ORDINANCE NO. 1455

AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, AMENDING SECTION 18.10.020 OF CHAPTER 18.10 (ZONING ADMINISTRATOR) SECTION 18.124.080 AND SECTION 18.124.130 OF CHAPTER 18.124 (USE PERMITS) AND SECTION 18.126.030 AND ADDING A NEW SECTION 18.126.065 TO CHAPTER 18.126 (ADMINISTRATIVE PERMITS) OF TITLE 18 (ZONING) OF THE NAPA COUNTY CODE REGARDING ISSUANCE OF SMALL WINERY USE PERMITS AND MODIFICATIONS TO WINERY USE PERMITS

WHEREAS, in 2008, the Napa County Board of Supervisors adopted a comprehensive update to the General Plan, which reaffirmed the County's longstanding commitment to ensure that agriculture and related activities remain the primary land use in the unincorporated area; and

WHEREAS, in support of this commitment, the 2008 General Plan included Agricultural Preservation and Land Use (AG/LU) Policy AG/LU-16, which states that in recognition of their limited impacts, the County will consider affording small wineries a streamlined permitting process; and

WHEREAS, for purposes of Policy AG/LU-16, "small wineries" are those that produce a small quantity of wine using grapes mostly grown on site and host a limited number of small marketing events each year; and

WHEREAS, Policy AG/LU-16 is advanced by Action Item AG/LU-16.1, which charged the County with considering amendments to the Zoning Ordinance defining "small wineries," a "small quantity of wine," "small marketing events," and "mostly grown on site," and establishing a streamlined permitting process for small wineries that retains the requirement for a use permit and environmental review under the California Environmental Quality Act (CEQA); and

WHEREAS, in 2019, Napa County adopted a Strategic Plan to guide policymaking for the years 2019 through 2022, which prioritized efforts to sustain agriculture and the environment and advance the health, safety, and the economic well-being of its residents; and

WHEREAS, Strategic Action 9.G of the Strategic Plan sets a goal to improve the processes of the Planning, Building and Environmental Services (PBES) Department to provide a healthy and welcoming business environment; and

WHEREAS, Strategic Action 9.H sets a goal to protect family-owned businesses, local wineries, and small farmers as a vital part of the economy; and

WHEREAS, a process improvement study conducted by the PBES Department in 2018 identified opportunities to provide clarity to the use permit process, including the approval of modifications to existing permits, and to shorten the processing times required for various land use approvals; and

WHEREAS, several wineries in the County were authorized under a previous regulatory program allowing an exemption from the use permit requirement for "small wineries," defined as wineries that produce less than 20,000 gallons of wine annually, are located on a parcel of land four acres or larger in size, and do not conduct public tours, provide wine tastings, sell wine-related items, or hold social events of a public nature; and

WHEREAS, when the County adopted the Winery Definition Ordinance in 1990, these small wineries were allowed to continue operating without a use permit, but could not expand or modify operations without applying for a new use permit, approved by the Planning Commission; and

WHEREAS, after a public workshop on October 15, 2019, the Board of Supervisors directed staff to prepare this proposed ordinance to (1) create a streamlined process for small

wineries to convert their exemptions into use permits through a public hearing before the Zoning Administrator rather than a hearing before the Planning Commission; (2) delineate categories of modifications to use permits, with appropriate levels of public review and approval based on the extent of the modifications; and (3) streamline major modifications to use permits in the Napa Valley Business Park; and

WHEREAS, the proposed ordinance would create a streamlined process for those wineries that were established under the small winery exemption program and that meet the criteria for a small winery use permit to be heard and considered by the Zoning Administrator, but would not allow for the approval of new wineries that did not have previous entitlements; and

WHEREAS, Projects processed as small winery use permits would remain discretionary and subject to public notice and hearing requirements and the minimum parcel size for wineries set forth in Section 18.104.240 of the County Code; and

WHEREAS, the proposed ordinance would establish two categories of modifications to use permits that would be approved by the zoning administrator or the PBES Director without a public hearing but with public notice, and would provide more clarity and definition about the range of actions that can be considered under each category, to allow the public, applicants, and staff to have a better understanding of the process; and

WHEREAS, the proposed ordinance would provide a simplified process for approval of modifications to use permits for projects located in the Napa Valley Business Park area; and

WHEREAS, portions of the proposed amendment are consistent with the 2008 General Plan as adopted by Napa County, and are consistent with the Environmental Impact Report as certified by Napa County for the General Plan; therefore, pursuant to Section 15183 of the

California Environmental Quality Act (CEQA) Guidelines (Projects Consistent with a Community Plan, General Plan, or Zoning), no additional environmental review is required for those portions of this proposed amendment. The Board has complied with the requirements of CEQA with respect to this proposed amendment; and

WHEREAS, prior to the consideration and adoption of this ordinance, the County complied with the noticing requirements of County Code Section 18.136.040.

