fully supreme (See *Linovitz Capo Shores LLC v. California Coastal Commission* (2021)). The PSA sets forth a time limit within which a government agency must either approve or disapprove stages of a permit application. Each stage is a step and not all steps will deem the permit approved by merely failing to complete as the timeline mandates. Most stages require a court order to compel the lead agency if they are failing to act but, with the timeline in the final stage, the law gives applicants the means to get them to comply by use of the court or a public notice.

In reference to the noted [Meridian Ocean Sys. v. State Lands Comm’n](#):

In the Meridian Ocean case their claim is that the lead agency failed to order a preparation of CEQA documents within 30 days of the completed application. Resolution of this claim turned upon a determination of whether the 30 day time limit is mandatory or directory. The courts have stated that the 'directory' or 'mandatory' designation does not refer to whether a particular statutory requirement is 'permissive' or 'obligatory', but instead simply denotes whether the failure to comply with a particular procedural step will or will not have an effect to which the procedural requirement relates.

As a matter of note, this case was ruled not to apply to the PSA because it was an exploration of the ocean floor not a “Project” as required by the Pub. Res. Code section 21065.

In reference to the noted [Sunset Drive Corp. v. City of Redlands](#):

In this case the argument is premised on the City of Redlands failure to complete an EIR. Sunset orally alleged that the City of Redlands failed to determine whether they should be approved within the time limitations provided by CEQA guidelines. The judge did not consider this argument because Sunset had not raised the PSA statute of limitations in its brief. Unlike the PSA, CEQA contains no "deemed approval" provision for cases where an agency fails to comply with the time requirements for environmental determinations. By just alleging that the CEQA determinations were not performed in a timely manner is not sufficient for deemed approval of the applicant’s permit.

Also, the courts ruled the pleading did not establish that the City of Redlands exceeded the established time limits.

In reference to the noted [Eller Media Co. v. City of Los Angeles](#)

Six months after submitting applications, Ellers alleged that the lead agency failed to review its application and failed make timely CEQA determinations. Ellers then tried to

apply the PSA time line to this failure for approval. Allegations that the CEQA determinations were not performed in a timely manner are not sufficient to state a cause of action for deemed approval of the applications. PSA measures time limits from specific actions. The court established that none of those actions had been completed when the appellant filed its suit.

I hope this makes clear the situation. Please advise Napa County to honor the law and issue the necessary permit.



Kerry Smith

The Wright Corner, Inc.  
4370, 4372 & 4374 Old Sonoma Hwy., Napa CA  
[thewrightcorner@earthlink.net](mailto:thewrightcorner@earthlink.net) Phone (707) 812-5006 text or call

The following are copies of the pertinent regulations that applied to this project and a copy of the published public notice:



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#### PERMIT STREAMLINING ACT 65920 - 65964

##### Title 7. Planning and Land Use

##### Division 1. Planning and Zoning

##### Chapter 4.5 Review and Approval of Development Projects

#### KNOWN AS PERMIT STREAMLINING ACT

#### ARTICLE 1 - 65920 (a) & (b)

##### GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] ( Heading of Title 7 amended by Stats. 1974, Ch. 1536. )

DIVISION 1. PLANNING AND ZONING [65000 - 66342] ( Heading of Division 1 added by Stats. 1974, Ch. 1536. )

CHAPTER 4.5. Review and Approval of Development Projects [65920 - 65964.5] ( Chapter 4.5 added by Stats. 1977, Ch. 1200. )

ARTICLE 1. General Provisions [65920 - 65923.8] ( Article 1 added by Stats. 1977, Ch. 1200. )

65920. (a) This chapter shall be known and may be cited as the Permit Streamlining Act.

(b) Notwithstanding any other provision of law, the provisions of this chapter shall apply to all public agencies to the extent specified in this chapter, except that the time limits specified in Division 2 (commencing with Section 66410) of Title 7 shall not be extended by operation of this chapter.

