



**PLANNING COMMISSION STAFF REPORT**

**Meeting Date** April 22, 2010  
**Item Number** 4  
**File Numbers** PL09-0035

**Application** Airport Land Use Compatibility Zoning Ordinance Amendment (PL09-0035)  
**Project Location** Citywide, in areas affected by Airport Land Use Compatibility Zones  
**Applicant/Owner** City of American Canyon  
**General Plan Designation** various  
**Zoning District** various  
**Environmental Review** Categorically exempt from CEQA per CEQA Guidelines Section 15320 for Changes in Organization of Local Agencies.  
**Staff Contact** Sandra Cleisz, Senior Planner  
Brent Cooper, AICP, Community Development Director

**Requested Actions**

The following action is requested of the Planning Commission:

Adopt a Resolution recommending City Council approval of a Zoning Ordinance Amendment to make the Zoning Ordinance consistent with the Napa County Airport Land Use Compatibility Plan and City of American Canyon General Plan.

**Background**

In December 2009, the Planning Commission reviewed and recommended City Council adoption of a General Plan amendment to make the General Plan consistent with the 1999 Napa County Airport Land Use Compatibility Plan (ALUCP). Because the City's General Plan is inconsistent with the ALUCP, all discretionary development applications within the airport compatibility zones must be reviewed by the county's Airport Land Use Commission (ALUC) in addition to the City's review process. A determination of General Plan consistency by the ALUC, with subsequent adoption by the City Council, would permit the City to conduct airport land use reviews as part of the City's discretionary process.

An application to the ALUC was submitted to County staff for a General Plan consistency determination on December 30, 2009, after the Planning Commission recommendation on the amendment. County and city staff met to discuss issues that were expressed regarding the proposed amendment. County staff was concerned that

although the General Plan would come into consistency with the ALUCP, city staff may overlook these policies if they are not referenced in the zoning ordinance. Staff agreed on Zoning Ordinance amendments that would ensure future airport land use compatibility.

### Project Description

The proposed Zoning Ordinance Amendment provides several solutions to ensure implementation of ALUCP policies in airport land use compatibility zones.

1. A note would be added to each zoning district's permitted uses table or section that specifies that uses on parcels located within an airport compatibility zone may be restricted or prohibited by the City's General Plan policies and the Napa County Airport Land Use Compatibility Plan.
2. The findings for approval of Design Permits, Conditional Use Permits, Variances, Minor or Major Modifications and Zoning Clearances and Certificates of Occupancy are proposed to be modified as follows:
  - a. The following finding would be added to Chapter 19.41 *Design Permits* and Chapter 19.42 *Conditional Use Permits*:
    - The project complies with applicable policies of the Napa County Airport Land Use Compatibility Plan.
  - b. The following language would be added to an existing finding in Chapter 19.43 *Variances*:
    - Granting of the variance will not result in an inconsistency with the General Plan, including policies related to airport compatibility.
  - c. The following language would be added to an existing finding for Chapter 19.45 *Minor/Major Modifications*:
    - The proposed modification is consistent with the policies and exhibits contained in the General Plan, including policies related to airport compatibility.
  - d. The following language would be added to Chapter 19.46 *Zoning Clearances and Certificates of Occupancy* where the sections of the chapter speak to "compliance or conformity with the provisions of this Title":
    - and with the Napa County Airport Compatibility Plan policies and regulations where applicable.

The information provided to meet the findings would discuss airport land use compatibility factors from the ALUCP currently used by the county to review proposed projects. The factors include location within airport zones, distance from runways, land use, concentration of people, building height, lighting and glare, communications, building materials, noise, easements, and permit conditions ensuring compatibility.

3. The Zoning Map would be modified to add lines indicating Airport Compatibility Zones D and E to more easily identify the locations where these airport zones

apply. These lines would not be official city zoning designations, but simply graphic elements, or "indicator lines", allowing the public to clearly see where (and that) airport zones apply.

Staff has prepared a hand-drawn Zoning Map to indicate these lines, but will have a more professional map drawn up by the City Engineer if the Planning Commission recommends and the City Council adopts this amendment.

In addition, minor corrections to the permitted uses tables for Commercial and Industrial uses were made to change use classification titles for "Family Child Care Homes" (instead of "day care homes"), which were not caught during the Zoning Ordinance Amendment on that subject (ZOA 08-01).

### **General Plan Consistency**

The revisions to the Zoning Ordinance are corrections and clarifications that are consistent with the General Plan and state law. None of the changes is in conflict with the General Plan.

### **Zoning Ordinance Consistency**

Chapter 19.48, Zoning Map and Ordinance Text Amendments provides regulations related to amending the zoning code, including purpose, initiation, and review and approval procedures. Amendments are referred to the Planning Commission for review and recommendation, and are required to be heard by the City Council at a noticed public hearing. The findings in the resolution need to be made in order to approve such amendments.

### **Findings**

The findings are included in the attached resolution.

### **Environmental Review**

The proposed amendment is exempt from CEQA under a Categorical Exemption for Changes in Organization of Local Agencies, per Section 15320 of the CEQA Guidelines. The proposed amendment does not change the geographical area where the ALUC rules are applied, but simply completes the transfer of authority for review of discretionary applications to the City of American Canyon.

### **Public Notice**

Notice of the public hearing for this application was given in accordance with state law and Zoning Ordinance Chapter 19.40.

### **Staff Recommendations**

Based on the findings of this report and resolution, staff recommends that the Commission:

1. Open the public hearing and take all relevant testimony from those in attendance.

2. Adopt Resolution 2010-03 recommending to the City Council approval of Zoning Ordinance Amendment PL09-0035.

Attachments:

1. Resolution 2010-03, Zoning Ordinance Amendment for Airport Compatibility, including Airport Compatibility Zoning Map
2. Strikeout/Underline version of Zoning Ordinance Amendment PL09-0035

Copies:

1. John McDowell, Napa County Deputy Planning Director
2. Ron Gee, Napa County Airport Land Use Planner



**City of American Canyon  
PLANNING COMMISSION  
RESOLUTION NO. 2010-05**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF AMERICAN CANYON  
RECOMMENDING TO THE CITY COUNCIL  
APPROVAL OF ZONING ORDINANCE AMENDMENT PL09-0035  
TO IMPLEMENT ZONING CODE AMENDMENTS ADDRESSING  
AIRPORT COMPATIBILITY**

**WHEREAS**, pursuant to Section 65300 of the State Planning and Zoning Law, the City of American Canyon adopted a Zoning Ordinance in 1996 to implement the General Plan and regulate the use of land, buildings and structures, the size and use of lots; the intensity of land uses; and to establish other requirements to provide a clear and concise guide for the physical development of the City and to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare; and

**WHEREAS**, Zoning Ordinance Chapter 19.48 provides that the City Council may amend the Zoning Ordinance after the amendment is referred to the Planning Commission for review and recommendation to the City Council; and

**WHEREAS**, minor revisions are being proposed to the Zoning Ordinance to meet state and county requirements for airport land use compatibility; and

**WHEREAS**, pursuant to the California Environmental Quality Act, the proposed Zoning Ordinance Amendments are exempt per CEQA Guidelines Section 15320, Changes in Organization of Local Agencies; and

**WHEREAS**, a duly-noticed public hearing was held by the City of American Canyon Planning Commission on April 22, 2010, at which time all those in attendance were given the opportunity to speak on the proposal; and

**WHEREAS**, the Planning Commission considered all of the written and oral testimony presented at the public hearing in making its decision.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission does hereby:

1. Find, based on the following evidence and as required by Zoning Ordinance Section 19.48.040 C, that:
  - a. The amendment is consistent with the goals and policies of the General Plan.  
*The proposed amendment complies with the goals and policies of the General Plan, including Goal 1N, to "Ensure the compatibility of*

*development within American Canyon with the Napa County Airport,” and Policy 1.27.2, to “Review all applications for new development, expansion of existing uses, and re-use within Napa County Airport Compatibility Zones “A” through “F” for compliance with the appropriate use and development conditions.”*

- b. The amendment is consistent with the purposes of the Zoning Ordinance, as set forth in Chapter 19.01, Authority, Purposes, and Effects of the Zoning Ordinance.