The Napa County Board of Supervisors, State of California, ordains as follows:

SECTION 1. Section 18.10.020 (Duties - Specific subjects) of Chapter 18.10 (Zoning Administrator) of the Napa County Code is amended to read in full as follows:

18.10.020 Duties—Specific subjects.

The zoning administrator shall hear and decide all applications for the following unless, in the zoning administrator's sole discretion, the zoning administrator determines that the matter (1) is of a size, importance, or unique nature such that it is judged not to be a routine matter; (2) involves potentially significant environmental impacts; or (3) is such that the public interest would be furthered by having a particular application heard and decided by the planning commission:

A. Permits and modifications thereof for the following:

1. Farmworker housing as defined by Section 18.08.294 of this code;
2. Cottage food operations;
3. Kennels and veterinary facilities;
4. Multiple-family dwelling units;
5. (Reserved);
6. Undergrounding of gas, electric, telephone, or cable television lines;
7. Noncommercial wind energy and conversion systems;
8. Child day care centers;
9. Residential care facilities (medium) and (large);
10. Following a public hearing noticed in accordance with Section 18.136.040, use permits for small wineries as defined by Section 18.08.600 of this code that were issued a certificate of exemption prior to February 22, 1990, recognizing the extent of existing legal entitlements or allowing the following uses provided the application meets all of the following qualifications:

a. Has an annual maximum of 20,000 gallons or less of wine production;

b. Generates no more than forty (40) Average Daily Trips (ADT) (twenty daily round trips) by tasting room visitors, all winery employees including seasonal employees, and deliveries to the winery. The use permit will not trigger application of the Napa County Road and Street Standards unless the total ADT from all uses exceeds forty (40) ADT or the inspection authority determines that improvements are required to comply with the State Fire Code, State

Responsibility Area Fire Safe Regulations, or adopted left-turn lane warrants required for all projects;

c. Has a maximum of 10,000 square feet of occupied space, including buildings, caves, and cut and cover caves, but excluding unenclosed space, such as covered crush pads;

d. Conducts a maximum of eleven marketing events per year. Ten such events may allow attendees up to a total amount of vehicle trips that does not exceed twenty-four ADT (twelve daily round trips,) and one such event may allow attendees up to a total amount of vehicle trips that does not exceed forty ADT (twenty daily round trips). The ADT for all winery uses, including deliveries, tours and tastings, and employees, on days when a marketing event occurs shall not exceed forty ADT; and

e. Following approval of a use permit under this subsection, no subsequent application for an increase in production of wine, tasting room visitation, or marketing events shall be considered within two years after approval.

11. (Reserved);

12. (Reserved);

13. Modifications of use permits under subsection (E) of Section 18.124.130;

14. Farmworker centers as defined by Section 18.08.293 of this code;

15. (Reserved);

16. (Reserved);

B. (Reserved);

C. Merger of substandard parcels, but only if the parcels meet the requirements set forth in Section 17.48.040;

D. (Reserved);

E. Summary reversions to acreage, but only after making the findings required by Section 17.50.070;

F. (Reserved);

G. Licenses for Category 3 temporary events as defined in Section 5.36.015 if a hearing is requested and Category 4 temporary events as defined in Section 5.36.015 if not referred to the board;

H. Certificates of present extent of legal nonconformity in accordance with the procedure set forth in Section 18.132.050;

I. Minor amendments of tentative, parcel and final maps in accordance with the procedure set forth in Sections 17.26.030 through 17.26.050 and Section 17.26.060 for modifications to or elimination of slope easements, and for this purpose the zoning administrator shall be deemed an "advisory agency" as defined in Chapter 17.02;

J. Variances, pursuant to Chapter 18.128 of this code (commencing with Section 18.128.010) and excepting therefrom any variances from the terms of the Conservation Regulations as set forth in Chapter 18.108;

K. (Reserved);

L. Applications for extensions of the life of a tentative map;

M. Minor modifications to use permits as described in subsection (B) of Section 18.124.130 and modifications to winery use permits as described in subsections (C)(1) through (C)(7) of Section 18.124.130, after making the findings required by Section 18.124.130;

N. Variances from the standards for mobilehome parks in accordance with Section 15.40.310, or any successor amendment thereof;

O. (Reserved); and

P. Applications for exceptions to the county's adopted road and street standards in connection with a building permit clearance for a single-family residence or other ministerial permit clearance.