(c) Any action brought in the superior court relating to this chapter may be subject to a mediation proceeding conducted pursuant to Chapter 9.3 (commencing with Section 66030).

(Amended by Stats. 2010, Ch. 699, Sec. 22. (SB 894) Effective January 1, 2011.)

**PUBLIC RESOURCES CODE - PRC****Division 13. Environmental Quality 21000 - 21189.91****Chapter 2. Short Title 21050****DIVISION 13 TO BE KNOWN AS CEQA****PUBLIC RESOURCES CODE - PRC****DIVISION 13. ENVIRONMENTAL QUALITY [21000 - 21189.91]** ( *Division 13 added by Stats. 1970, Ch. 1433.* )**CHAPTER 2. Short Title [21050- 21050.]** ( *Chapter 2 added by Stats. 1970, Ch. 1433.* )

**21050.** This division shall be known and may be cited as the California Environmental Quality Act.

(Amended by Stats. 1976, Ch. 1312.)

**CALIFORNIA CODE OF REGULATIONS****Title 14. Natural Resources****Division 6. Resources Agency****Chapter 3. Guidelines for Implementation of the California Environmental Quality Act****Article 1. General**

14 CCR § 15001

§ 15001. Short Title.

**TITLE - "STATE CEQA GUIDELINES"**

These Guidelines may be cited as the "State CEQA Guidelines." Existing references to the "State EIR Guidelines" shall be construed to be references to the "State CEQA Guidelines."

**CALIFORNIA CODE OF REGULATIONS****Title 14. Natural Resources****Division 6. Resources Agency****Chapter 3. Guidelines for Implementation of the California Environmental Quality Act****Article 1. General**

14 CCR § 15005

§ 15005. Terminology.

**MUST & SHALL ARE MANDATORY**

The following words are used to indicate whether a particular subject in the Guidelines is mandatory, advisory, or permissive:

- (a) "Must" or "shall" identifies a mandatory element which all public agencies are required to follow.
- (b) "Should" identifies guidance provided by the Secretary for Resources based on policy considerations contained in CEQA, in the legislative history of the statute, or in federal court decisions which California courts can be expected to follow. Public agencies are advised to follow this guidance in the absence of compelling, countervailing considerations.
- (c) "May" identifies a permissive element which is left fully to the discretion of the public agencies involved.

**14.** "County" includes "city and county."

(Enacted by Stats. 1939, Ch. 93.)

**15.** "Shall" is mandatory and "may" is permissive.

(Enacted by Stats. 1939, Ch. 93.)

**16.** "Oath" includes affirmation.

**PUBLIC RESOURCES CODE - PRC****General Provisions****THE WORD SHALL IS MANDATORY**

## MUST ABIDE BY ALL LAWS

- (a) CEQA is intended to be used in conjunction with discretionary powers granted to public agencies by other laws.
- (b) CEQA does not grant an agency new powers independent of the powers granted to the agency by other laws.
- (c) Where another law grants an agency discretionary powers, CEQA supplements those discretionary powers by authorizing the agency to use the discretionary powers to mitigate or avoid significant effects on the environment when it is feasible to do so with respect to projects subject to the powers of the agency. Prior to January 1, 1983, CEQA provided implied authority for an agency to use its discretionary powers to mitigate or avoid significant effects on the environment. Effective January 1, 1983, CEQA provides express authority to do so.
- (d) The exercise of the discretionary powers may take forms that had not been expected before the enactment of CEQA, but the exercise must be within the scope of the power.
- (e) The exercise of discretionary powers for environmental protection shall be consistent with express or implied limitations provided by other laws.