*The amendment is consistent with the purpose of the Zoning Ordinance to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare. More specifically, the amendments serve to establish clear, understandable and applicable land use regulations that comply with state law.*

- 2. Forward its recommendation to the City Council that the following Zoning Ordinance text and map amendment (PL09-0035) attached as Exhibit A be adopted by the American Canyon City Council.



**EXHIBIT A**

**Zoning Ordinance Amendment PL09-0035**

**Modifying various chapters of the Zoning Ordinance to address airport land use compatibility; and adding graphic “indicator lines” for Airport Zones D and E to the Official Zoning Map to ensure consistency with the General Plan.**

**Chapter 19.10 Residential Districts**

**19.10.040 Permitted uses.**

Table 19.10.040 of this section sets forth the permitted and conditionally permitted uses for each residential district. A “P” designates a permitted use. A “C” indicates a conditionally permitted use subject to approval of a use permit by the planning commission. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

Table 19.10.040						
PERMITTED AND CONDITIONALLY-PERMITTED USES RESIDENTIAL DISTRICTS <sup>1</sup>						
RESIDENTIAL DISTRICT	ZONING DISTRICTS					
Use Classifications	RE	RR	RS	RM	RH	Related Provisions
<b>Residential</b>						
<b>[Note to Codifier: only the sections of the table that have been modified are included below]</b>						
Single-family residential	-	-	-	-	-	
- Detached	P	P	P	P <sup>2</sup>	P <sup>2</sup>	<sup>2</sup> GP Policy 1.8.3
- Semidetached	-	P <sup>3</sup>	P <sup>4</sup>	P	P	<sup>3</sup> GP Policy 1.7.1 <sup>4</sup> GP Policy 1.7.2
Townhouses	-	-	-	P	P	

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or aviation easements.

**Chapter 19.11: Community Commercial and Neighborhood Commercial Districts**  
**19.11.040 Permitted uses.**

Table 1 of this section sets forth the permitted and conditionally permitted uses for each commercial district. A “P” designates a permitted use. A “C” indicates a conditionally permitted use subject to approval of a use permit by the planning commission. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 1**

**PERMITTED AND CONDITIONALLY PERMITTED USES<sup>1</sup>**  
**COMMUNITY COMMERCIAL AND NEIGHBORHOOD COMMERCIAL DISTRICTS**

Use Classification	Zoning District		Related Provision
	CN	CC	
<b>Residential</b>			
<i>[Note to Codifier: only the sections of the table that have been modified are included below]</i>			
Congregate living facility	-	-	
Farm employees housing	-	C	
Garden apartments	-	-	
Mobilehome	-	-	
Mobilehome park	-	-	
Multifamily residential	P <sup>2</sup>	P <sup>3</sup>	<sup>2</sup> GP Policy 1.14.1 <sup>3</sup> GP Policy 1.15.1
Residential care home	-	-	
Second residential unit	-	-	
Single-family residential			
- Detached	-	-	
- Semidetached	-	-	
Townhouses	-	-	
<b>Accessory</b>			
Accessory dwelling unit	C	C	Chapter 19.10
Livestock keeping	-	-	
Cafeteria	-	P	
Caretaker's quarters	-	-	
Family Child care home, large	-	-	
Family Child care home, small	-	-	
Guest house	-	-	
Home occupation	-	-	Chapter 19.29
Horticulture, limited	P	P	
Recreational facilities, private	-	-	



Room rentals	-	-	
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<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

**Chapter 19.13: Public District**

**19.13.020 Permitted uses.**

Table 19.13.020 of this chapter sets forth the permitted and conditionally-permitted uses for each public district. A “P” designates a permitted use. A “C” indicates a conditionally permitted use subject to approval of a use permit by the planning commission. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.13.020 PUBLIC DISTRICT<sup>1</sup>**

[Note to codifier: *no changes to table—add note after end of table*]

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

**Chapter 19.14: Industrial Districts**

**19.14.050 Permitted uses.**

Table 19.14.050 of this section sets forth the permitted and conditionally permitted uses for each industrial district. A “P” designates a permitted use. A “C” indicates a conditionally-permitted use subject to approval of a use permit by the planning commission. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.14.050**

**PERMITTED AND CONDITIONALLY-PERMITTED USES<sup>1</sup>  
 INDUSTRIAL DISTRICTS**

Use Classifications	Zoning District		Related Provisions
	LI	GI	
<b>[Note to Codifier: <i>only the sections of the table that have been modified are included below</i>]</b>			
<b>Accessory</b>			
Accessory dwelling unit	-	-	
Livestock keeping	-	-	
Cafeteria	P	P	

Caretaker's quarters	C	C	
Family Child care home, large	-	-	
Family Child care home, small	-	-	
Guest house	-	-	
Home occupation	-	-	
Horticulture, limited	-	-	
Room rentals	-	-	

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

**Chapter 19.15: Recreation and Open Space District**

**19.15.020 Permitted uses.**

Table 19.15.020 of this chapter sets forth the permitted and conditionally-permitted uses for each public district. A "P" designates a permitted use. A "C" indicates a conditionally-permitted use subject to approval of a use permit by the planning commission. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.15.020  
 PERMITTED AND CONDITIONALLY-PERMITTED USES<sup>1</sup>  
 RECREATION AND OPEN SPACE DISTRICT**

[Note to codifier: *no other changes to table are proposed—modify notes after end of table as follows:*]

Note:  
 OS denotes Open Space District  
 OS-CRW denotes Open Space – Clarke Ranch West District  
 REC denotes Recreation District

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

## **Chapter 19.16: Planned Community District**

### **19.16.050 Permitted uses.**

There shall be no principally permitted uses other than those approved under a conceptual master plan and approved planned community development permit or modification thereof. (Ord. 2001-02 § 1 (part), 2001)

NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

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## **Chapter 19.19: Specialty Commercial Overlay District**

### **19.19.020 Allowable uses.**

A. Property in the CS overlay district may be used either for industrial purposes, consistent with the permitted and conditionally-permitted uses allowed by this title for the underlying LI base zone district, or for specialty commercial purposes<sup>1</sup>.

