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Ordinance Amending Zoning Code Chapter 18.80 – Clean

ORDINANCE NO. _____

**AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA, AMENDING CHAPTER 18.80 (AC AIRPORT
COMPATIBILITY COMBINATION DISTRICT) SECTIONS 18.80.030
(ALUCP ZONE E REGULATIONS), 18.80.040 (ALUCP ZONE D
REGULATIONS), 18.80.050 (ALUCP ZONE C REGULATIONS), 18.80.060
(ALUCP ZONE B REGULATIONS), 18.80.070 (ALUCP ZONE A
REGULATIONS), 18.80.090 (ALUC REFERRAL), 18.80.100 (FILING
MATERIALS), AND 18.80.110 (FINDINGS) OF TITLE 18 (ZONING) OF
THE NAPA COUNTY CODE TO ACHIEVE CONSISTENCY WITH THE
AIRPORT LAND USE COMPATIBILITY PLAN ADOPTED ON
DECEMBER 4, 2024 BY THE NAPA COUNTY AIRPORT LAND USE
COMMISSION**

WHEREAS, California Government Code Section 65860(a) requires zoning ordinances be consistent with the general plan; and

WHEREAS, California Government Code Section 65302.3 requires counties to have their general plans, specific plans, and land use regulations be consistent with the Airport Land Use Compatibility Plans; and

WHEREAS, the County's General Plan was adopted in 2008. The Napa County Airport Land Use Compatibility Plan (ALUCP) was adopted in 2024 by the Napa County Airport Land Use Commission (ALUC); and

WHEREAS, on March 25, 2025, the Board of Supervisors directed Staff to initiate a General Plan Amendment to achieve consistency between the County's General Plan and the ALUCP; and

WHEREAS, to ensure consistency between the County General Plan and the County's zoning ordinance, various amendments to Napa County Code Chapter 18.80 (AC Airport Compatibility Combination District) are required; and

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

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

SECTION 1. Section 18.80.030 (ALUCP Zone E regulations) of Chapter 18.80 (AC Airport Compatibility Combination District) of the Napa County Code is amended to read as in full as follows:

18.80.030 - Basic Compatibility Criteria Angwin Airport – Parrett Field.

The Angwin Airport – Parrett Field, has six (6) Airport Compatibility Zones, each with varying Land Use Categories and Intensity Criteria. The Countywide Airport Land Use Compatibility Plan Chapter 4 Exhibit 4-1 Basic Compatibility Criteria, Angwin Airport – Parrett Field, adopted by the Napa County Airport Land Use Commission December 4, 2024, or as may be amended, shall apply in addition to the standards of the principal zoning district.

SECTION 2. Section 18.80.040 (ALUCP Zone D regulations) of Chapter 18.80 (AC Airport Compatibility Combination District) of the Napa County Code is amended to read in full as follows:

18.80.040 - Basic Compatibility Criteria Napa County Airport.

The Napa County Airport has eight (8) compatibility zones each with varying Land Use Categories and Intensity Criteria. The Countywide Airport Land Use Compatibility Plan Chapter 5 Exhibit 5-1 Basic Compatibility Criteria, Napa County Airport, adopted by the Napa County Airport Land Use Commission December 4, 2024, or as may be amended, shall apply in addition to the standards of the principal zoning district.

SECTION 3. Section 18.80.050 (ALUCP Zone C regulations) of Chapter 18.80 (AC Airport Compatibility Combination District) of the Napa County Code is amended to read in full as follows:

18.80.050 – Reserved.

SECTION 4. Section 18.80.060 (ALUCP Zone B regulations) of Chapter 18.80 (AC Airport Compatibility Combination District) of the Napa County Code is amended to read as in full as follows:

18.80.060 – Reserved.

SECTION 5. Section 18.80.070 (ALUCP Zone A regulations) of Chapter 18.80 (AC Airport Compatibility Combination District) of the Napa County Code is amended to read in full as follows:

18.80.070 – Reserved.

SECTION 6. Section 18.80.090 (ALUC referral) of Chapter 18.80 (AC Airport Compatibility Combination District) of the Napa County Code is amended to read in full as follows:

18.80.090 - ALUC referral.

A.General. General plan amendments, specific plans, zoning or subdivision ordinance amendments, facility master plans, building regulations, or uses listed as Conditionally Compatible or Incompatibility as noted in the current Napa Countywide Airport Land Use Compatibility Plan, structure heights over applicable height limits within ALUCP compatibility zones, and Special Conditions Exception requests shall be referred to and reviewed by the ALUC, or designee(s), for a consistency determination prior to final approval.