SECTION 2. Section 18.124.080 (Automatic expiration of use permits) of Chapter 18.124 (Use Permits) of the Napa County Code is amended to read in full as follows:

18.124.080 Automatic expiration of use permits.

A. Subject to Sections 18.124.090 and 18.124.091 of this chapter, unless one or more of the following conditions occur, a use permit shall, without further action by any county officer or body, expire and become void two years after the date the approving officer or body orders the use permit issued or, if an appeal is taken to the board of supervisors, two years after the date the decision of the board on appeal becomes final; provided, however, that if a shorter or longer time period is included in the conditions of approval of the use permit, that time period shall control (for purposes of this chapter this date shall hereafter be referred to as the "use permit expiration date"):

1. Substantial evidence exists that the use permit has been used. Substantial evidence of use may be demonstrated by any of the following:

a. Securing a building permit, wastewater or sewage disposal permit, or other construction permit for the project and having commenced construction pursuant to such permit prior to the use permit expiration date; provided, however, that if the total development envisioned by the use permit requires the construction of one or more foundations or the construction of a wastewater or sewage disposal system, bridge, cave or similar improvement, the holder of the use permit shall be deemed to have commenced construction only by having constructed, pursuant to a lawful permit, the entire foundation for one of those improvements, or having constructed the wastewater or sewage disposal system, prior to the use permit expiration date.

b. In the case of projects requiring regional, state or federal approvals subsequent to the issuance of the use permit before construction may commence, by a showing that sufficient funds have been expended (or liabilities incurred) in the process of securing those approvals in an amount that is equivalent to the cost of constructing any foundation, wastewater or sewage disposal system, bridge, or similar improvement required by the use permit.

c. By showing that, subsequent to the issuance of the use permit and prior to the use permit expiration date, sufficient funds have been expended (or liabilities incurred) in preparing the site for construction that is equivalent to the cost of constructing any foundation, wastewater or sewage disposal system, bridge, cave or similar improvement required by the use permit.

For purposes of this subsection, grading or expenses directly related to grading activities shall not be considered as evidence that the use permit has been used, the commencement of construction or the preparation of a site for construction.

d. In cases where a building permit, wastewater or sewage permit, or any other construction permit other than a grading permit is not required, the permit is used by actually commencing the activity authorized by the use permit, after compliance with all use permit conditions, prior to the use permit expiration date.

2. The commission grants an extension of time consistent with the requirements of subsection (A) of Section 18.124.130.

3. The director grants an extension of time consistent with the requirements of subsection (P) of Section 18.126.065.

4. An extension of time was granted by the director through the very minor modification process pursuant to subsection (C) of Section 18.124.130 between April 1, 2009 and December 1, 2011.

B. If a use permit is granted in which some of the development activities permitted require the issuance of a building permit, wastewater or sewage permit, or other construction permit other than a grading permit, and some require only administrative approval, the portions of the use permit requiring the issuance of a building permit, wastewater or sewage permit, or other construction permit shall not be deemed to have been used, and are subject to the automatic expiration provisions of this section, unless compliance with subsection (A)(1)(d) of this section has occurred prior to the expiration date.

SECTION 3. Section 18.124.130 (Use permit modifications – Procedure – Size limitation) of Chapter 18.124 (Use Permits) of the Napa County Code is amended to read in full as follows:

18.124.130 Use permit modifications—Procedure—Categories.

A. Except as otherwise provided in subsections (B), (C) and (D) of this section, modifications to an approved use permit shall be processed in the same manner and in compliance with the procedures set forth herein for use permits and appeals, including notice and the payment of applicable permit application fees.