B. Should the owner of property in the CS overlay district decide to use the property for the purpose set forth in Section 19.19.010, the following uses as defined in use classifications, may be permitted<sup>1</sup>:

1. Public and quasi-public uses:
  - a. Public information center,
  - b. Public parking,
  - c. Utilities, minor;
2. Commercial Uses:
  - a. Bank, savings and loan, including walk-up service
  - b. Entertainment, indoor,
  - c. Lodging services,
  - d. Personal services,
  - e. Restaurant,
  - f. Retail sales, visitor-oriented.

C. Should the owner of property in the CS overlay district decide to use the property for the purpose set forth in Section 19.19.010, the following uses as defined in use classifications, may be permitted subject to a conditional use permit<sup>1</sup>:

1. Public and quasi-public uses:
  - a. Charitable uses;
2. Commercial uses:
  - a. Entertainment, indoor; amusement center,
  - b. Lodging services adjacent to a residential district,
  - c. On-premises liquor consumption, tasting room,
  - d. Liquor store;
3. Temporary uses:
  - a. Commercial filming,
  - b. Live entertainment,
  - c. Mobile structure (subject to Chapter 19.30),
  - d. Tent;

4. Public and quasi-public uses:
  - a. Antenna, commercial,
  - b. Antenna exceeding height limitations;
5. Commercial uses:
  - a. Entertainment, indoor, gaming,
  - b. On-premises liquor consumption,
  - c. Restaurant, night use adjacent to residential district,
  - d. Restaurant, take-out; night use adjacent to residential district.

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or aviation easements.

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### **Chapter 19.41 Design Permits**

#### **19.41.050 Required Findings.**

Approval of a design permit application may be granted by the appropriate decision-making authority only if all of the following findings are made:

- A. The project complies with all applicable provisions of this Title and any applicable approvals granted for the project by any decision-making authority.
- B. The project and its design complies with any applicable design guidelines.
- C. The project and its design complies with all applicable General Plan policies.
- D. The project complies with applicable policies of the Napa County Airport Land Use Compatibility Plan.
- E. The project's quality and character are compatible with the surrounding area, unless physically deteriorated or blighted, and will not be materially detrimental to existing development.
- F. The proposed design is compatible with existing development in the area in terms of scale, height, bulk, proportion, materials, cohesiveness, color, and the preservation of privacy.
- G. The design improves the community's appearance by avoiding both excessive variety and monotonous repetition.
- H. The proposed design promotes a harmonious transition in terms of scale and character between areas of different General Plan land use designations and zoning districts.
- I. The proposed design provides for adequate and safe on-site vehicular and pedestrian circulation.

## **Chapter 19.42 Conditional Use Permits**

### **19.42.020 Review and Approval Procedures.**

- D. Required Findings. The Planning Commission may approve or conditionally-approve an application for a conditional use permit or minor use permit if it makes all of the following findings:
1. The proposed use is consistent with the policies and programs of the General Plan and any applicable master or specific plan.
  2. The proposed use is consistent with the purpose(s) and standards of the applicable zoning district(s).
  3. The proposed use complies with applicable policies of the Napa County Airport Land Use Compatibility Plan.
  4. The project site is physically suitable for the type and intensity of land use being proposed.
  5. The proposed use will not be a nuisance or materially detrimental to the general health, safety, and welfare of the public or to property and residents in the vicinity.
  6. The site for the proposed use has adequate access, and meets parking and circulation standards and criteria.
  7. There are adequate provisions for water and sanitary services, and other public utilities to ensure that the proposed use would not be detrimental to public health and safety.

## **Chapter 19.43 Variances**

### **19.43.030 Review and Approval Procedures.**

- C. Required Findings. The Planning Commission may approve or conditionally approve a variance application if it makes all of the following findings:
1. Special circumstances exist applicable to the subject property, including size, shape, topography, location, existing improvements, or surroundings, such that the strict application of this Title deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district(s).
  2. Granting of the variance does not constitute a grant a special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district(s) in which such property is located.
  3. Granting of the variance will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity.
  4. Granting of the variance does not allow a use or activity that is not otherwise expressly authorized by the regulations governing the subject parcel.
  5. Granting of the variance will not result in an inconsistency with the General Plan, including policies related to airport compatibility.



## **Chapter 19.45 Minor and Major Modifications**

### **19.45.030 Review and Approval Procedures**

- D. Required Findings. The Director or Commission may approve or conditionally approve a modification application if all of the following findings are made:
1. The modification is in substantial conformity with the previously-approved plan or permit, or if the change is substantive, that the revised project is equivalent to the original project design concept in terms of consistency with City design and development standards and policies.
  2. The modification will not create impacts substantially different from those of the previously-approved project.
  3. The granting of the modification will not be materially detrimental to the public health, safety, or welfare, or to property or residents in the vicinity.
  4. The proposed modification is consistent with the policies and exhibits contained in the General Plan, including policies related to airport compatibility.

