

BEFORE THE BOARD OF SUPERVISORS
OF NAPA COUNTY

In the Matter of:

An appeal filed by Appellant Water Audit California concerning the Napa County Planning Commission's decision on May 1, 2024, to approve the William Cole Winery Use Permit No. P19-00101-MOD and Variance P19-00441-VAR. The project is an existing winery on 5.72 acre parcel, located at 2849 N. St. Helena Hwy, St. Helena, CA. (Assessor's Parcel Number 022-230-015.)

RESOLUTION NO. 2024-_____

**FINDINGS OF FACT AND
DECISION ON APPEAL**

WHEREAS, on or about March 26, 2019, Applicant William Cole Winery (the Project, Winery, or William Cole) applied for a Use Permit Major Modification to an existing 20,000 gallon a year winery to recognize and approve items that are out of compliance with the permitted entitlements and for an expansion beyond existing entitlements including marketing activities, on-premises consumption of wine produced on-site, parking, conversion of an existing agricultural barn for winery use, and necessary infrastructure improvements and upgrades. The proposed Variance would allow the existing winery and barn to be located less than 320 feet from Highway 29; and

WHEREAS, the existing winery is on a 5.72-acre parcel, located at 2849 N. St. Helena Hwy, St. Helena, CA (APN: 022-230-015) (the Property) within the Agricultural Watershed (AW) zoning district and general plan designated Agricultural, Watershed and Open Space (AWOS); and

WHEREAS, on May 1, 2024, the Planning Commission held a duly noticed public hearing to consider approval of the Project. The Planning Commission voted (4:0 – AYES: Brunzell, Dameron, Phillips, and Whitmer; EXCUSED: Mazotti) to approve the William Cole Winery project; and

WHEREAS, on May 15, 2024, a timely notice of intent to appeal was filed by Appellant and a timely appeal packet was submitted on May 30, 2024 (the Appeal); and

WHEREAS, in accordance with Napa County Code (N.C.C.) Section 2.88.080(A), a hearing on the Appeal was scheduled before the Board of Supervisors (the Board) for July 23, 2024, a date at least twenty-five but no more than ninety days from the date of submittal of the Appeal; and

WHEREAS, public notices of the Appeal hearing were mailed, emailed and provided to all parties who received notice of the Planning Commission hearings and within 1,000 feet of the Property and published in the newspaper on June 27, 2024; and

WHEREAS, on October 15, 2024, at a duly noticed continued public hearing on the Appeal, the Board heard and considered Staffs' presentation, Appellant's presentation, Applicant's presentation, and all evidence and all written and verbal testimony regarding the Appeal. The Board closed the public hearing and adopted a motion of intent to deny the Appeal in its entirety, adopt the Negative Declaration, uphold the Planning Commission's decision to approve the Project, and approve the Project subject to the Conditions of Approval (COA); and

WHEREAS, the Board further directed County Counsel's office to prepare a resolution containing Findings of Fact and Decision on Appeal in support of its proposed decision and to present those findings to the Board for consideration at its meeting on December 3, 2024; and

WHEREAS, on December 3, 2024, a proposed resolution containing the Findings of Fact and Decision on Appeal was presented to the Board for possible adoption; and

WHEREAS, this proposed resolution containing the Findings of Fact and Decision on Appeal having been presented to the Board for possible adoption at a regular meeting of the Board on December 3, 2024 and interested persons having been given an opportunity to address the Board regarding the proposed resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors finds, determines, concludes and decides as follows:

Section 1. Recitals.

The Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Conduct of Appeal.

A. N.C.C. Section 2.88.090(B) provides that if the appeal pertains to a decision for which a record on appeal exists, the board, in hearing the appeal, shall base its consideration of the appeal on the record on appeal and any extrinsic evidence submitted by the parties and allowed by the chair for good cause shown. "Good cause" means that the proposed evidence, in the exercise of reasonable diligence, could not have been produced to, or was improperly withheld or excluded from, the decision maker. Here, a record on appeal of the Planning Commission's decision exists and was provided to the Board.