## PERMIT STREAMLINING ACT 65920 - 65964

### Title 7. Planning and Land Use

### Division 1. Planning and Zoning

### Chapter 4.5 Review and Approval of Development Projects

### ARTICLE 1 - 65921

#### GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] ( Heading of Title 7 amended by Stats. 1974, Ch. 1536. )

DIVISION 1. PLANNING AND ZONING [65000 - 66342] ( Heading of Division 1 added by Stats. 1974, Ch. 1536. )

CHAPTER 4.5. Review and Approval of Development Projects [65920 - 65964.5] ( Chapter 4.5 added by Stats. 1977, Ch. 1200. )

ARTICLE 1. General Provisions [65920 - 65923.8] ( Article 1 added by Stats. 1977, Ch. 1200. )

**65921.** The Legislature finds and declares that there is a statewide need to ensure clear understanding of the specific requirements which must be met in connection with the approval of development projects and to expedite decisions on such projects. Consequently, the provisions of this chapter shall be applicable to all public agencies, including charter cities.

(Added by Stats. 1977, Ch. 1200.)

## PSA APPLIES TO NAPA COUNTY

## PUBLIC RESOURCES CODE - PRC

### Division 13. Environmental Quality 21000 - 21189.91

### Chapter 2.5 Definitions

## DEFINITION OF "PROJECT"

**21065.** "Project" means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following:

- (a) An activity directly undertaken by any public agency.
- (b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- (c) An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

(Amended by Stats. 1994, Ch. 1230, Sec. 4. Effective September 30, 1994.)

## PUBLIC RESOURCES CODE - PRC

### Division 13. Environmental Quality 21000 - 21189.91

### Chapter 3

## WHAT IS A NEGATIVE DECLARATION (N.D.)?

**21064.** "Negative declaration" means a written statement briefly describing the reasons that a proposed project will not have a significant effect on the environment and does not require the preparation of an environmental impact report.

(Added by Stats. 1976, Ch. 1312.)



# MANDATORY TIME LIMITS

## PERMIT STREAMLINING ACT - 65964

### Title 7. Planning and Land Use

#### Chapter 4.5 Review and Approval of Development Projects

#### ARTICLE 5 - 65953

### TIME LIMITS SET ARE MAXIMUM

**65953.** All time limits specified in this article are maximum time limits for approving or disapproving development projects. All public agencies shall, if possible, approve or disapprove development projects in shorter periods of time.

(Added by Stats. 1977, Ch. 1200.)

**65954.** The time limits established by this article shall not apply in the event that federal statutes or regulations require time schedules which exceed such time limits.

(Added by Stats. 1977, Ch. 1200.)

## CALIFORNIA CODE OF REGULATIONS

### Title 14. Natural Resources

#### Division 6. Resources Agency

#### Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

#### Article 8. Time Limits

14 CCR § 15100

§ 15100. General.

### MANDATORY TIME LIMITS

(a) Public agencies shall adopt time limits to govern their implementation of CEQA consistent with this article.

(b) Public agencies should carry out their responsibilities for preparing and reviewing EIRs within a reasonable period of time. The requirement for the preparation of an EIR should not cause undue delays in the processing of applications for permits or other entitlements to use.

## PERMIT STREAMLINING ACT 65920 - 65964

### Title 7. Planning and Land Use

#### Chapter 4.5 Review and Approval of Development Projects

#### ARTICLE 5 - 65957

### NO OTHER EXTENSION - DEEMED APPROVED

**65957.** The time limits established by Sections 65950, 65950.1, 65951, and 65952 may be extended once upon mutual written agreement of the project applicant and the public agency for a period not to exceed 90 days from the date of the extension. No other extension, continuance, or waiver of these time limits either by the project applicant or the lead agency shall be permitted, except as provided in this section and Section 65950.1. Failure of the lead agency to act within these time limits may result in the project being deemed approved pursuant to the provisions of subdivision (b) of Section 65956.

(Amended by Stats. 1998, Ch. 283, Sec. 4. Effective January 1, 1999.)

## CALIFORNIA CODE OF REGULATIONS

### Title 14. Natural Resources

#### Division 6. Resources Agency

#### Chapter 3. Guidelines for Implementation of the California Environmental Quality Act

#### Article 8. Time Limits

14 CCR § 15107

§ 15107. Completion of Negative Declaration for Certain Private Projects.

