



Agenda Date: 10/10/2006
Agenda Placement: 8D
Set Time: 11:00 AM PUBLIC HEARING
Estimated Report Time: 15 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Susan Ingalls for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Susan Ingalls, Paralegal, 259-8152
SUBJECT: First and final reading - Use Permit Modification Ordinance

RECOMMENDATION

First and final reading and adoption of an ordinance amending Section 18.124.120 of the Napa County Code as it relates to the County's ability to revoke, suspend or modify a use permit.

EXECUTIVE SUMMARY

The proposed ordinance would amend the procedures for revoking a use permit to give the Planning Commission more options in lieu of revocation. It would give the Commission the ability to suspend a use permit and also expressly give the Commission the ability to modify use permit conditions of approval in connection with revocation proceedings. The ordinance also clarifies the notice process for revocation, suspension or modification of a use permit and also contains a new section that would prohibit an applicant from re-applying for a use permit within one year after the permit has been either denied or revoked.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

General Rule. 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 California Environmental Quality Act, 14 CCR 15061(b)(3)].

BACKGROUND AND DISCUSSION

On September 20, 2006, at a duly noticed public hearing before the Napa County Conservation, Development and Planning Commission, the ordinance was introduced, public testimony was taken, and the Planning Commission recommended that the ordinance be forwarded to the Board of Supervisors for adoption.

The proposed ordinance would amend the procedures for revoking a use permit to give the Planning Commission more options in lieu of revocation. It would give the Commission the ability to suspend a use permit and also expressly give the Commission the ability to modify use permit conditions of approval in connection with revocation proceedings. The ordinance also clarifies the notice process for revocation, suspension or modification of a use permit and also contains a new section that would prohibit an applicant from re-applying for a use permit within one year after the permit has been either denied or revoked.

County Counsel recommends adoption of the ordinance.

SUPPORTING DOCUMENTS

- A . Ordinance (tracked version)
- B . Ordinance (Final)

CEO Recommendation: Approve

Reviewed By: Maiko Klieman