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Recommended Findings

**PLANNING COMMISSION HEARING – JUNE 17, 2026
RECOMMENDED FINDINGS**

**HOWELL MOUNTAIN CEMETERY
USE PERMIT P20-00030-UP, CONSERVATION REGULATIONS EXCEPTION P25-00293, AND
EXCEPTION TO THE ROAD AND SAFETY STANDARDS
1225 HOWELL MOUNTAIN ROAD, ANGWIN, CA 94508
(APN: 018-120-027-000, 018-120-043-000, & 018-120-044-000)**

ENVIRONMENTAL:

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

1. The Planning Commission has read and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) prior to taking action on said Mitigated Negative Declaration and the proposed project.
2. The Mitigated Negative Declaration is based on independent judgement exercised by the Planning Commission.
3. The Mitigated Negative Declaration and MMRP was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).
4. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment provided that measures to mitigate potentially significant impacts to biological and tribal cultural resources are incorporated into the project approval.
5. There is no evidence, in considering the record as a whole that the proposed project will have a potentially adverse effect on wildlife resource or habitat upon which the wildlife depends.
6. 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.
7. The Secretary of the Planning 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, Suite 210, Napa, CA 94559

EXCEPTION TO THE ROAD AND STREET STANDARDS:

The Commission has reviewed the attached described Road and Street Standards Exception request in accordance with Road and Street Standards Sections 3 and makes the following findings:

8. The exception will preserve unique features of the natural environment which includes, but is not limited to, steep slopes, heritage oak trees, or other trees of at least 6" dbh and found by the decision-

maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like.

Analysis: Under the Napa County Roads and Streets Standards (NCRSS), a left-turn lane (LTL) would be warranted due to the proposed plus project volumes. Although the LTL is warranted, the project would unavoidably and excessively, cause adverse affects on the unique features of the natural environment. On April 6, 2026, the Director of Public Works concluded that the Traffic Impact Study (W-Trans, December, 2025), provides the necessary evidence to forego construction of a left-turn lane. The evidence to forego the LTL consisted of impacts to a substantial number of native trees and other vegetation, which are an important part of the ecosystem in this area. Additionally, the LTL will require grading of relatively steep rock slopes, and damage or removal of related trees. These slopes are also an important part of the aesthetic of this area. Approval of an exemption to the NCRSS will ensure that these features of the natural environment will be preserved to the maximum extent possible. Additionally, not requiring the construction of a left-turn lane when there are currently no left-turn lanes along Howell Mountain Road or in the vicinity of the project site, would validate the NCRSS exception because it would maintain the existing operation and character of Howell Mountain Road, while also preserving the site's features of the natural environment.

9. Grant of the Road and Street Standards Exception will provide the same overall practical effect as the Standards do in providing defensible space, and does not adversely affect the life, safety, and welfare of the public or persons coming to the property.

Analysis: The requested NCRSS Exception would allow for the project to forego the left turn lane installation, which would prevent the removal of existing native trees and excessive grading on rocky steep slopes, while remaining consistent with the existing operation and character of Howell Mountain Road or in the vicinity of the project site. As provided in the Howell Mountain Road TIS, there were 15 collisions in the five-year period between October 1, 2014, to September 30, 2019. The study was utilized to create the Roadway Segment Collision Rate Worksheet which demonstrates a lesser rate of collisions per million vehicle miles than the statewide average, which occurs on roadways of similar conventional two (2) lane highways. A study provided by the Statewide Integrated Traffic Records System (SWITRS), utilizing the five-year period between June 1, 2017, to May 31, 2022, found that there were four (4) collisions reported on Howell Mountain Road, resulting in less than one (1) documented collision annually. Sight distance extends approximately 180 feet to the west and 260 feet to the east, and to maintain adequate site distance over time, the project has been conditioned (Condition 2 to Public Works Memorandum dated 5/27/25) to trim and maintain vegetation as recommended in the TIS, Figure 7. For those cars that do need to make a left turn into the driveway, there is adequate sight distance to allow cars to see a turning vehicle and stop to avoid it. As a result, an exception to the Napa County Road and Street Standards will not affect the project's capability to meet Napa County Fire Department's defensible space conditions, and the Department of Public Works on April 6, 2026, has reviewed this analysis and agreed with the findings. Therefore, the Exception will not adversely affect the life, safety, or welfare of the public or persons coming to the property.