B. To clarify the County's procedural requirements and expectations regarding land use appeals, the Board of Supervisors requires the parties attend a mandatory pre-hearing conference with a representative of the County Counsel's office and the Chair of the Board of Supervisors to discuss estimates on presentation lengths, scope of evidence, and testimony to be presented, together with witness lists. Any witness not appearing on a witness list is treated as a member of the public and allotted the usual three minutes of speaking time.

C. A pre-hearing conference was held on July 24, 2024, with Appellant, Applicant, Applicant’s counsel, Chair Gallagher, and a Deputy County Counsel. Appellant and Applicant agreed to various procedural matters related to the Appeal hearing including, but not limited to, exchanging witness lists, providing the Chair in advance of the hearing with any requests for “good cause” to either supplement the record with new information and/or requests to have the Appeal heard de novo (e.g., a fresh hearing), time limits for presentations and page limits for supplemental legal arguments.

D. Neither the Applicant nor the Appellant submitted a timely good cause request.

Section 3. Findings of Fact and Conclusions of Law on Appeal.

The Board hereby makes the following findings of fact and conclusions of law in regard to each of the grounds for appeal as stated by Appellant in the Appeal¹:

A. First Ground of Appeal.

Appellant’s position: Appellant Water Audit California asserts that the County has failed to properly circulate the project documents to secure regulatory agency approvals.

Findings and Decision: The Board finds and determines that the County properly circulated the project documents to regulatory agencies. State and Federal agencies were provided the opportunity to review and comment on the project.

The State Clearinghouse (SCH) within the Governor’s Office of Planning and Research (OPR) is responsible for managing the State’s environmental review process under the California Environmental Quality Act (CEQA). CEQA and the state CEQA Guidelines require lead agencies to file or submit many types of environmental documents to OPR under certain circumstances, including draft Negative Declarations. (14 California Code of Regulations (C.C.R.) §§ 15023(c); 15073(d); 15087(f); 15204(a),(e) (CEQA Guidelines).) The SCH coordinates the State-level review of Environmental Documents prepared pursuant to CEQA and lists the types of environmental documents it must receive in published guidance documents and on OPR’s website. The documents SCH must receive include Notices of Exemption (NOE), Notices of Preparation (NOP) of a Draft Environmental Impact Report (DEIR), Notices of Completion (NOC) & Environmental Document Transmittal, Notices of Determination (NOD), Draft Environmental Impact Report (DEIR), Proposed Negative Declaration and Mitigated Negative Declaration (Neg Dec and MND) and Other Environmental Documents (e.g., a Sustainable Communities Environmental Assessment (SCEA)). (*CEQA Technical Advisory Submitting CEQA Documents to the State Clearinghouse*, Governor’s Office of Planning and Research, July 2021.)

¹ This Resolution summarizes the grounds of appeal. For the complete text of the Appeal, please see the actual Appeal dated May 30, 2024.

The County adequately provided the SCH with the environmental documents relevant to this Project. The County is not required to upload the entire project file to SCH. SCH is responsible for reviewing and distributing Environmental Documents to State agencies for review, not designed for lead agencies to upload the entire project file for every project.

The Initial Study/Negative Declaration (IS/ND) was submitted to the State Clearinghouse on March 13, 2024 under SCH No. 2024030466 for review by the following agencies:

California Air Resources Board (ARB), California Department of Fish and Wildlife, Northern and Eureka Region 1 (CDFW), California Department of Forestry and Fire Protection (Cal Fire), California Department of Parks and Recreation, California Department of Toxic Substances Control (DTSC), California Department of Transportation, District 4 (DOT), California Department of Water Resources (DWR), California Highway Patrol (CHP), California Native American Heritage Commission (NAHC), California Natural Resources Agency, California Regional Water Quality Control Board, San Francisco Bay Region 2 (RWQCB), California State Lands Commission (SLC), Office of Historic Preservation, State Water Resources Control Board (Waterboard), Division of Drinking Water, State Water Resources Control Board, Division of Water Quality.

The state review period began on March 14, 2024, and concluded on April 3, 2024. Comments were received from both DOT and the Waterboard providing guidance to the applicant to ensure any permitting or notification requirements are met. The comment letters were provided to the applicant's team, the Planning Commission, and included in the record considered by the Board.