B. Upon receipt of a written request from the holder of a use permit, other than a winery use permit which shall be processed as set forth in subsection (C) below, the zoning administrator may approve minor non-controversial modifications to approved use permits after giving notice of intent to approve or deny, but without a public hearing in regard to project design or permit conditions which do not affect the overall concept, density, intensity or environmental impact of, or substantially alter or delete any environmental mitigation measure for the project. Consistent with the foregoing, the zoning administrator may approve changes in location and/or size of approved structures or portions thereof, provided that, the zoning administrator shall not consider or approve a minor modification if the result of the approval of the requested minor modification would result in any structure or the aggregate of all approved structures being increased more than twenty-five percent in size or one story in height based on the size allowed under the approved use permit. Equipment enclosures whose permanent installation outdoors was approved by use permit are not subject to this size limitation.

1. Notice of intent to approve or deny, for purposes of this subsection, shall include a general explanation of the matter to be considered, a general description, in text or by diagram, of the location of the subject real property, and a statement that the zoning administrator intends to approve or deny the requested modification on a certain date not less than ten calendar days after the date of mailing of the notice unless a member of the public requests a public hearing prior to that date.

2. Notice of intent, for purposes of this subsection, shall be mailed or delivered as follows:

a. To the owner of the subject real property or the owner's duly authorized agent and to the project applicant if the project applicant is neither the owner of the property nor the owner's duly authorized agent; and

b. To all owners of real property, including businesses, corporations or other public or private entities, as shown on the latest equalized assessment roll within one thousand (1000) feet of the real property that is the subject of the proposed zoning change. In lieu of utilizing the assessment roll, the records of the county assessor or tax collector which contain more recent information than the assessment roll may be used.

3. If any member of the public requests a public hearing during the comment period, then the zoning administrator will provide public notice in accordance with Section 18.136.040 and conduct a public hearing.

C. Upon receipt of a written request from the holder of a winery use permit, the zoning administrator may approve minor modifications to winery use permits in accordance with the procedures set forth in subsection (D) below. There will be no public hearing for such minor modifications. Such minor modifications will not trigger application of the Napa County Road and Street Standards unless the total ADT from all uses exceeds forty (40) ADT or the inspection authority determines that improvements are required to comply with the State Fire Code, State Responsibility Area Fire Safe Regulations, or adopted left-turn lane warrants required for all projects. Modifications to winery use permits are considered minor modifications under this subsection if the change in operations consists of any of the following:

1. Any increase in the number of full-time equivalent existing permitted employees up to a total of ten employees or by up to ten percent, whichever is greater;

2. Any increase in (1) the number of full-time equivalent existing permitted employees, including seasonal employees, (2) tours and tastings, or (3) deliveries, such that the total number of vehicle trips for all such uses on the property does not exceed forty (40) ADT or twenty (20) daily round trips;

3. An increase in wine production up to a maximum of 30,000 gallons annually, or an increase of ten percent over the existing approved amount;

4. An addition or increase in the number of marketing events, up to a total of eleven (11) marketing events per year. Ten (10) such events may allow attendees for each event up to a total that does not exceed twenty-four (24) ADT (twelve (12) daily round trips,) and one (1) such event may allow attendees for such event up to a total that does not exceed forty (40) ADT (twenty (20) daily round trips). The ADT for all winery uses on days when a marketing event occurs shall not exceed forty (40) ADT. The approval of marketing events under this subsection may include the change in hours of operation during which such events may occur to include times after 6:00 pm, provided the project applicants cease all operations by 11:00 pm;

5. Any change in days of operation provided there is no increase in visitation, except pursuant to this section;

6. Any change in aggregate building footprint (including caves) by a maximum of ten thousand (10,000) square feet or twenty-five percent of the total footprint, whichever is greater, where there is no cumulative increase in paved or impervious ground surface area beyond twenty-five percent of the subject parcel or fifteen acres, whichever is less; and/or

7. Addition of a new high-risk commercial kitchen where there is an existing medium- or low-risk kitchen on the property.