EXCEPTION TO CONSERVATION REGULATIONS:

The Planning Commission has reviewed the Use Permit request in accordance with the requirements of Napa County Code (NCC) Section 18.108.040(A) and makes the following findings:

10. Roads, driveways, buildings and other man-made structures have been designed to complement the natural landform and to avoid excessive grading;

Analysis: The overall development area consists of mild to steep slopes throughout the site due to the nature of the project parcel. The proposed driveway has been designed to minimize tree removal and grading. Proposed trails shall be designed to avoid trees, stream setbacks, and slopes greater than 50%, by designing the driveway and trails to maintain the existing landform and vegetation to the maximum extent feasible in order to create a natural environment for interment of human remains.

11. Primary and accessory structures employ architectural and design elements which in total serve to reduce the amount of grading and earthmoving activity required for the project, including the following elements: a) multiple-floor levels which follow existing, natural slopes; b) foundation types such as poles, piles, or stepping levels which minimize cut and fill and the need for retaining walls; and c) fence lines, walls, and other features which blend with the existing terrain rather than strike off at an angle against it;

Analysis: The proposed structure on-site shall consist of a single-story structure to serve as the welcome center located at the end of the proposed driveway. The welcome center has been sited and designed to be constructed on a lower elevated and flat portion of the site, with the foundation utilizing spread footing or drilled piers, foregoing the need for a retaining wall and minimizing the net cut and fill. The project looks to have the welcome center follow the natural grade with a single-story structure and minimize the amount of grading.

12. The development project minimizes removal of existing vegetation, incorporates existing vegetation into the final design plan, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects;

Analysis: The project is to be implemented with the intent of minimizing the total impacts of the proposed development. The project was designed to do so by locating the trails, interment areas, and the welcome center, so that there is no removal of existing vegetation. The driveway has been designed in a manner which minimizes the extent of existing vegetation removal, with 21 out of the 27 trees proposed for removal being approved for removal by a Registered Professional Forester (Scott Butler, RPF #1851), who will be preparing a less-than-3-acre timber conversion exemption for this project. Non-approved trees proposed for removal shall be replaced at 3:1 ratio NCC per 18.108.020(D). The total project will only impact 0.6 acres of vegetation on a 109.3-acre project parcel, which results in an over 99% retention of existing vegetation.

13. Adequate fire safety measures have been incorporated into the design of the proposed development;

Analysis: The project proposed shall construct a driveway which meets the Napa County Road and Streets Standards, while also utilizing the existing driveway as an emergency access for Cal Fire. This project maintains and ensures that the project may be accessible at all times to all emergency vehicles. Site improvements shall provide and maintain defensible space as required by the Napa County Fire Department.

14. Disturbance to streams and watercourses shall be minimized, and the encroachment, if any, is the minimum necessary to implement the project;

Analysis: The proposed project does not include any disturbances to streams or watercourse, and the development does not encroach upon the 35-foot setback in place for the existing, onsite ephemeral watercourse. On the project site, the ephemeral streams and watercourse shall be avoided by designing and locating the proposed construction of the welcome center, new driveway, and the 1.5 miles of trails to follow the natural environment with minimal grading, avoiding all on-site ephemeral streams or watercourses.

15. The project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies or identified as special status species, sensitive biotic communities or habitats of limited distribution in the county's Baseline Data Report (2005 or as amended) or Environmental Resources Mapping System;

Analysis: The applicant provided an Updated Biological Resources Reconnaissance Survey, conducted by Wildlife Research Associates, dated August, 2024. The study expands on special status species of both plant and wildlife, by providing mitigation measures which prevent adverse impacts result in any special status species. Mitigations will address the five (5) special status plants which occur in the study area by implanting periodic surveys to assess and avoid adversely affecting special status plants. For special status wildlife, mitigation measures include survey and assessment of trees proposed for removal in respect to bat habitat. Additional surveys and assessments are to be implemented for any proposed tree removal or ground disturbance, outside of the general bird nesting season. The project includes environmental mitigations as conditions of approval, including the implementation of pre-construction surveys by qualified biologists for sensitive species of birds and bats. Therefore, it is not anticipated that any adverse impacts on special status species would result from project implementation.

16. An erosion control plan, or equivalent NPDES stormwater management plan, has been prepared in accordance with NCC Section 18.108.080 and has been approved by the Director or designee.

Analysis: The proposed project application submittal materials including a Stormwater Control Plan (TSD Engineering, Inc., dated August 20, 2024). The materials were reviewed by the Engineering Division and found to comply with the requirements of the County's NPDES stormwater management program approved by Napa County Engineering Division.

USE PERMIT:

The Planning Commission has reviewed the Use Permit request in accordance with the requirements of Napa County Code (NCC) Section 18.124.070 and makes the following findings:

17. The Planning Commission has the power to issue a use permit under the zoning regulations in effect as applied to the property.