## **Chapter 19.46 Zoning Clearances and Certificates of Occupancy**

### **19.46.030 Review and Approval Procedures.**

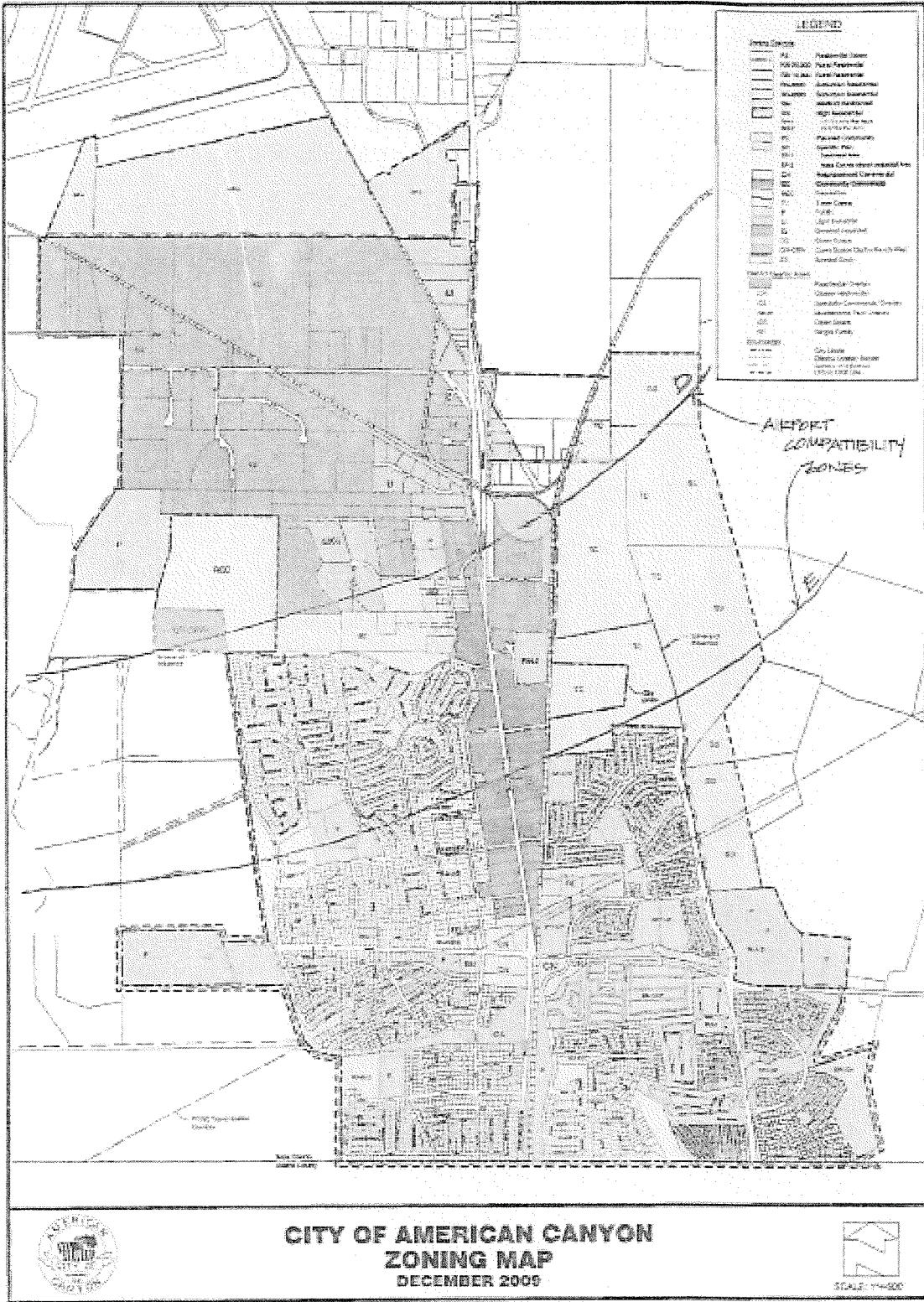
- A. Zoning Clearances.
1. Prior to the issuance of a business license or building permit for any establishment of use or construction of a building or structure, a zoning clearance shall be issued by the Planning Director, certifying that the business license or building permit complies with all provisions of this Title and any discretionary approvals, and with the Napa County Airport Compatibility Plan policies and regulations where applicable.
  2. Prior to the issuance of a zoning clearance, the applicant shall provide evidence to the Director of approval from any appropriate agencies and city departments.
- B. Certificates of Occupancy. A certificate of occupancy shall state that the building or proposed use of a building or land complies with all of the provisions of the Municipal Code and all other building codes applicable to occupancies within the City. A record of all certificates shall be kept on file at the City offices and copies shall be furnished on request to any person having a proprietary or tenancy interest in the affected building or land.
1. Building certificates of occupancy. A certificate of occupancy for a new building or the alteration of an existing building shall be applied for concurrently with the application for a final inspection permit. The certificate shall be issued after final inspection has been completed and it has been determined that construction conforms to the Municipal Code's building



regulations, as well as to the provisions of this Title.

2. Use certificates of occupancy. A certificate of occupancy for a change in the use of a building or structure shall be applied for concurrently with an application for a business license before any such new use commences. The certificate shall be issued within 10 days after the application has been made, provided that such use is in conformity with the provisions of this Title and with the Napa County Airport Compatibility Plan policies and regulations where applicable.

Zoning Map with graphic "indicator" lines showing airport zones D & E added:



Planning Commission Resolution 2010-05  
Zoning Ordinance Amendment PL09-0035  
Airport Compatibility

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Planning Commission on April 22, 2010, by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

\_\_\_\_\_  
**Pamela Quiroz, Chair**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Taresa Murphy,**  
**Administrative Assistant**

\_\_\_\_\_  
**William D. Ross, City Attorney**

**Strikeout/Underline Version of  
Zoning Ordinance Amendment PL09-0035  
Amending the Zoning Ordinance to address Airport Land Use Compatibility**

The highlighted sections of the following chapters are amended as follows:

**Chapter 19.10  
Residential Districts**

Sections:

- 19.10.010 Purpose and Intent
- 19.10.020 Establishment of Districts
- 19.10.030 Applicability
- 19.10.040 Permitted Uses
- 19.10.050 Lot Area, Yard Setbacks, and Building Coverage Standards
- 19.10.060 Accessory Structures, Equipment and Uses
- 19.10.070 Distance Between Buildings in Residential Districts
- 19.10.080 Fences and Walls
- 19.10.090 Height Limits
- 19.10.100 Parking Requirements
- 19.10.110 Garage Sales
- 19.10.120 Second Residential Units
- 19.10.130 Manufactured Homes
- 19.10.140 Undergrounding of Utilities
- 19.10.150 Nonconforming Building Lines

**19.10.040 Permitted uses.**

Table 19.10.040 of this section sets forth the permitted and conditionally permitted uses for each residential district. A “P” designates a permitted use. A “C” indicates a conditionally permitted use subject to approval of a use permit by the planning commission. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.10.040**

**PERMITTED AND CONDITIONALLY-PERMITTED USES  
RESIDENTIAL DISTRICTS<sup>1</sup>**

RESIDENTIAL DISTRICT Use Classifications	ZONING DISTRICTS					Related Provisions
	RE	RR	RS	RM	RH	
<b>Residential</b>						
Congregate living facility	-	-	-	P	P	
Garden apartments	-	-	-	P	P	
Mobilehome	C	C	C	-	-	
Mobilehome park	-	-	-	C	C	Chapter 19.10
Multifamily residential	-	-	-	P	P	
Residential care home	-	P	P	-	-	
Second residential unit	P	P	P	P	-	Section 19.10.120

RESIDENTIAL DISTRICT Use Classifications	ZONING DISTRICTS					Related Provisions
	RE	RR	RS	RM	RH	
Single-family residential	-	-	-	-	-	
- Detached	P	P	P	P <sup>1</sup> P <sup>2</sup>	P <sup>1</sup> P <sup>2</sup>	<sup>1</sup> GP <sup>2</sup> GP Policy 1.8.3
- Semidetached	-	P <sup>1</sup> P <sup>3</sup>	P <sup>2</sup> P <sup>4</sup>	P	P	<sup>1</sup> GP <sup>3</sup> GP Policy 1.7.1 <sup>2</sup> GP <sup>4</sup> GP Policy 1.7.2
Townhouses	-	-	-	P	P	
<b>Commercial</b>						
Adult business	-	-	-	-	-	
Animal sales and service	-	-	-	-	-	
- Boarding kennel	-	-	-	-	-	
- Grooming	-	-	-	-	-	
- Medical care	-	-	-	-	-	
- Retail care	-	-	-	-	-	
Bank, savings and loan	-	-	-	-	-	
- Drive-up service	-	-	-	-	-	
- Walk-up service	-	-	-	-	-	
Building materials and services	-	-	-	-	-	
Catering	-	-	-	-	-	
Commercial printing	-	-	-	-	-	
- Limited printing	-	-	-	-	-	
Communication services	-	-	-	-	-	
Entertainment, indoor	-	-	-	-	-	
- Amusement center	-	-	-	-	-	
- Gaming	-	-	-	-	-	
Funeral and interment services	-	-	-	-	-	
Health services	-	-	-	-	-	
Laboratory	-	-	-	-	-	
Lodging services	-	-	-	-	-	
- Bed and breakfast inn	C	C	-	-	-	
Long-term care facility	-	-	-	-	-	
Maintenance and repair services	-	-	-	-	-	
Nursery	-	-	-	-	-	
Offices, business, and professional	-	-	-	-	-	
On-premise liquor consumption	-	-	-	-	-	
- Tasting room	-	-	-	-	-	
Pawnshops	-	-	-	-	-	
Personal improvement services	-	-	-	-	-	
- Night use	-	-	-	-	-	
Personal services	-	-	-	-	-	
Recycling collection center	-	-	-	-	-	
Restaurant	-	-	-	-	-	
- Night use	-	-	-	-	-	