D. Notice of intent to approve or deny, for purposes of subsection (C) above, shall include a general explanation of the matter to be considered, a general description, in text or by

diagram, of the location of the subject real property, and a statement that the zoning administrator intends to approve or deny the requested modification on a certain date not less than ten calendar days after the date of mailing of the notice. Notice of intent, for purposes of this subsection, shall be given as follows:

1. To the owner of the subject real property or the owner's duly authorized agent and to the project applicant if the project applicant is neither the owner of the property nor the owner's duly authorized agent;

2. To all owners of real property, including businesses, corporations or other public or private entities, as shown on the latest equalized assessment roll within one thousand feet of the real property that is the subject of the proposed project. In lieu of utilizing the assessment roll, the records of the county assessor or tax collector which contain more recent information than the assessment roll may be used; and

3. By posting the notice on the county's website for the PBES Department.

E. Upon receipt of a written request from the holder of a use permit relating to a property subject to the Napa Valley Business Park Specific Plan, including winery use permits, the zoning administrator may approve any modification to approved use permits after giving notice and holding a public hearing pursuant to subsection (B) above.

F. Upon receipt of a written request from the holder of a use permit, other than a winery use permit, which shall be processed as set forth in subsection (C) above, the director may administratively approve very minor, non-controversial modifications to approved use permits without public notice, including the following:

1. An extension of use permit expiration time not to exceed one year beyond the then-operative date of use permit expiration as established in conformance with this chapter, provided that the director shall not approve more than three such extensions of any one use permit or use permit modification approval; and

2. Small (less than ten percent) changes in square footage or building footprint;

3. Realignment of internal circulation roads;

4. Similar items at the discretion of the director.

G. Any modification to a use permit that exceeds the thresholds listed above in this section will be considered a major modification subject to consideration and a decision by the Planning Commission.

SECTION 4. Section 18.126.030 (Issuance) of Chapter 18.126 (Administrative Permits) of the Napa County Code is amended to read in full as follows:

18.126.030 - Issuance.

Subject to the provisions of this chapter, an administrative permit may be issued by the director, or zoning administrator as provided by subsection (A) of Section 18.10.020, for any of the following:

A. A temporary event;

B. A home occupation;

C. An entry structure;

D. Directional, identification, temporary off-site and/or agricultural signs, and comprehensive sign plans;

E. A temporary trailer;

F. Administrative modifications to winery use permits as described in Section 18.126.065;

G. Hot air balloon launching sites involving fifty or fewer days of launches or attempted launches at the same site per year. For purposes of this chapter, anytime the permittee stages or sets up balloon equipment in anticipation of a launch at the same site, the site shall be deemed used and it shall count towards the maximum fifty launching days allowed per year regardless of whether an actual launch occurs;

H. (Reserved);

I. Small wind energy systems pursuant to the requirements of Chapter 18.117 of this Code; and/or

J. Cottage food operation.

SECTION 5. A new Section 18.126.065 entitled "Administrative Permits – Wineries" is hereby added to Chapter 18.126 (Administrative Permits) of the Napa County Code to read in full as follows:

18.126.065 Administrative Permits – Wineries

A winery operating under a use permit, or other entitlement consistent with this Title, may make the following additions, modifications, or changes to winery structures or operations through issuance of an administrative permit under this chapter, provided: (1) the additions, modifications, or changes are not otherwise subject to a discretionary permit under this Title; (2) the landowner complies with all other requirements of the County Code; (3) the landowner obtains any and all permits required by state law or the County Code, including without limitation, any building permits, environmental health permits, or storm water discharge permits; (4) the property is not located on a site that is included on any list of hazardous waste sites compiled pursuant to Government Code Section 65962.5; and (5) the proposed additions, modifications, or changes are not located within environmentally sensitive areas:

A. Any interior remodel or changes to structures, provided the accessory-to-production ratio remains consistent with the requirements of Section 18.104.200 of this code;

B. Additions of outdoor shade structures over areas previously approved for winery use not exceeding a cumulative total of 2,500 square feet in floor area, provided the accessory-to-production ratio remains consistent with the requirements of 18.104.200 of this code;

C. Additions of charging stations for electric vehicles;

D. Additions of systems to process, distribute, and/or store recycled water;

E. Additions of enclosures for trash receptacles;

F. Additions of covers over previously approved crush pads;

G. Changes or additions to plumbing, diverters, drains or other mechanisms for storm water control, consistent with Chapter 16.28 of this code;

H. Changes to or additions of permanent tanks within previously approved winery development areas, provided no increase in production is allowed;

I. Additions of bicycle facilities, including but not limited to bicycle racks;

J. Use of a temporary trailer during construction occurring on the property, consistent with the requirements of section 18.126.060(K);

K. Change in the occupancy of a winery cave, permitted pursuant to Chapter 15.12 of the County Code and the California Building Code, provided the cave use remains consistent

with the requirements of Section 18.104.200 and the change does not include an increase in visitation or marketing;