### MUST APPROVE NEGATIVE DECLARATION WITHIN 180 DAYS

With private projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the negative declaration must be completed and approved within 180 days from the date when the lead agency accepted the application as complete. Lead agency procedures may provide that the 180-day time limit may be extended once for a period of not more than 90 days upon consent of the lead agency and the applicant.

**21151.5.** (a) (1) For projects described in subdivision (c) of Section 21065, each local agency shall establish, by ordinance or resolution, time limits that do not exceed the following:

(A) One year for completing and certifying environmental impact reports.

(B) One hundred eighty days for completing and adopting negative declarations.

(2) The time limits specified in paragraph (1) shall apply only to those circumstances in which the local agency is the lead agency for a project. These ordinances or resolutions may establish different time limits for different types or classes of projects and different types of environmental impact reports, but all limits shall be measured from the date on which an application requesting approval of the project is received and accepted as complete by the local agency.

(3) No application for a project may be deemed incomplete for lack of a waiver of time periods prescribed by local ordinance or resolution.

(4) The ordinances or resolutions required by this section may provide for a reasonable extension of the time period in the event that compelling circumstances justify additional time and the project applicant consents thereto.

#### **PUBLIC RESOURCES CODE - PRC**

#### **Division 13. Environmental Quality 21000 - 21189.91**

#### **Chapter 4. Local Agencies 21150-21154**

### **180 DAYS MUST ADOPT NEGATIVE DECLARATION**

#### **PERMIT STREAMLINING ACT 65920 - 65964**

#### **Title 7. Planning and Land Use**

#### **Chapter 4.5 Review and Approval of Development Projects**

#### **ARTICLE 5 - 65950 (a) (4)**

### **MUST APPROVE PROJECT 60 DAYS AFTER N.D.**

**65950.** (a) A public agency that is the lead agency for a development project shall approve or disapprove the project within whichever of the following periods is applicable:

(1) One hundred eighty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for the development project.

(2) One hundred twenty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c).

(3) Ninety days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c) and all of the following conditions are met:

(A) At least 49 percent of the units in the development project are affordable to very low or low-income households, as defined by Sections 50105 and 50079.5 of the Health and Safety Code, respectively. Rents for the lower income units shall be set at an affordable rent, as that term is defined in Section 50053 of the Health and Safety Code, for at least 30 years. Owner-occupied units shall be available at an affordable housing cost, as that term is defined in Section 50052.5 of the Health and Safety Code.

(B) Prior to the application being deemed complete for the development project pursuant to Article 3 (commencing with Section 65940), the lead agency received written notice from the project applicant that an application has been made or will be made for an allocation or commitment of financing, tax credits, bond authority, or other financial assistance from a public agency or federal agency, and the notice specifies the financial assistance that has been applied for or will be applied for and the deadline for application for that assistance, the requirement that one of the approvals of the development project by the lead agency is a prerequisite to the application for or approval of the application for financial assistance, and that the financial assistance is necessary for the project to be affordable as required pursuant to subparagraph (A).

(C) There is confirmation that the application has been made to the public agency or federal agency prior to certification of the environmental impact report.

(4) Sixty days from the date of adoption by the lead agency of the negative declaration, if a negative declaration is completed and adopted for the development project.

#### **PREMIT STREAMLINING ACT 65920 - 65964**

#### **Title 7. Planning and Land Use**

#### **Chapter 4.5 Review and Approval of Development Projects**

#### **ARTICLE 5 - 65956 (B)**

### **FAILURE TO ACT DEEMED APPROVAL**

**65956.** (a) If any provision of law requires the lead agency or responsible agency to provide public notice of the development project or to hold a public hearing, or both, on the development project and the agency has not provided the public notice or held the hearing, or both, at least 60 days prior to the expiration of the time limits established by Sections 65950 and 65952, the applicant or his or her representative may file an action pursuant to Section 1085 of the Code of Civil Procedure to compel the agency to provide the public notice or hold the hearing, or both, and the court shall give the proceedings preference over all other civil actions or proceedings, except older matters of the same character.

(b) In the event that a lead agency or a responsible agency fails to act to approve or to disapprove a development project within the time limits required by this article, the failure to act shall be deemed approval of the permit application for the development project. However, the permit shall be deemed approved only if the public notice required by law has occurred. If the applicant has provided seven days advance notice to the permitting agency of the intent to provide public notice, then no earlier than 60 days from the expiration of the time limits established by Sections 65950 and 65952, an applicant may provide the required public notice using the distribution information provided pursuant to Section 65941.5. If the applicant chooses to provide public notice, that notice shall include a description of the proposed development substantially similar to the descriptions which are commonly used in public notices by the permitting agency, the location of the proposed development, the permit application number, the name and address of the permitting agency, and a statement that the project shall be deemed approved if the permitting agency has not acted within 60 days. If the applicant has provided the public notice required by this section, the time limit for action by the permitting agency shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the permitting agency shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.



This is a copy of the Public Notice published on January 2, 2025 in the Napa Valley Register. Not one person contacted me regarding this notice or the project as of April 12th, 2025.

**Permit Streamlining Act Public Notice**

Public Notice: Permit Streamlining Act Application Use Permit P22-00241 Proposed by: The Wright Corner, Inc. 047-110-017

Applicant: Kerry Smith

Project Location: 4370, 4372 & 4374 Old Sonoma Hwy., Napa, CA

Zoning Classification: Commercial Limited

Notice is hereby given that Kerry Smith, as an agent of The Wright Corner, Inc., has submitted an application to the Napa County Planning Department, located at 1195 Third Street, Napa, CA, for a permit to development of a Mercantile, Tavern/Tasting Bar, 8 Room Inn w/Accessory Events, Restrooms and Concession Trailer. According to the California Permit Streamlining Act, this project shall be deemed approved if the permitting agency has not acted within 60 days.

Key details of the project:

At 4370 Old Sonoma Hwy., the existing 1447 sq. ft. building to be a Tavern/Tasting Bar. Food, wine, and beer are to be tasted by the glass and purchased by the bottle. Both indoor and outdoor space. 713 sq. ft indoor (34 seats), 313 sq. ft. food service prep area and distribution., 345 sq. ft. for storage, 40 sq. ft. for utilities; a total clear space of 1409 sq. ft. In addition, a 312 square foot outdoor space for food and drink pick up and waiting area and an additional 795 sq. ft. of outside garden seating (48 seats). Foodservice to be "cook and serve" foods requiring limited preparation.

At 4372 Old Sonoma Hwy. the existing 1917 sq. ft. building A general retail for the sale of goods to the consumer for profit with an ancillary wine or beer service by incorporating alcoholic beverage sales and tasting. An exterior 450 sq. ft. outdoor retail and tasting area.

At 4374 Old Sonoma Hwy. the existing 2864 sq. ft. building 3 bedroom transient short-term overnight occupancy. 8 Cottage Units - Construction of 5 new 635 sq. ft. free-standing transient units with bathrooms (no kitchens). Accessory of onsite private social events outside 1800 sq. ft. area using tents. Events not to exceed 85 people with a limit of 4 events a month.

Mobile Concession Trailer - A small mobile trailer (8' 5" x 13' - 130 sq. ft.) to offer and sell coffee and limited food items.

Construction of a (397 sq. ft.) stand-alone toilet room with an attached storage room w/ trash and recycling.

New construction totals 3,897 sq. ft. of improvements. New construction - Fire resistivity - Type V and no offsite improvements requested.

Installation of new septic, waste processing, 1107 sq. ft. patio, retaining wall, and 24 additional parking spaces. No significant environmental impact.

Important Note:

This project is subject to the California Permit Streamlining Act, which mandates specific timeframes for agency review and decision-making.

For further information, please contact Kerry Smith at [thewrightcorner@earthlink.net](mailto:thewrightcorner@earthlink.net)

Date: 12/24/24

1/2 COL-CA-100607