Additionally, Cal Fire and the Fire Marshal's office reviewed the application. Cal Fire issued a memorandum on October 1, 2020, with their recommended conditions of approval.

The County did not circulate the IS/ND to the City of St. Helena because CEQA did not require notice and because there are no proposed changes to the existing domestic residential water services that are provided by the City. The proposed winery project relies on a single well. The irrigation for the existing vineyard relies on a separate well. The City has no permitting or regulatory authority over either well.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission's decision. Therefore, the Board denies the First Ground of Appeal and upholds the Planning Commission's approval of the Project.

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B. Second Ground of Appeal.

Appellant's position: Appellant contends that there is no proven water source for the project. Water for the project is represented to be supplied by a "will serve" letter from the City of St. Helena ("CSH"). No such letter was provided to the Planning Commission; only a request for a will serve letter is part of the packet. The existing water supply agreement with CSH states that it is for fire suppression only.

Findings and Decision: The Board finds and determines as follows:

The existing domestic residential water use including the pool and associated landscaping are provided by the City of St. Helena and those uses are not part of the project. The City of St. Helena does not provide water to the winery and vineyard irrigation. As previously discussed, there are two groundwater wells on the property with one serving the winery and the second used for vineyard irrigation. (Water Availability Analysis Memorandum (WAA), February 6, 2024.) The project analyzed the existing water sources for the winery and the vineyard as well as the proposed increases in production, employees, visitation and marketing as using groundwater from two existing wells. (Initial Study/ Negative Declaration, p. 17; *See also* WAA Memorandum, February 6, 2024.) The proposed winery project relies on one well.

The Planning Commission considered the water sources serving the parcel including existing and proposed water demands. In regard to the water source serving the residence, Jon Webb, the project representative, submitted a billing statement from the City of St. Helena into the record during the Planning Commission hearing on May 1, 2024. (Planning Commission Meeting of May 1, 2024, Certified Transcript (Transcript), Page 16:7-13.) The billing statement from the City of St. Helena included monthly domestic water use for the residential uses on the property, including the residence, domestic landscaping, and pool with associated charges dating back to December 2023 and notes a connection date of September 14, 1999. (Board of Supervisors Meeting of October 15, 2024, Recording at 4:00:25-50.) The existing water supply agreement with the City of St. Helena does not include the winery because the proposed water source for the winery project is an existing well, a proven water source.

Additionally, the County's GIS layer that outlines parcels overlain by a water service district as mapped by the Local Agency Formation Commission of Napa County, also referred to as LAFCO, was considered during review of the application materials.

Conclusion

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission's decision. Therefore, the Board denies the Second Ground of Appeal and upholds the Planning Commission's approval of the Project.

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C. Third Ground of Appeal.

Appellant's position: Appellant asserts that the application is incomplete for a private water source. In 2019 the Environmental Health Services commented in a P19-00101 Application Status Letter that application was INCOMPLETE: "Because the total number of users (combined employees, visitors and residents and/or the total number of employees and residents) proposed exceeds 25 on a peak day, the water supply and related components serving this facility will have to comply with the California Safe Drinking Water Act and related Laws. If the existing water sources will not meet the construction requirements for a regulated water system, a new well (source) may have to be developed. Please review the enclosed information and prepare the required water system feasibility report as outlined in the enclosed handout."

Findings and Decision: The Board finds and determines that Water for the project is from an existing groundwater well, as identified in the project description, the staff report and staff presentation to the Board, the IS/ND, and supporting Water Availability Analysis (WAA) prepared by Richard C. Slade & Associates. The water from the City of St. Helena serves the existing residence, pool, and associated landscaping, which is different and separate from the proposed project. Here, the project proposes to utilize one well on the parcel.

In compliance with 22 C.C.R. § 64554, the Winery will be required to provide a pump test for the public water system permit. As part of the WAA, an 8 hour pump test was performed, designed to determine connectivity between wells as there is an offsite neighboring well located less than 500 feet from the project well. (Board of Supervisors Meeting of October 15, 2024, Recording at 4:01:38-55.) Applicants are encouraged if performing a pump test to conform to the standards set forth in California Health and Safety Code (HSC) § 116527 rather than performing a pump test more than once. The process for the pump test depends upon the geology of the area where the well is constructed.

Planning, Building & Environmental Services (PBES) Environmental Health Division added Conditions of Approval to ensure compliance with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to issuance of a building permit. The technical report must be completed by a licensed engineer with experience in designing water systems. The preliminary technical report must be submitted to the regional water quality control board at a minimum six (6) months prior to beginning any water related improvements in accordance with HSC. Prior to occupancy, the owner must apply for and obtain an annual operating permit for water systems from this division. The applicant must comply with the monitoring and reporting requirements. Alternatively, a will serve letter from the City of St. Helena may be submitted showing the project will be served by a permitted water system.

In response to the 2019 Application Completeness Letter, application and supplemental documents were submitted and reviewed by the Environmental Health Division and determined to be complete to approve with conditions of approval. (See Exhibit "A.") The Environmental

Health memorandum included in the Conditions of Approval details the notification deadlines for submittal of a technical report to the State Resources Control Board, which was reiterated in a comment letter provided by the Waterboard on April 5, 2024. The memorandum also states that the Division has no objections to approval of the application subject to the conditions recommended in the memorandum.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission's decision. Therefore, the Board denies the Third Ground of Appeal and upholds the Planning Commission's approval of the project.

D. Fourth Ground of Appeal.

Appellant's position: Appellant contends that the well pumping data from a single well is inadequate for a public water system.

Findings and Decision: The Board finds and determines that the well data from a pump test is adequate for the public water system. The requirement for a public water system is triggered by the total number of users, and the project's maximum day demand (MDD). The total number of users includes the combined employees (full time and part time), visitors and residents, and/or the total number of employees and residents. If the total number of users exceeds 25 on a peak day over a 60-day period, the water supply and related components of the facility will have to comply with the California Safe Drinking Water Act and Related Laws.

State Water Resources Control Board, Division of Drinking Water has delegated authority to Napa County to oversee water systems with less than 200 service connections in Napa County. A water system serving only one parcel is a service connection. In the instance of a large community system such as the City of Napa, each individual house is considered a service connection.

William Cole Winery is required to be served by a transient noncommunity water system, defined as a "noncommunity water system that does not regularly serve at least 25 of the same persons over six months per year." (HSC § 116275(o).) The winery has fewer than 25 employees, even with the proposed expansion beyond existing winery use permit entitlements. Additionally, it will host public wine tastings for at least 25 visitors daily for a minimum of 60 days each year. Pursuant to 22 C.R.R. § 64554, a public water system must have the capacity to meet the system's MDD. The MDD for a system with less than 1,000 service connections shall be required to have storage capacity that is equal to or greater than the MDD, unless the system can demonstrate it has an additional source of supply or has an emergency source connection that can meet the MDD requirements.

The Napa County PBES Division of Environmental Health is the permitting agency for the proposed public water system. The project, as approved by the Planning Commission on May 1, 2024, included Condition of Approval No. 4 in the Environmental Health memorandum outlining the requirements for a public water system. As part of the process for obtaining a permit for a public water system, the Environmental Health Division requires the applicant to

submit plans and a technical report. As discussed in the Findings and Decision for the Third Ground of Appeal, the plans and technical report must be submitted, reviewed, and approved prior to obtaining a building permit.

As for the well pumping data, the WAA Guidance Document, adopted May 12, 2015, states that the project is subject to preparing a Tier 2 analysis as the Project well is located within less than 500 feet of both onsite and offsite non-project wells. The Criteria does not require testing of all onsite wells, but rather that onsite or offsite wells under common ownership within 500 feet of the Project well may be assessed for potential drawdown.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission's decision. Therefore, the Board denies the Fourth Ground of Appeal and upholds the Planning Commission's approval of the Project.

E. Fifth Ground of Appeal.

Appellant's position: Appellant asserts that the Conditions of Approval are not consistent with the Caltrans comments and requirements.

Findings and Decision: The Board finds and determines that the Conditions of Approval adequately address Caltrans comments and requirements. The County received two comments from Caltrans. The first comment letter was submitted via email on March 29, 2024, to address highway operations and traffic safety, hydrology, encroachment permit, equitable access and construction related impacts. The second comment letter was submitted via email on April 11, 2024, to address design features, including consideration of pedestrian accessibility and sight distance for vehicles exiting the proposed driveway.

The project proposed onsite improvements to the existing driveway and internal circulation, as required by the Napa County Roads and Street Standards (RSS). The required improvements include widening the eastern edge of the existing driveway from 20 feet to 25 feet and a second hammerhead turnaround for Fire and Emergency vehicles next to the barn.

Conditions of approval were provided by the Engineering Division on November 9, 2023, in a memorandum. The memorandum states that the project must construct grading and drainage improvements according to the current Napa County RSS (N.C.C. Chapter 16.28) and Appendix J of the California Building Code. Conditions of Approval Nos. 5 through 7 require submission of documentation detailing erosion control measures, a Regulated Project Stormwater Control Plan, and an Operation and Maintenance Plan, prior to the issuance of a building permit which in combination are designed to reduce stormwater issues resulting from the proposed site improvement and ongoing maintenance.

Further, the application included a trip generation sheet prepared on October 5, 2022, with the existing and proposed vehicle trips. The County maintains a set of Traffic Impact Study

(TIS) Guidelines (also referred to as “Transportation Impact Study Guidelines”) that define situations and project characteristics that trigger the need to prepare a TIS. Per the County’s current TIS Guidelines dated February 2022, a project is required to prepare a TIS if it generates 110 or more new daily vehicle trips. Here, the proposed project would not result in increases in daily vehicle trips beyond the 110 thresholds and therefore, the William Cole Winery project does not require a TIS. The project also does not trigger the need for improvements to the existing shared driveway that would necessitate an encroachment permit or safety measures where the access connects with Highway 29.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission’s decision. Therefore, the Board denies the Fifth Ground of Appeal and upholds the Planning Commission’s approval of the Project.

G. Sixth Ground of Appeal.

Appellant’s position: Appellant contends that the Conditions of Approval did not incorporate the Cal Fire comments regarding the proposed change in occupancy to create a second floor tasting room in the “barn.”

Findings and Decision: The Board finds and determines that the application does not propose changes to the existing winery that would result in relocating or adding an additional tasting room or second floor to the existing 3,120 square feet, single floor barn. The project proposes to change the use of the barn from agriculture to winery barrel and production space. The Cal Fire memorandum erroneously references conversion of the existing barn to include public space such as a tasting room. The application did not propose additional alterations to the barn, nor did the application request the barn to include public spaces such as a tasting room. The proposed uses of the barn would be for production, fermentation, barrel storage, aging, and bottling.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission’s decision. Therefore, the Board denies the Sixth Ground of Appeal and upholds the Planning Commission’s approval of the Project.

H. Seventh Ground of Appeal.

Appellant’s position: Appellant asserts “that the Conditions of Approval did not provide the necessary and conceded provision for the preservation of cultural resources.”

Findings and Decision: The Board finds and determines that the project does in fact contain conditions protecting potential discovery of cultural resources. On August 26, 2019, the project site was assessed for cultural resources by Flaherty Cultural Resource Services, with no

cultural resources being identified. (Initial Study/ Negative Declaration, p.10.) The project site has largely been previously disturbed, including the area of proposed driveway widening.

If during construction archeological resources are discovered, both the IS/ND and the Conditions of Approval include standard conditions on how to handle such discoveries.

Condition of Approval No. 7.2 states the following:

“In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.” (Note the condition goes on to address the requirements if human remains should be encountered.) (See Exhibit “A.”)

Pursuant to Public Resources Code § 21080.3.1, invitations to consult on the proposed project were sent to Native American tribes who have a cultural interest in the area on December 7, 2023. No response for consult or comments were received.

Conclusion

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission’s decision. Therefore, the Board denies the Seventh Ground of Appeal and upholds the Planning Commission’s approval of the Project.

I. Eighth Ground of Appeal.

Appellant’s position: Appellant contends that the Application was incomplete, without (1) adjoining property owners list (2) associated Assessor's parcel book pages; (3) USGS Survey Quadrangle per Checklist Requirement; (4) grape source statement; (5) storm drainage plan.

Findings and Decision: The Board finds and determines that the application satisfies all County requirements for processing and was therefore deemed complete on February 18, 2024.