RESIDENTIAL DISTRICT Use Classifications	ZONING DISTRICTS					Related Provisions
	RE	RR	RS	RM	RH	
Restaurant, take-out	-	-	-	-	-	
- Night use	-	-	-	-	-	
Retail food sales	-	-	-	-	-	
- Convenience store	-	-	-	-	-	
- Liquor store	-	-	-	-	-	
Retail sales	-	-	-	-	-	
- Limited	-	-	-	-	-	
- Visitor-oriented	-	-	-	-	-	
Vehicle/equipment sales and service	-	-	-	-	-	
- Automobile rental	-	-	-	-	-	
- Automobile washing	-	-	-	-	-	
- Service station	-	-	-	-	-	
- Vehicle/equipment repair	-	-	-	-	-	
- Vehicle/equipment sales, lease and rentals	-	-	-	-	-	
Wholesaling, commercial	-	-	-	-	-	
<b>Industrial</b>						
Hazardous use	-	-	-	-	-	
Industry, general	-	-	-	-	-	
Industry, limited	-	-	-	-	-	
Mineral extraction	-	-	-	-	-	
Recycling center	-	-	-	-	-	
Research and development	-	-	-	-	-	
Storage Tank(s)	-	-	-	-	-	
Vehicle/equipment services	-	-	-	-	-	
- Vehicle/equipment repair	-	-	-	-	-	
- Vehicle storage	-	-	-	-	-	
Wholesaling, distribution and storage	-	-	-	-	-	
- Small scale	-	-	-	-	-	
- Trucking terminal	-	-	-	-	-	
<b>Recreational</b>						
Recreational facilities, public	C	P	P	P	P	
Recreation and sports, outdoor	C	C	C	C	C	
Recreation, passive	C	C	C	C	C	
Staging area	C	C	-	-	-	
<b>Public and Quasi-Public</b>						
Antenna	-	P	P	P	P	
- Exceeding height limitations	-	C	C	C	C	
Community center	-	-	C	C	C	GP Policy 1.12.1
Conference center	-	-	-	-	-	
Cultural facility	-	-	C	C	C	GP Policy 1.12.1
Day care center	M	M	M	M	M	GP Policy 1.23.5
Homeless shelter	-	-	-	C	C	Chapter 19.42
Public safety facility	C	C	C	C	C	



RESIDENTIAL DISTRICT Use Classifications	ZONING DISTRICTS					Related Provisions
	RE	RR	RS	RM	RH	
Religious facility	C	C	C	C	C	GP Policy 1.23.4
School	C	C	C	C	C	GP Policy 1.12.1
Utilities, major	-	C	C	C	C	
Utilities, minor	-	P	P	P	P	
<b>Agriculture</b>						
Animal husbandry	P	-	-	-	-	
Crop production	P	-	-	-	-	
<b>Accessory</b>						
Accessory dwelling unit	C	C		-	-	
Livestock keeping	P	P	P	-	-	Chapter 19.31
Caretaker's quarters	C	-	-	-	-	
Family child care home, large	P	P	P	-	-	Chapter 19.33
Family child care home, small	P	P	P	P	P	
Guest house	C	C	C	-	-	
Home occupation	P	P	P	P	P	Chapter 19.29
Horticulture, limited	P	P	P	P	P	
Room rentals	-	C	C	-	-	
<b>Temporary</b>						
Animal show		-	-	-	-	
Commercial filming	C	C	C	C	C	
Mobile structures	C	C	C	C	C	Chapter 19.30
Personal property sales	P	P	P	P	P	

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or aviation easements.

## Chapter 19.11 Community Commercial and Neighborhood Commercial Districts

Sections:

- 19.11.010 Purpose and Intent
- 19.11.020 Establishment of Districts
- 19.11.030 Applicability
- 19.11.040 Permitted Uses
- 19.11.050 Development Standards
- 19.11.060 Parking and Loading Requirements
- 19.11.070 Design Elements

### 19.11.040 Permitted uses.

Table 1 of this section sets forth the permitted and conditionally permitted uses for each commercial district. A “P” designates a permitted use. A “C” indicates a conditionally permitted use subject to approval of a use permit by the planning commission. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 1**

### PERMITTED AND CONDITIONALLY PERMITTED USES<sup>1</sup> COMMUNITY COMMERCIAL AND NEIGHBORHOOD COMMERCIAL DISTRICTS

Use Classification	Zoning District		Related Provision
	CN	CC	
<b>Residential</b>			
Congregate living facility	-	-	
Farm employees housing	-	C	
Garden apartments	-	-	
Mobilehome	-	-	
Mobilehome park	-	-	
Multifamily residential	<u>P<sup>1</sup>P<sup>2</sup></u>	<u>P<sup>2</sup>P<sup>3</sup></u>	<sup>1</sup> GP- <sup>2</sup> GP Policy 1.14.1 <sup>2</sup> GP- <sup>3</sup> GP Policy 1.15.1
Residential care home	-	-	
Second residential unit	-	-	
Single-family residential			
- Detached	-	-	
- Semidetached	-	-	
Townhouses	-	-	
<b>Commercial</b>			
Adult-entertainment business	-	P	
Animal sales and services			
- Boarding kennel	-	C	
- Grooming	P	P	
- Medical care	P	P	

- Retail sales	P	P	
Bank, savings and loan	P	P	
Bookstores	P	P	
Building materials and services	-	C	
Catering	P	P	
Commercial printing	-	P	
- Limited printing	P	P	
Communication services	-	P	
Drugstores	P	P	
Eating and drinking establishments	P	P	
- Adjacent to residential use or zoning district	C	C	
Entertainment, indoor	C	P	
- Amusement center	C	C	
- Gaming	-	C	
Food sales	P	P	
Funeral and internment services	-	C	
Gas stations and automobile service facilities	C	C	
Grocery and drug stores	P	P	
Health services	P	P	
Household good sales	P	P	
Laboratory	-	P	
Lodging services	-	P	
Long-term care facility	-	P	
Maintenance and repair services	-	P	
Mini-storage/public storage facility	-	-	
Nursery	P	P	
Offices, business and professional	P	P	
On-premise liquor consumption	-	C	
- Tasting room	-	C	
Outdoor sales and displays	-	P	
Overnight accommodations, lodging services	-	P	GP Policy 1.15
Pawnshops	-	P	GP Policy 1.14
Personal improvement services	C	C	
- Night use	P	P	
Personal services	P	P	
Professional and medical offices	P	P	
Public safety facility	C	P	
Recycling collection center	P	P	
Restaurant and delicatessens	C	C	
Retail food sales	C	C	
- Convenience store	P	P	
- Liquor store	C	P	
Retail sales	P	P	
- Limited	-	-	
- Visitor oriented	P	P	
Vehicle/equipment sales	-	-	
- Automobile rental	-	C	