Analysis: The project is consistent with zoning district regulations. Cemeteries (as listed in Napa County Code Section 18.120.010(B)(12)) are permitted in all zoning districts with an approved use permit. The project complies with the requirements of the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code) as applicable.

18. The procedural requirements for a Use Permit set in Chapter 18.124 of the Napa County Code have been met.

Analysis: Under NCC § 18.124.010, the use permit may be granted by the planning commission and a companion action is not required by the board of supervisors. The appropriate applications, fees, and public hearing requirements have been met. The hearing notice to approve the project and to adopt a Mitigated Negative Declaration under CEQA was posted and published in the Napa Valley Register on May 14, 2026. and copies of the notice were forwarded to property owners within 1,000 feet of all project parcels. In addition to the requirements, the notice of public hearing was sent to interested parties requesting such notice.

19. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Analysis: Various County divisions and departments were provided an opportunity to review and comment on the project. After the Napa County divisions and departments independently reviewed the project, the divisions provided project specific Conditions of Approval(COA's). The COA's, are provided so that any potential adverse effects on public health, safety, and welfare, are properly mitigated in relation to the project. Additionally cemeteries are primarily regulated by the State of California Department of Consumer Affairs Cemetery and Funeral Bureau (the Cemetery and Funeral Bureau) and requires a Certificate of Authority. With the additional regulation, it ensures that the proper regulations and mitigations are effectively, and properly enforced. The Certification of Authority, which includes a cemetery manager, application has been submitted by the applicant to the Cemetery and Funeral Bureau. The application includes a cemetery manager (Jim Bushey, PPI Engineering), and therefore, the cemetery as conditioned will ensure the ongoing protection of public health and safety.

20. The proposed Use Permit complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

Analysis: The subject parcel is located on land zoned as Agricultural Watershed. 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. Applicable Napa County Zoning Ordinances sections include 18.20 (AW Zoning District), 18.104 (Additional Zoning Information), 18.108 (Conservation Regulations), 18.120 (Exceptions to Use Limitations), and 18.124 (Use Permits).

In terms of General Plan policies and standards, the project is a green cemetery and will disturb approximately 0.69 acres, for the purpose of limited grading on a 109.3-acre project site and will minimize the effect on the existing vegetation and open space. The cemetery is comprised of 16.19 acres of eight interment areas ranging from 0.18 to 7.52 acres, 1.5 miles of public trails, automatic gate, driveway, parking, and welcome center. The welcome center and driveway improvements shall require a building permit, and existing landscaping shall be retained to maintain the existing integrity of the site. Interment will be green burial and marked by natural headstones which blend in with the naturally occurring on-site materials. The cemetery site is in a natural setting surrounded by mature trees and native landscaping. As the proposed project maintains the character of a preserve and will allow natural native grass species to continue to inhabit the area, the project supports General Plan Policy AG/LU-4 concerning the reservation of open space, as well as Policy CON-1 promoting the preservation of native vegetation. Land disturbance will only take place to establish the green cemetery with driveway improvements, welcome center, and daily burials. This use will not have any effect on the preservation or use of agriculturally designated land for current and future agricultural purposes,

which supports General Plan Goals AG/LU-1 regarding agricultural preservation.

APPLICABLE GENERAL PLAN GOALS AND POLICIES ANALYSIS:

Policy AG/LU-4: The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space, except for those lands which are shown on the Land Use Map as planned for urban development.

Policy AG/LU-64: To maintain the rural atmosphere of the Angwin community, the County will not promote policies that encourage land uses that are incompatible with or out of character with the area, recognizing that a large part of the community's character is derived from its wooded setting.

Policy AG/LU-67: The County will continue to maintain a road network to service the needs of Angwin residents and provide accessibility to emergency vehicles.

Policy CIR-5: Roadways outside the urbanized areas of the county shall reflect the rural character of the county

Policy CIR-7: Roadway improvements shall be designed to conform to existing landforms and shall include landscaping and/or other treatments to ensure that aesthetics and rural character are preserved.

Policy CIR-15: The County shall maintain and apply consistent highway access standards regarding new driveways to minimize interference with through traffic while providing adequate local access. The County shall also maintain and apply consistent standards (though not exceeding public road standards) regarding road widths, turn lanes, and other improvements required in association with new development. Application of these standards shall consider the level of improvements on contiguous roads.

Policy CIR-19: Applicants proposing new discretionary development projects with the potential to significantly affect traffic operations shall be required to prepare a traffic analysis prior to consideration of their project by the County and shall be required to mitigate project impacts and to pay their fair share of countywide cumulative traffic improvements based on their contribution to the need for these improvements.

Policy CIR-23: New uses shall provide adequate parking to meet their anticipated parking demand and shall not provide excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site's capacity. The concept of shared parking may be considered.

Goal CC-1: Preserve, improve, and provide visual access to the beauty of Napa County.

Policy CC-1: The County will retain the character and natural beauty of Napa County through the preservation of open space.

Policy CC-6: The grading of building sites, vineyards, and other uses shall incorporate techniques to retain as much as possible a natural landform appearance. Examples include:

- a) The overall shape, height, and grade of any cut or fill slope shall be designed to simulate the existing natural contours and scale of the natural terrain of the site.

- b) The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.
- c) Sharp, angular forms shall be rounded and smoothed to blend with the natural terrain.

Policy CON-1: The County will preserve land for greenbelts, forest, recreation, flood control, adequate water supply, air quality improvement, habitat for fish, wildlife and wildlife movement, native vegetation, and natural beauty. The County will encourage management of these areas in ways that promote wildlife habitat renewal, diversification, and protection.

Policy CON-4: The County recognizes that preserving watershed open space is consistent with and critical to the support of agriculture and agricultural preservation goals.

Goal CON-2: Maintain and enhance the existing level of biodiversity.

Goal CON-3: Protect the continued presence of special-status species, including special-status plants, special-status wildlife, and their habitats, and comply with all applicable state, federal, or local laws or regulations.

Goal CON-4: Conserve, protect, and improve plant, wildlife, and fishery habitats for all native species in Napa County.

Goal CON-5: Protect connectivity and continuous habitat areas for wildlife movement.

Goal CON-6: Preserve, sustain, and restore forests, woodlands, and commercial timberland for their economic, environmental, recreation, and open space values.

Policy CON-27: The County shall enforce compliance and continued implementation of the intermittent and perennial stream setback requirements set forth in existing stream setback regulations, provide education and information regarding the importance of stream setbacks and the active management and enhancement/restoration of native vegetation within setbacks, and develop incentives to encourage greater stream setbacks where appropriate. Incentives shall include streamlined permitting for certain vineyard proposals on slopes between 5 and 30 percent and flexibility regarding yard and road setbacks for other proposals.

Policy CON-48: Proposed developments shall implement project-specific sediment and erosion control measures (e.g., erosion control plans and/or stormwater pollution prevention plans) that maintain pre-development sediment erosion conditions or at minimum comply with state water quality pollution control (i.e., Basin Plan) requirements and are protective of the County's sensitive domestic supply watersheds. Technical reports and/or erosion control plans that recommend site-specific erosion control measures shall meet the requirements of the County Code and provide detailed information regarding site specific geologic, soil, and hydrologic conditions and how the proposed measure will function.

Policy CON-53: The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances, adequate demonstration of availability may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County

Code “fair-share” provisions or applicable State law. In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.

Goal E-2: Develop and promote a diversity of business opportunities, which do not conflict with agriculture.

Goal ROS-1: To ensure an extensive landscape of open spaces in which recreation, the protection of natural, cultural, and archaeological resources, agricultural production, and private property are mutually supportive and complementary.

Policy ROS-1: The County encourages the acquisition, location, design, management, and operation of recreational open space and facilities, in ways that protect natural resources, enhance natural habitats, conserve agricultural lands, maintain agricultural productivity, and respect private property. The County shall coordinate with and support the Napa County Regional Park and Open Space District in implementing this policy.

Policy ROS-8: Minimize potential negative impacts of proposed open space improvements and uses through appropriate design and by requiring mitigation for any remaining significant impacts.

Policy SAF-10.6: Meet or exceed fire safety standards for Napa County buildings and roads. The County should set a good example and meet or exceed fire safety standards and defensible space requirements for all Napa County buildings and roads.

21. That, in the case of other groundwater basins, or areas which do not overlay an identified groundwater basin, substantial evidence has not been presented which demonstrates that the new water system or improvement might cause a significant adverse affect on any underlying groundwater basin, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit.

Analysis: The proposed project parcel is located outside of groundwater basins identified as “groundwater deficient areas” under Napa County Code Section 13.15.010. The proposed use would require a new water system and improvements, however the proposed well is a replacement to the existing well (E15-00784) and the proposed use results in a net decrease of Acre-feet per year. By reducing the net water usage, increasing the proposed well distance to the existing spring, and utilizing a replacement well, a Tier II WAA was not warranted, additionally the project did not trigger the Tier III WAA due to the project site being located more than 1,500 feet away from a significant stream. Therefore, the proposed cemetery shall not cause significant adverse effects, either individually or cumulatively, on an affected groundwater basin in Napa County.