- (1) The information regarding property owners within 1,000 feet for the proposed project was included in the project file and available for public review. This item was not included as part of the Planning Commission packet of materials for the project because the Planning Commission does not determine application completeness. This information is incidental, used by staff for review and confirmation of the project during the course of permit processing, and not germane to final Commission review and action.
- (2) The Assessor parcel book pages were included in the project file and available for public review. For the reasons listed above in item (1), the Assessor parcel book

pages were not included as part of the Planning Commission packet of materials for the project.

- (3) The USGS Survey Quadrangle was included in the project file and available for public review. For the reasons listed above in item (1), the USGS Survey Quadrangle was not included as part of the Planning Commission packet of materials for the project.
- (4) The Initial Statement of Grape Source was included in the application packet as well as the Planning Commission Staff Report. Standard Condition of Approval No. 4.6 requires the permittee to comply with maintaining 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling wine shall be grown from Napa County grapes. The permittee is also required to maintain annual production records to ensure compliance. This information is considered proprietary, and letters of commitment from grape suppliers and supporting documents may be requested by the Director of PBES anytime during the course of winery operations.
- (5) The existing Storm Drainage Plan is illustrated in the project plans, with no additional improvements requested. N.C.C. 16.28.100 outlines requirements for a stormwater control plan and references the Bay Area Stormwater Management Agency Association (BASMAA). Based on the guidelines, a stormwater control plan would be required if a project were to create 2,500 to 5,000 square feet of new or additional impervious surface area. The subject project proposes to create less than 800 additional square feet of impervious surface area. Therefore, no stormwater control plan was required as part of the application submittal.

Conclusion:

For the foregoing reasons, the Board finds that substantial evidence exists in the record to uphold the Planning Commission's decision. Therefore, the Board denies the Eighth Ground of Appeal and upholds the Planning Commission's approval of the Project.

Section 4. CEQA Determination.

A. The Board has received and reviewed the Negative Declaration pursuant to the provisions of CEQA and of Napa County's Local Procedures for Implementing CEQA, and finds that:

1. The Negative Declaration is based on independent judgment exercised by the Board of Supervisors.
2. The Negative Declaration was prepared and considered in accordance with the requirements of CEQA.
3. There is no substantial evidence in the record as a whole that the Project will have a significant effect on the environment.
4. There is no evidence in the record as a whole that the proposed Project will have a

potential adverse effect on wildlife resources or habitat upon which the wildlife depends.

5. 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.
6. The Clerk of the Board 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.

B. The Board adopts the Negative Declaration prepared for the Project and finds that the proposed Project would not have any potentially significant effects.

Section 5. Substantial Evidence.

Substantial evidence supporting each and every finding made herein is contained in the record of proceedings. All of the files and records that comprise the administrative record for the Project are incorporated herein by reference.

Section 6. Summary of Decision.

Based on the foregoing facts, findings, rationales, determinations and conclusions, the Board of Supervisors hereby:

- A. Denies the Appeal in its entirety;
- B. Adopts the Negative Declaration;
- C. Upholds the Planning Commission's approval of Use Permit Major Modification Application No. P19-00101-MOD;
- D. Upholds the Planning Commission's approval of Variance P19-00441-VAR; and
- E. Approves the William Cole Winery Project subject to the Conditions of Approval attached as Exhibit "A."

Section 7. Effective Date.

This resolution shall take effect in accordance with the provisions of Napa County Code Section 2.88.090.

Section 8. Judicial Challenge.

Unless a shorter period applies, any judicial challenge to this decision is governed by California Code of Civil Procedure Section 1094.6.

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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 said Board
 held on the 3rd day of December 2024, by the following vote:

AYES: SUPERVISORS _____
 NOES: SUPERVISORS _____
 ABSENT: SUPERVISORS _____
 ABSTAIN: SUPERVISORS _____

NAPA COUNTY, a political subdivision of
 the State of California

 JOELLE GALLAGHER, Chair of the
 Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <i>Chris R.Y. Apallas</i> Deputy County Counsel</p> <p>Date: November 18, 2024</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____ Processed By:</p> <p>_____ Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>Date: _____ By: _____</p>
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Attachment:

- Exhibit “A” – Conditions of Approval