- Automobile washing	-	C	
- Service stations	C	C	
Vehicle/equipment repair and service	-	C	GP Policy 1.15
Vehicle/equipment leasing and rental	-	C	GP Policy 1.15
Wholesaling, commercial	-	P	GP Policy 1.15
Video rental	P	P	
<b>Industrial</b>			
Hazardous use	-	-	
Industrial, general	-	-	
Industrial, limited	-	-	
Mineral extraction	-	-	
Recycling center	-	-	
Research and development	-	-	
Storage Tank(s)	-	-	
Vehicle/equipment services	-	-	
Vehicle/equipment repair	-	-	
Vehicle storage	-	-	
Wholesaling, distribution and storage			
- Trucking terminals	-	-	
- Small scale	-	-	
<b>Recreational</b>			
Campground	-	-	
Marina	-	-	
Recreational vehicle park	-	-	
Recreational facilities, private	-	-	
Recreational facilities, public	-	-	
Recreational and sports, indoor	C	P	
Recreational and sports, outdoor	-	-	
Recreation, passive	-	-	
Staging area	-	-	
<b>Public and Quasi-Public</b>			
Ambulance shelter	-	C	
Antenna	P	P	
- Exceeding height limitations	C	C	
- Commercial	C	C	
Cemetery	-	-	
Charitable uses	C	C	
Club, lodge	C	C	
Community center	-	C	
Conference center	-	C	
Cultural facility	C	C	
Day care center	M	P	
Government facility	C	C	
Homeless shelter	-	C	
Hospital	-	C	
Maintenance and service facility	-	-	
Public information center	P	P	
Public parking	P	P	
- Structure	C	C	
Public safety facility	-	P	

Religious facility	C	C	GP Policy 1.23.4
School	-	-	
Transportation facility	-	P	
Utilities, major	-	-	
Utilities, minor	P	P	
<b>Agriculture</b>			
Animal husbandry	-	-	
Crop production	-	-	
Winery	-	C	
<b>Accessory</b>			
Accessory dwelling unit	C	C	Chapter 19.10
Livestock keeping	-	-	
Cafeteria	-	P	
Caretaker's quarters	-	-	
Day-Family Child care home, large	-	-	
Day-Family Child care home, small	-	-	
Guest house	-	-	
Home occupation	-	-	Chapter 19.29
Horticulture, limited	P	P	
Recreational facilities, private	-	-	
Room rentals	-	-	
<b>Temporary</b>			
Animal show	C	C	
Circus, carnival	C	C	
Commercial filming	C	C	
Live entertainment	C	C	
Mobile structure	C	C	Chapter 19.30
Personal property sales	P	P	
Retail sales, outdoor	C	C	
Seasonal sales	C	C	
Street fair	C	C	
Tent	C	C	

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or aviation easements.

## Chapter 19.13 Public District

Sections:

- 19.13.010 Purpose
- 19.13.020 Permitted Uses

### 19.13.020 Permitted uses.

Table 19.13.020 of this chapter sets forth the permitted and conditionally-permitted uses for each public district. A "P" designates a permitted use. A "C" indicates a conditionally permitted use subject to approval of a use permit by the planning commission. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.13.020 PUBLIC DISTRICT<sup>1</sup>**

Use Classification	P District	Related Provisions
<b>Commercial</b>		
Recycling collection center	C	
<b>Recreational</b>		
Recreation facilities, public	P	
Recreation and sports, outdoor	P	
Recreation, passive	P	
<b>Public and Quasi-Public</b>		
Ambulance service, public	P	
Animal shelter	C	
Antenna	P	
- Exceeding height limitations	C	
- Commercial	-	
Cemetery	C	
Charitable uses	P	
Club, lodge	C	
Community center	P	
Conference center	P	
Cultural facility	P	
Day care center	C	
Government facility	P	
Hospital	C	
Maintenance and service facility	C	
Public information center	P	
Public parking	P	
Public safety facility	C	
Religious facility	C	GP Policy 1.23.4
School	C	
Transportation terminal	C	
Utilities, major	C	
Utilities, minor	P	



<b>Accessory</b>		
Cafeteria	P	
Caretaker's quarters	C	
<b>Temporary</b>		
Animal show	P	
Circus, carnival	C	
Commercial filming	C	
Live entertainment	C	
Mobile structure	C	Chapter 19.30
Personal property sales	P	
Seasonal sales	C	
Street fair	C	
Tent	C	

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or aviation easements.

## Chapter 19.14 Industrial Districts

Sections:

- 19.14.010 Purpose and Intent
- 19.14.020 Establishment of Districts
- 19.14.030 Applicability
- 19.14.040 Performance Standards
- 19.14.050 Permitted Uses
- 19.14.060 Development Standards
- 19.14.070 Parking Requirements

**19.14.050 Permitted uses.**

Table 19.14.050 of this section sets forth the permitted and conditionally permitted uses for each industrial district. A “P” designates a permitted use. A “C” indicates a conditionally-permitted use subject to approval of a use permit by the planning commission. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

**Table 19.14.050**

### PERMITTED AND CONDITIONALLY-PERMITTED USES<sup>1</sup> INDUSTRIAL DISTRICTS

Use Classifications	Zoning District		Related Provisions
	LI	GI	
<b>Residential</b>			
Congregate living facility	-	-	
Farm employees housing	-	-	
Garden apartments	-	-	
Mobilehome	-	-	
Mobilehome parks	-	-	
Multifamily residential	-	-	
Residential care home	-	-	
Second residential unit	-	-	
Single-family residential			
- Detached	-	-	
- Semidetached	-	-	
Townhouses	-	-	
<b>Commercial</b>			
Adult-entertainment business	-	P	
Ambulance services	P	P	
Animal retail sales	-	-	
- Boarding kennel	-	-	
- Grooming	-	-	
- Medical care	-	-	

- Retail sales	-	-	
Bank, savings and loan	C	-	GP Policy 1.22.2
- Drive-up service	C	-	GP Policy 1.22.2
- Walk-up service	C	-	GP Policy 1.22.2
Bookstore	P	P	
Building materials and services	C	P	GP Policy 1.22.6
Catering	P	P	
Commercial printing	P	P	
- Limited printing	C	C	
Communication services	P	P	
Drugstores	P	P	
Eating and drinking establishments	C	C	
Entertainment, indoor	-	-	
- Amusement center	-	-	
- Gaming	-	-	
Food sales	C	C	
Funeral and interment services	-	-	
Health services	-	-	
Laboratory	P	P	
Lodging services	-	-	
- Bed and breakfast inns	-	-	
Long-term care facility	-	-	
Maintenance and repair services	P	P	GP Policy 1.22.6
Nursery	-	-	
Offices, business, and professional	P	C	GP Policy 1.22.1
On-premise liquor consumption	-	-	GP Policy 1.22.2
- Tasting room	C	C	
Outdoor sales and displays	C	-	
Overnight accommodations, lodging services	-	-	
Pawnshops	-	-	
- Adjacent to residential district	-	-	
Personal improvement services	C	C	GP Policy 1.22.2
- Adjacent to residential district	C	-	
Personal services	-	-	
Professional and medical offices	P	P	
Recycling collection center	C	C	GP Policy 1.22.2
Restaurant	C	C	
- Night use	C	-	
Restaurant, take-out	C	-	
- Night use	C	-	
Retail commercial	C	-	
Retail food sales	-	-	
- Convenience store	-	-	
- Liquor store	-	-	
Retail sales	C	C	GP Policy 1.22.2
- Limited	-	-	
- Visitor-oriented	-	-	
Vehicle/equipment sales and service	-	-	
- Automobile rental	C	-	GP Policy 1.22.6
- Automobile washing	-	C	GP Policy 1.22.6

