



# Napa County

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## Legislation Details (With Text)

**File #:** 23-0816 **Version:** 1  
**Type:** Public Hearing **Status:** Agenda Ready  
**File created:** 5/3/2023 **In control:** Board of Supervisors  
**On agenda:** 5/16/2023 **Final action:**  
**Title:** PUBLIC HEARING 9:00 AM - Municipal Code Amendments

Interim Director of Planning, Building & Environmental Services requests introduction and adoption of an Ordinance to amend the Napa County Municipal Code as follows:

1. Repeal Section 5.36.090 (Appeal Procedure for a License Issued or Denied by the Zoning Administrator After a Public Hearing) of Chapter 5.36 (Temporary Events) of Title 5 (Business Taxes, Licenses and Regulations);
2. Amend Section 18.10.020 (Duties-Specific Subjects) of Chapter 18.10 (Zoning Administrator) of Title 18 (Zoning); and
3. Amend Section 17.24.020 (Transmittal of Map to Recorder) of Chapter 17.24 (Filing Maps with Recorder) of Title 17 (Divisions).

**Sponsors:** Board of Supervisors

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Redline, 2. Ordinance - Clean

Date	Ver.	Action By	Action	Result
5/16/2023	1	Board of Supervisors		

**TO:** Board of Supervisors

**FROM:** Brian Bordona - Interim Director of Planning, Building & Environmental Services

**REPORT BY:** Brian Bordona - Interim Director of Planning, Building & Environmental Services

**SUBJECT:** Introduction of Ordinance Amending the Napa County Municipal Code

## RECOMMENDATION

PUBLIC HEARING 9:00 AM - Municipal Code Amendments

Interim Director of Planning, Building & Environmental Services requests introduction and adoption of an Ordinance to amend the Napa County Municipal Code as follows:

1. Repeal Section 5.36.090 (Appeal Procedure for a License Issued or Denied by the Zoning Administrator After a Public Hearing) of Chapter 5.36 (Temporary Events) of Title 5 (Business Taxes, Licenses and

Regulations);

2. Amend Section 18.10.020 (Duties-Specific Subjects) of Chapter 18.10 (Zoning Administrator) of Title 18 (Zoning); and

3. Amend Section 17.24.020 (Transmittal of Map to Recorder) of Chapter 17.24 (Filing Maps with Recorder) of Title 17 (Divisions).

## **EXECUTIVE SUMMARY**

This is an introduction and intention to adopt an Ordinance repealing Section 5.36.090 (Appeal Procedure for a License Issued or Denied by the Zoning Administrator After a Public Hearing) and amending Sections 18.10.020 (Duties-Specific Subjects) and Section 17.24.020 (Transmittal of Map to Recorder) of the Napa County Municipal Code to correct minor inconsistencies in the code related to previous ordinance amendments.

## **PROCEDURAL REQUIREMENTS**

1. Staff Report;
2. Receive public comments;
3. Discussion, motion, second, and vote on intention to adopt the ordinance.

## **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	No
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The minor amendments are necessary to correct inconsistencies within the Code that were inadvertent oversights related to previous Code amendments.
Is the general fund affected?	No
Consequences if not approved:	If the amendments are not made, the inconsistencies will continue, which could lead to confusion and misinterpretation of the by staff and general public.
County Strategic Plan pillar addressed:	Effective and Open Government

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: 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**

The Napa County Board of Supervisors recently adopted ordinances amending various sections of the Napa County Municipal Code. Staff recently discovered that as part of the ordinance amendments, related code amendments were inadvertently overlooked. The proposed ordinance corrects the minor oversights as summarized below and as specifically identified in the attached document.

### County Code Chapter 2.88 - Appeals:

In December 2020 the Board adopted Ordinance No. 1465 updating the appeals ordinance, which eliminated the right to appeal ministerial decisions to the Board of Supervisors. However, staff discovered Section 5.36.090 pertaining to the appeal of ministerial Temporary Events was inadvertently omitted. To correct this omission, Section 5.36.090 should be deleted to be consistent with the amendments contained in Ordinance No. 1465.

### County Code Chapter 18.10.020 - Zoning Administrator Duties:

In April 2022 the Board adopted Ordinance 1474 creating a streamlined process for small wineries to be processed with a micro-winery use permit through a public hearing before the Zoning Administrator rather than the Planning Commission. Because of the small scale of micro-wineries, these use permit applications often include a request for an exception to the Road and Street Standards. However, the Zoning Administrator's ability to hear and decide exceptions to the Road and Street Standards is currently limited to only exceptions related to single-family residences and other ministerial permits. Since the Zoning Administrator has been granted the authority to hear and decide micro-winery use permits and related ancillary matters, the Code should be amended to expressly allow the Zoning Administrator hear exceptions to the Road and Street Standards when related to any other permit under the Zoning Administrator's authority.

### County Code Title 17 - Subdivisions:

Section 17.24.020 of the Napa County Code requires the city clerk transmit parcel and final maps directly to the recorder. However, Section 17.24.020 inadvertently references the "county" clerk. The Code should be amended to reference the "city" clerk to make clear the requirements on the part of a given city to record documents related to parcel and final maps.