STATUS DETERMINATION
PROCESS

Applicability: The status determination process is a voluntary process that allows any property owner and/or permittee to submit an application and initiate a review by County staff to confirm the scope and extent of their existing legal entitlements and/or permissible uses of their property.

Purpose: The purpose of a status determination is solely to document and/or delineate existing property rights, and not to reduce or affect established entitlements. Likewise, status determinations do not authorize, permit, modify or expand any land uses, but merely confirm existing legal entitlements already granted by the County. Status determinations do not authorize new uses or structures and do not authorize or grandfather historic uses or structures that were not legally established. Applicants desiring a determination on the legality of historic structures or uses would apply for a Certificate of Present Extent of Legal Nonconformity pursuant to County Code Section 18.132.050.

Review Process: Applications for status determinations are reviewed by a panel comprised of staff from the Planning, Building and Environmental Services Department, County Counsel’s office, and to the extent necessary, the Fire Department and Public Works Department. The panel would review and evaluate existing use permits, use permit modifications, other land use entitlements, and any other documentary evidence demonstrating that the use or structure was legally established. Because status determinations confirm existing legal entitlements rather than new entitlements, they are ministerial and not subject to the California Environmental Quality Act (CEQA) and are not subject to a public hearing or meeting.

Determination: After completing its review and within 120 days of submittal of a complete application, the panel will issue a written decision that would provide the property owner and/or permittee with a clear analysis and understanding of both their rights and obligations. This decision would be relied upon by the County and applicant to assist in establishing the CEQA baseline for future applications. The decision would also identify if a particular land use is within the scope of the existing entitlements. Status determinations may be appealed pursuant to County Code Chapter 2.88.
APPLICATION FOR STATUS DETERMINATION

FOR OFFICE USE ONLY

ZONING DISTRICT: ___________________________ Date Submitted: ________________
TYPE OF APPLICATION: ___________________________ Date Published: ________________
REQUEST: __________________________________________ Date Complete: ________________
_______________________________________________________________________________________________
_______________________________________________________________________________________________

TO BE COMPLETED BY APPLICANT

(Please type or print legibly)

PROJECT NAME: __________________________________________________________________________________
Assessor's Parcel #: ________________________________ Existing Parcel Size: _____________________
Site Address/Location: No. Street City State Zip
Property Owner's Name: ____________________________________________________________________________
Mailing Address: _________________________________________________________________________________
Telephone #: (____)_____-________ Fax #: (____)_____-___________ E-Mail: _____________________________
Applicant's Name: __________________________________________________________________________________
Mailing Address: _________________________________________________________________________________
Telephone #: (____)_____-________ Fax #: (____)_____-___________ E-Mail: _____________________________
Status of Applicant’s Interest in property: _____________________________________________________________
Representative Name: ______________________________________________________________________________
Mailing Address: _________________________________________________________________________________
Telephone #: (____)_____-________ Fax #: (____)_____-___________ E-Mail: _____________________________

I certify that all the information contained in this application is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor’s Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

____________________________________________  _____________________________________________
Signature of Property Owner  Date    Signature of Applicant   Date

Print Name        Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Application Fee $_______________Receipt No. ____________________Received by: ______________ Date: ___________
STATUS DETERMINATION

APPLICATION CHECKLIST

1. ___ Completed and signed application

2. ___ All available Use Permit, Use Permit Modification, or other Approval documents available to the applicant.

3. ___ Documentation showing that the use/structure was legal at the time of the establishment of the use (i.e. approval of Use Permit and Modifications, and other issued permits).

4. ___ Copies of the complete Assessor’s Record for the subject property.

5. ___ Digital copies- Submit digital copies (Adobe PDF format) of all submitted information, including all forms, reports, plans, elevations, and/or photos. Digital copies must also be submitted with any and all revisions or re-submitals.

6. ___ Application fee. Please bring a check payable to the County of Napa.
Insert the adopted BOS Resolution on Code Compliance
DETERMINATION DECISION OPTIONS

- Winery to Proceed with Current Activities; or
- Winery to Initiate an Application for a Use Permit or Use Permit Modification to Seek Authorization for Winery Activity and/or Structure Expansion

NEXT STEP(S)

- Initiate Application for Use Permit or Use Permit Modification, or