L. Installation of water system improvements or connection to municipal water service, consistent with any required approval by any local water agency and/or the Local Agency Formation Commission, and provided there is no increase in water use or groundwater demand;

M. Installation of waste water improvements or changes from off-site disposal to on-site treatment or disposal, subject to the requirements of Title 13 of this code and any applicable state laws or regulations, provided there is no increase in waste water generation or treatment capacity;

N. A change to hours of operation between the hours of 9:00 am and 6:00 pm;

O. Removal of existing conditions of approval regarding custom crush facilities;

P. An extension of use permit expiration time, subject to the limitations set forth in section 18.124.080;

Q. Designation of the location of on-site wine consumption, consistent with Section 23358 of the Business and Professions Code, within the existing winery development area, provided the location is not within five hundred (500) feet from the nearest off-site residence and there is no increase in visitation or marketing;

R. Change in the number of parking spaces or the alignment of internal roads and driveways, provided there is no cumulative increase in paved or impervious ground surface area beyond twenty-five percent of the subject parcel or fifteen acres, whichever is less;

S. Additions of landscaping or modifications to existing landscaping, consistent with Chapter 18.118 of this code, provided there is no increase in groundwater use;

T. Expansions or improvements to permitted food service facilities, or additions of low- or medium-risk kitchens where food service (i.e., catering) has been previously approved, provided there is no increase in visitation or marketing; and

U. Increases or changes in building square footage by no more than ten (10) percent, not to exceed 2,500 square feet.

SECTION 6. As set forth in the staff report accompanying this ordinance, the Board of Supervisors finds that portions of this ordinance are consistent with the 2008 General Plan as adopted by Napa County, and are consistent with the Environmental Impact Report as certified by Napa County for the General Plan; therefore, pursuant to Section 15183 of the California Environmental Quality Act (CEQA) Guidelines (Projects Consistent with a Community Plan, General Plan, or Zoning), those portions require no additional environmental review. Further, the Board of Supervisors finds that adoption of this ordinance is exempt from the provisions of the CEQA pursuant to Categorical Exemption Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15301; Categorical Exemption

Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15303; Categorical Exemption Class 4 ("Minor Alterations to Land") which may be found in the guidelines for the implementation of the CEQA at 14 CCR §15304; and General Rule in that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines for the Implementation of the CEQA 14 CCR §15061(b)(3)].

The Board further finds that this ordinance will not impact an environmental resource of hazardous or critical concern, has no cumulative impact, there is no reasonable possibility that the activity may have a significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, is not located on a list of hazardous waste sites, will not cause substantial adverse change in the significance of a historical resource or extract groundwater in excess of the Phase 1 groundwater extraction standards as set by the Department of Public Works.

SECTION 7. Pursuant to Chapter 4, Title 7, commencing with Section 65800, of the California Government Code, this ordinance is consistent with the following policies and goals of the 2008 General Plan: Goals AG/LU –3, AG/LU-6, Policies AG/LU-1, AG/LU-2, AG/LU-4, AG/LU-8, AG/LU-16, AG/LU-107, and Economic Development (E) Goal E-1 and Policy E-2.

SECTION 8. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared

invalid.

SECTION 9. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 10. A summary of this ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

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The foregoing ordinance was recommended for adoption and public hearing held thereon before the Napa County Planning Commission at a regular meeting of the Commission on the 18th day of December, 2019. The Planning Commission's recommendation was considered by the Board of Supervisors and this ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors (the Board), State of California, held on the 28th day of January, 2020, and passed at a regular meeting of the Board held on the 4th day of February, 2020, by the following vote:

AYES:	SUPERVISORS	PEDROZA, GREGORY, WAGENKNECHT, RAMOS and DILLON
NOES:	SUPERVISORS	NONE
ABSTAIN:	SUPERVISORS	NONE
ABSENT:	SUPERVISORS	NONE

NAPA COUNTY, a political subdivision of the State of California

By: Diane Dillon

DIANE DILLON, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel By: *Jason M. Dooley* Deputy County Counsel By: *Meredith A. Trueblood* County Code Services Date: January 28, 2020	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: February 4, 2020 Processed By: Clerk of the Board	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors By:

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATION BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____,
JOSE LUIS VALDEZ, CLERK OF THE BOARD