- Service station	-	-	
- Vehicle/equipment repair	-	P	GP Policy 1.22.6
- Vehicle/equipment sales, lease and rentals	C	C	GP Policy 1.22.6
Video rental	-	-	
Wholesale, commercial	C	P	
<b>Industrial</b>			
Hazardous use	-	C	
Industry, general	-	P	
Industry, limited	P	P	
Mineral extraction	-	C	GP Policy 8.15.3—8.17.3
Recycling center	-	C	
Research and development	P	P	
Storage Tank(s)	C	C	
Vehicle/equipment services			
- Vehicle/equipment repair	-	P	
- Vehicle storage	-	C	
Wholesaling, distribution and storage			
- Small scale	C	P	
- Trucking terminal	-	P	
<b>Recreational</b>			
Campground	-	-	
Marina	-	-	
Recreational facilities, private	-	-	
Recreational facilities, public	-	-	
Recreation and sports, indoor	P	P	
Recreation and sports, outdoor	-	-	
Recreation, passive	-	-	
Recreational vehicle park	-	-	
Staging area	-	-	
<b>Public and Quasi-Public</b>			
Ambulance service	P	P	
Animal shelter	C	C	
Antenna	P	P	
- Commercial	-	-	
Cemetery	-	-	
Charitable uses	-	-	
Club, lodge	-	-	
Community center	-	-	
Conference center	-	-	
Cultural facility	-	-	
Day care center	M	M	
Government facility	P	P	
Homeless shelter	-	-	
Hospital	-	-	
Maintenance and service facility	P	P	
Public information center	-	-	
Public parking	-	-	
- Structure	-	-	
Public safety facility	P	P	
Religious facility	C	C	

School	-	-	
Transportation terminal	P	P	
Utilities, major	C	C	
Utilities, minor	P	P	
<b>Agricultural</b>			
Animal husbandry	P	P	
Crop production	-	-	
Winery	C	P	
<b>Accessory</b>			
Accessory dwelling unit	-	-	
Livestock keeping	-	-	
Cafeteria	P	P	
Caretaker's quarters	C	C	
<del>Day-Family Child care home, large</del>	-	-	
<del>Day-Family Child care home, small</del>	-	-	
Guest house	-	-	
Home occupation	-	-	
Horticulture, limited	-	-	
Room rentals	-	-	
<b>Temporary</b>			
Animal show	-	-	
Circus, carnival	-	-	
Commercial filming	C	C	
Live entertainment	-	-	
Mobile structures	C	C	
Personal property sales	-	-	
Retail sales, outdoor	-	-	
Seasonal sales	-	-	
Street fair	-	-	
Tent	-	-	

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or aviation easements.

## Chapter 19.15 Recreation and Open Space District

Sections:

- 19.15.010 Purpose
- 19.15.020 Permitted Uses
- 19.15.030 Development Standards

### 19.15.020 Permitted uses.

Table 19.15.020 of this chapter sets forth the permitted and conditionally-permitted uses for each public district. A “P” designates a permitted use. A “C” indicates a conditionally-permitted use subject to approval of a use permit by the planning commission. If no letter is found opposite a particular use, it is not permitted in that district.

<b>Table 19.15.020  PERMITTED AND CONDITIONALLY-PERMITTED USES<sup>1</sup>  RECREATION AND OPEN SPACE DISTRICT</b>				
<b>Use Classifications</b>	<b>Zoning District</b>			<b>Related Provision</b>
	<b>OS</b>	<b>OS- CRW</b>	<b>REC</b>	
<b>Agriculture</b>				
Animal husbandry	-	P	P	
Crop production	-	P	P	
Winery	-	-	C	
<b>Commercial</b>				
Boarding kennel	-	C	C	
Lodging services	-	-	-	
On-premises liquor consumption	-	-	-	
Restaurant	-	-	-	
Retail sales, incidental to primary use	-	C	C	
<b>Recreational</b>				
Campground	-	C	C	
Marina	-	-	-	
Recreational facilities, private	-	-	C	
Recreational facilities, public	C	C	C	
Recreation and sports, indoor	-	-	-	
Recreation and sports, outdoor	C	C	C	
Recreation, passive	P	P	P	
Recreational vehicle park	-	-	-	
Staging area	C	C	C	
<b>Residential</b>				
Single-family residential—Detached	-	-	P	GP Goal 1N



<b>Public and Quasi-Public</b>				
Animal shelter	-	C	C	
Antenna	-	P	P	
Exceeding height limitations	-	C	C	
Cemetery	C	-	-	
Club, lodge	-	C	-	
Community center	-	C	-	
Conference center	-	-	-	
Cultural facility	P	P	-	
Maintenance and service facility	-	-	-	
Public information center	P	P	-	
Public parking	P	P	-	
Public safety facility	-	C	-	
Religious facility	-	-	-	GP Policy 1.23.4
Transportation terminal	-	-	-	
Utilities, major	C	-	-	
Utilities, minor	P	P	P	
<b>Accessory</b>				
Caretaker's quarters		P	P	
Horticulture	-	P	P	
Tent	-	C	C	
<b>Temporary</b>				
Commercial filming	C	P	C	
Circus, carnival	-	C	C	
Mobile structure	C	C	C	Chapter 19.30
Seasonal sales	-	P	P	
Street fair	-	P	C	
Tent	C	P	C	

**Note:**

"C" denotes Conditional Use Permit

"P" denotes Permitted

"-" denotes Prohibited

OS denotes Open Space District

OS-CRW denotes Open Space – Clarke Ranch West District

REC denotes Recreation District

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

## Chapter 19.16 Planned Community District

Sections:

- 19.16.010 Purpose and intent.
- 19.16.020 Zone change and conceptual master plan.
- 19.16.030 Planned community development permit.
- 19.16.040 Relationship of conceptual master plan and planned community development permit to related entitlements.
- 19.16.050 Permitted uses.
- 19.16.060 Neighborhood commercial uses in areas designated for residential land uses.
- 19.16.070 Permitted densities.
- 19.16.080 Minimum site area.
- 19.16.090 Procedures and submittal requirements pertaining to establishment of a planned community zone.
- 19.16.100 Procedures and submittal requirements for approval of a planned community development permit.
- 19.16.110 Development standards—Single-family subdivisions including those proposing lot sizes smaller than the baseline lot size.
- 19.16.120 Development standards—Multifamily residential including apartments, townhouses and condominiums.
- 19.16.130 Findings.
- 19.16.140 Master plan modifications.
- 19.16.150 Modifications—Review procedures.
- 19.16.160 Revocation.
- 19.16.170 Expiration of planned community development permit.

