

“E”

Napa City Airport Compatibility Overlay Zoning Regulations

Chapter 17.34 :AC—AIRPORT COMPATIBILITY OVERLAY DISTRICT

17.34.010 Purpose.

The specific purpose of the :AC airport compatibility overlay regulations are to protect the public health, safety and welfare within the land use compatibility zones of the Napa County Airport identified by the Napa County Airport Land Use Compatibility Plan (ALUCP). (O2003-12)

17.34.020 Designation.

The :AC overlay district may overlay or be combined with any zoning district consistent with the purpose and provisions of this district. Regulations established by the :AC overlay district shall be in addition to the regulations of the principal zoning district with which they are combined, and in the event of a conflict between the two, the provisions of the :AC district shall apply. (O2003-12)

17.34.030 ALUCP Zone E regulations.

Within ALUCP Zone E most land uses are normally acceptable, however, the following standards shall apply in addition to the standards of the principal zoning district:

- A. Over flight easements acceptable to the city in consultation with the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, including expansions greater than 5,000 square feet in size. Such easements shall be prepared prior to issuance of a building permit and granted to the airport proprietor.
- B. Prohibited Uses. Highly noise sensitive outdoor uses referenced in the ALUCP, such as meditative retreats.
- C. Uses Not Normally Acceptable. The following uses raise concerns related to size, noise sensitivity or their propensity to attract birds that must be addressed if the use is to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval.
 1. Landfills;
 2. New ponds greater than one-half acre in size;
 3. Amphitheaters;
 4. Residential Uses—All. Any proposed residential use shall consider the proximity of flight patterns, frequency of over flights, terrain conditions and type of aircraft in determining acceptable use locations.
- D. General Design Requirements.
 1. Lights, Glare, Electronic Interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights, or electronic interference. All exterior lighting shall be directed downward or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. The Community Development Director may require the applicant to consult with Airport Land Use Commission (ALUC) staff, the airport manager or a qualified airport land use planning consultant regarding whether a use or structure would create such a hazard. If the use or structure cannot be designed to prevent such hazard, it may be denied.
 2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, or, if height limits are not specifically assigned by the underlying district, the height limit shall be 35 feet. Any

project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.

3. Lot Coverage. Lot coverage is governed by density and/or FAR limits assigned by the General Plan. If such limits are not identified for a particular site due to "Study Area" designations, the building lot coverage limit shall be 20%. Any project proposing a change in the General Plan FAR, density, or, for an unassigned site, building lot coverage over 20%, shall be referred to the ALUC prior to final approval.

(O2003-12)

17.34.040 ALUCP Zone D regulations.

Within ALUCP Zone D, most nonresidential uses are normally acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district:

- A. Overflight easements acceptable to the city in consultation with the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, including expansions greater than 5,000 square feet in size. Such easements shall be prepared prior to issuance of a building permit and granted to the airport proprietor.
- B. Prohibited Uses. The following uses are prohibited:
 1. Landfills;
 2. Residential uses, except for residential uses allowable under agricultural land use and zoning designations.
- C. Uses Not Normally Acceptable. The following uses raise concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds to be addressed for a project to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval.
 1. Public or private schools for children under 18;
 2. Libraries;
 3. Hospitals, major medical facilities (skilled nursing and similar);
 4. Day care centers;
 5. Retail buildings and shopping centers greater than 40,000 square feet; or smaller retail buildings and centers that, when combined with an adjacent retail building and center, would in combination total more than 40,000 square feet;
 6. Amphitheaters;
 7. New ponds;
 8. Residential uses allowable under agricultural land use and zoning designations.
- D. Use Review Criteria. In determining whether proposed uses in subsection C have been appropriately designed, decision-making body shall consider the following criteria:
 1. Density. Density of use averaged over the entire site (excluding streets) should not exceed 100 persons per acre in structures, or 150 persons in and out of structures.
 2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas for emergency landing (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.).
 3. Noise. Appropriate noise reduction measures have been incorporated for noise sensitive uses (such as schools or libraries) consistent with ALUCP and city General Plan standards, whichever is more restrictive.
- E. General Design Requirements.
 1. Lights, glare, electronic interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights, or electronic interference. All exterior lighting shall be directed downward or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. The Community Development Director may require the applicant to consult with Airport Land Use Commission (ALUC) staff, the airport manager or a qualified airport land use planning consultant

regarding whether a use or structure would create such a hazard. If the use or structure cannot be designed to prevent such hazard, it may be denied.

2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, or, if height limits are not specifically assigned by the underlying district, the height limit shall be 35 feet. Any project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.

3. Lot Coverage. Lot coverage is governed by density and/or FAR limits assigned by the General Plan. If such limits are not identified for a particular site due to "Study Area" designations, the building lot coverage limit shall be 20%. Any project proposing a change in the General Plan FAR, density, or, for an unassigned site, building lot coverage over 20%, shall be referred to the ALUC prior to final approval.

(O2003-12)

17.34.050 ALUCP Zone C regulations.

Within ALUCP Zone C, which is the extended approach/departure zone, most lower intensity nonresidential uses are normally acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district:

A. Over flight easements acceptable to the city in consultation with the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, including expansions greater than 5,000 square feet in size. Such easements shall be prepared prior to issuance of a building permit and granted to the airport proprietor.

B. Prohibited Uses. The following uses are prohibited:

1. Residential uses;
2. Public or private schools for children under 18 years of age and libraries;
3. Hospitals and major medical facilities (skilled nursing and similar);
4. Day care centers.

C. Uses Not Normally Acceptable. The following uses raise concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds to be addressed for a project to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval.

1. Retail buildings and shopping centers larger than 40,000 square feet in size, or smaller retail buildings and centers that, when combined with an adjacent retail building and center, would in combination total more than 40,000 square feet;
2. Hotels and motels;
3. Health clubs;
4. Restaurants or bars seating more than 80 persons;
5. Multistory buildings;
6. Theaters, assembly halls, and conference centers;
7. New ponds.

D. Use Review Criteria. In determining whether proposed uses in subsection C have been appropriately designed, the decision-making body shall consider the following criteria:

1. Density. Density of use averaged over the entire site (excluding streets) should not exceed 50 persons per acre in structures, or 75 persons in and out of structures; however, density on any one acre should not exceed twice the indicated number of people per acre.
2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas for emergency landing (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.).

3. Noise. Applicable noise reduction measures have been incorporated for noise sensitive uses (such as hotels, motels and offices) consistent with ALUCP and city General Plan standards.

4. Location. Structures have been set back as far as possible from the extended centerline of the runway.

E. General Design Requirements.

1. Lights, glare, electronic interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights, or electronic interference. All exterior lighting shall be directed downward or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. The Community Development Director may require the applicant to consult with Airport Land Use Commission (ALUC) staff, the airport manager or a qualified airport land use planning consultant regarding whether a use or structure would create such a hazard. If the use or structure cannot be designed to prevent such hazard, it may be denied.

2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, or, if height limits are not specifically assigned by the underlying district, the height limit shall be 35 feet. Any project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.

3. Lot Coverage. Lot coverage is governed by density and/or FAR limits assigned by the General Plan. If such limits are not identified for a particular site due to "Study Area" designations, the building lot coverage limit shall be 20%. Any project proposing a change in the General Plan FAR, density, or, for unassigned site, building lot coverage over 20% shall be referred to the ALUC prior to final approval.

(O2003-12)

17.34.060 Applicability and review process.

These requirements shall apply to any development submitted on or after the effective date of the ordinance codified in this chapter requiring a General Plan amendment, specific plan, rezoning, variance, use permit, tentative parcel map, tentative subdivision map, or design review permit. Uses under review prior to the effective date of date of the ordinance codified in this chapter shall be reviewed by the city and ALUC under pre-existing procedures. (O2003-12)

17.34.070 ALUC referral.

A. General. General Plan Amendments, specific plans, zoning or subdivision ordinance amendments, "Not normally acceptable uses," and structure heights over applicable height limits within ALUCP compatibility zones shall be referred to and reviewed by the County Airport Land Use Commission (ALUC) 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 city 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 City Council may override that decision in accordance with state law.

(O2003-12)

17.34.080 Filing materials.

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

A. Special Requirements In/Near Zone C. Subdivisions and new construction proposed in Zone D within 100 feet of Zone C, or within Zone C shall provide building envelopes, approach surfaces and the extended runway₃₀

centerline on the plans.

B. Design Response, All Projects. The applicant shall address how the building or use has been designed so that it does not create smoke, glare, distracting lights, or electrical interference that may constitute a hazard to aircraft flight.

C. 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. (O2003-12)

17.34.090 Findings.

A. Except as provided in subsection C, the city shall make the following findings for a General Plan Amendment, specific plan, zoning or subdivision ordinance amendment, or use permit for a “Not Normally Acceptable” use:

1. The proposed project has been referred to the ALUC for a consistency determination; and
2. 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 Airport Land Use Commission design requirements.

C. Local Override. To override a determination by the ALUC that a proposed project or use is inconsistent with the ALUCP, the City Council, by a two-thirds vote, must make specific findings defined by state law that the action is consistent with the purposes of the ALUC statute. (O2003-12)

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