B.Process. When projects are referred to the ALUC, the following process shall be followed:

1. The planning commission shall hold a public hearing and make a recommendation on the application and refer the project to the ALUC;
2. The project shall be reviewed by the ALUC and the ALUC shall provide a ALUCP consistency determination. The ALUC may make recommendations to modify the project for consistency with the ALUCP;
3. The county decision-making body shall then hold a public hearing and take final action on the project. If the ALUC finds the project to be inconsistent with the ALUCP, the board of supervisors may override that decision in accordance with state law.

SECTION 7. Section 18.80.100 (Filing materials) of Chapter 18.80 (AC Airport Compatibility Combination District) of the Napa County Code is amended to read in full as follows:

18.80.100 - Filing materials.

In addition to standard application materials, the applicant shall provide the following filing materials:

- A. A completed ALUC Referral Form.
- B. Property location data, including assessor's parcel number, street address, and subdivision lot number.
- C. An accurately scaled map depicting the project site location in relationship to the airport boundary and runway. Uses Not Normally Acceptable. For projects identified as being not normally acceptable, the applicant shall also address how their use has been appropriately designed to address identified criteria.
- D. A description of the proposed use(s), current general plan designation and zoning district, and the type of Major Land Use Action being sought from the Local Agency (e.g., zoning variance, special use permit, building permit).
- E. A detailed site plan and supporting data showing site boundaries and size; existing uses that will remain; location of existing and proposed structures, rooftop structures, landscaped areas, open spaces, and water bodies; ground elevations (above mean sea level); and elevations of tops of structures and trees. Additionally:
 - a. For residential uses, the number of proposed dwelling units per acre (separately indicating any accessory dwelling units as defined by state law and local regulations).
 - b. For nonresidential uses, the total floor area for each type of proposed use, the number of parking spaces, and the maximum number of people (employees, visitors/customers) potentially occupying the total site or portions thereof at any one time.
- F. Identification of any features, during or following construction, that would increase the attraction of birds or cause other wildlife hazards to aircraft operations at an airport or in its environs. Such features include, but are not limited to the following:
 - a. Open water areas.
 - b. Sediment pools, retention basins,
 - c. Detention basins that hold water for more than 48 hours.
 - d. Artificial wetlands.
 - e. Landscaping that provides wildlife shelter and food sources.
- G. Identification of any characteristics that could create electrical interference, confusing or bright lights, glare, smoke, or other electrical or visual hazards to aircraft flight.
- H. Any environmental document (initial study, draft environmental impact report, etc.) that may have been prepared for the project.
- I. Staff Reports regarding the project.
- J. Other relevant information that the ALUC or ALUC Executive Office determines to be necessary to enable a comprehensive review of the proposed major land use action.

SECTION 8. Section 18.80.110 (Findings) of Chapter 18.80 (AC Airport Compatibility

Combination District) of the Napa County Code is amended to read in full as follows:

18.80.110 - Findings.

- A. Except as provided in subsection (C) of this section, the county shall make the following findings for a general plan amendment, specific plan, zoning or subdivision ordinance amendment, building regulations, or uses listed as Conditionally Compatible or Incompatible:
 - a. The proposed project has been referred to the ALUC for a consistency determination; and
 - b. The ALUC has determined that proposed project is consistent with ALUCP compatibility policies and standards.
- B. Design Review. In approving a design review permit for new development, the decision-making body must find that the building or structure has been designed to meet ALUC design requirements.
- C. Local Override. To override a determination by the ALUC that a proposed project or use is inconsistent with the ALUCP, the Board of Supervisors, by a two-thirds vote, must make specific findings defined by state law (PUC Section 21670) that the action is consistent with the purposes of the ALUC statute.

SECTION 9. The Board finds this project implements the programs and policies of the Airport Land Use Compatibility Plan, is within the scope of the activities and impacts identified and analyzed in Airport Land Use Compatibility Plan's Negative Declaration adopted on December 4, 2024 (State Clearinghouse No. 2024060773) and no new environmental effects have been found and no new mitigation is necessary. Therefore, no additional environmental review is required pursuant to Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines Section 15162.

SECTION 10. Pursuant 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 Update: Action Item AG/LU-49.1 and Policies AG/LU-49, AG/LU-66, AG/LU-95, CIR-38, and CIR-40.

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SECTION 11. 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 12. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 13. 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 on the 16th day of July 2025. The Planning Commission's recommendation was considered by the Board of Supervisors and this Ordinance was introduced and passed at a regular meeting of the Napa County Board of Supervisors ("the Board"), State of California, held on _____, 2025, by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

ABSTAIN: SUPERVISORS _____

ABSENT: SUPERVISORS _____

NAPA COUNTY, a political subdivision of the
State of California

ANNE COTTRELL, Chair of the
Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>McKayla McMahon</u> Deputy County Counsel</p> <p>By: <u>/S/ Brandon Aguilera</u> Code Services</p> <p>Date: <u>July 1, 2025</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p>
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I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY
NEHA HOSKINS, CLERK OF THE BOARD