### **19.16.050 Permitted uses.**

There shall be no principally permitted uses other than those approved under a conceptual master plan and approved planned community development permit or modification thereof. (Ord. 2001-02 § 1 (part), 2001)

NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

## Chapter 19.19 Specialty Commercial Overlay District

Sections:

- 19.19.010 Purpose
- 19.19.020 Allowable Uses
- 19.19.030 Development Standards

### 19.19.020 Allowable uses.

A. Property in the CS overlay district may be used either for industrial purposes, consistent with the permitted and conditionally-permitted uses allowed by this title for the underlying LI base zone district, or for specialty commercial purposes<sup>1</sup>.

B. Should the owner of property in the CS overlay district decide to use the property for the purpose set forth in Section 19.19.010, the following uses as defined in use classifications, may be permitted<sup>1</sup>:

1. Public and quasi-public uses:
  - a. Public information center,
  - b. Public parking,
  - c. Utilities, minor;
2. Commercial Uses:
  - a. Bank, savings and loan, including walk-up service
  - b. Entertainment, indoor,
  - c. Lodging services,
  - d. Personal services,
  - e. Restaurant,
  - f. Retail sales, visitor-oriented.

C. Should the owner of property in the CS overlay district decide to use the property for the purpose set forth in Section 19.19.010, the following uses as defined in use classifications, may be permitted subject to a conditional use permit<sup>1</sup>:

1. Public and quasi-public uses:
  - a. Charitable uses;
2. Commercial uses:
  - a. Entertainment, indoor; amusement center,
  - b. Lodging services adjacent to a residential district,
  - c. On-premises liquor consumption, tasting room,
  - d. Liquor store;
3. Temporary uses:
  - a. Commercial filming,
  - b. Live entertainment,
  - c. Mobile structure (subject to Chapter 19.30),
  - d. Tent;
4. Public and quasi-public uses:
  - a. Antenna, commercial,
  - b. Antenna exceeding height limitations;
5. Commercial uses:
  - a. Entertainment, indoor, gaming,

- b. On-premises liquor consumption,
- c. Restaurant, night use adjacent to residential district,
- d. Restaurant, take-out; night use adjacent to residential district.

<sup>1</sup>NOTE: Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport Compatibility Zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon General Plan and the Napa County Airport Land Use Compatibility Plan. Restrictions may include the requirement for recordation of overflight or avigation easements.

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### **Chapter 19.41 Design Permits**

#### **19.41.050 Required Findings.**

Approval of a design permit application may be granted by the appropriate decision-making authority only if all of the following findings are made:

- A. The project complies with all applicable provisions of this Title and any applicable approvals granted for the project by any decision-making authority.
- B. The project and its design complies with any applicable design guidelines.
- C. The project and its design complies with all applicable General Plan policies.
- D. The project complies with applicable policies of the Napa County Airport Land Use Compatibility Plan.
- DE. The project's quality and character are compatible with the surrounding area, unless physically deteriorated or blighted, and will not be materially detrimental to existing development.
- EF. The proposed design is compatible with existing development in the area in terms of scale, height, bulk, proportion, materials, cohesiveness, color, and the preservation of privacy.
- FG. The design improves the community's appearance by avoiding both excessive variety and monotonous repetition.
- GH. The proposed design promotes a harmonious transition in terms of scale and character between areas of different General Plan land use designations and zoning districts.
- HJ. The proposed design provides for adequate and safe on-site vehicular and pedestrian circulation.

### **Chapter 19.42 Conditional Use Permits**

#### **19.42.020 Review and Approval Procedures.**

- D. Required Findings. The Planning Commission may approve or conditionally approve an application for a conditional use permit or minor use permit if it makes all of the following findings:
1. The proposed use is consistent with the policies and programs of the General Plan and any applicable master or specific plan.
  2. The proposed use is consistent with the purpose(s) and standards of the applicable zoning district(s).
  3. The proposed use complies with applicable policies of the Napa County Airport Land Use Compatibility Plan.
  - ~~3~~4. The project site is physically suitable for the type and intensity of land use being proposed.
  - ~~4~~5. The proposed use will not be a nuisance or materially detrimental to the general health, safety, and welfare of the public or to property and residents in the vicinity.
  - ~~5~~6. The site for the proposed use has adequate access, and meets parking and circulation standards and criteria.
  - ~~6~~7. There are adequate provisions for water and sanitary services, and other public utilities to ensure that the proposed use would not be detrimental to public health and safety.
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### **Chapter 19.43 Variances**

#### **19.43.030 Review and Approval Procedures.**

- C. Required Findings. The Planning Commission may approve or conditionally approve a variance application if it makes all of the following findings:
1. Special circumstances exist applicable to the subject property, including size, shape, topography, location, existing improvements, or surroundings, such that the strict application of this Title deprives such property of privileges enjoyed by other property in the vicinity and in the same zoning district(s).
  2. Granting of the variance does not constitute a grant a special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district(s) in which such property is located.
  3. Granting of the variance will not be materially detrimental to the public health, safety, or welfare or to property or residents in the vicinity.
  4. Granting of the variance does not allow a use or activity that is not otherwise expressly authorized by the regulations governing the subject parcel.
  5. Granting of the variance will not result in an inconsistency with the General Plan, including policies related to airport compatibility.



## **Chapter 19.45 Minor and Major Modifications**

### **19.45.030 Review and Approval Procedures**

- D. Required Findings. The Director or Commission may approve or conditionally approve a modification application if all of the following findings are made:
1. The modification is in substantial conformity with the previously-approved plan or permit, or if the change is substantive, that the revised project is equivalent to the original project design concept in terms of consistency with City design and development standards and policies.
  2. The modification will not create impacts substantially different from those of the previously-approved project.
  3. The granting of the modification will not be materially detrimental to the public health, safety, or welfare, or to property or residents in the vicinity.
  4. The proposed modification is consistent with the policies and exhibits contained in the General Plan, including policies related to airport compatibility.

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## **Chapter 19.46 Zoning Clearances and Certificates of Occupancy**

### **19.46.030 Review and Approval Procedures.**

- A. Zoning Clearances.
1. Prior to the issuance of a business license or building permit for any establishment of use or construction of a building or structure, a zoning clearance shall be issued by the Planning Director, certifying that the business license or building permit complies with all provisions of this Title and any discretionary approvals, and with the Napa County Airport Compatibility Plan policies and regulations where applicable.
  2. Prior to the issuance of a zoning clearance, the applicant shall provide evidence to the Director of approval from any appropriate agencies and city departments.
- B. Certificates of Occupancy. A certificate of occupancy shall state that the building or proposed use of a building or land complies with all of the provisions of the Municipal Code and all other building codes applicable to occupancies within the City. A record of all certificates shall be kept on file at the City offices and copies shall be furnished on request to any person having a proprietary or tenancy interest in the affected building or land.
1. Building certificates of occupancy. A certificate of occupancy for a new building or the alteration of an existing building shall be applied for concurrently with the application for a final inspection permit. The certificate shall be issued after final inspection has been completed and it has been determined that construction conforms to the Municipal Code's building regulations, as well as to the provisions of this Title.
  2. Use certificates of occupancy. A certificate of occupancy for a change in the use of a building or structure shall be applied for concurrently with an application for a business license before any such new use commences. The certificate shall be issued within 10 days after the application has been made, provided that such use is in conformity with the provisions of this Title and with the Napa County Airport Compatibility Plan policies and regulations where applicable.

Zoning Map with graphic "indicator" lines showing airport zones D & E added:

