

**NAPA COUNTY CODE TITLE 18
ZONING ORDINANCE**

AW:PS ZONING DISTRICT REGULATIONS

NAPA COUNTY CODE – ZONING ORDINANCE

Chapter 18.20

AW AGRICULTURAL WATERSHED DISTRICT

Sections:

18.20.010 - Intent of classification.

The AW district classification is intended to be applied in those areas of the county where the predominant use is agriculturally oriented, where watershed areas, reservoirs and floodplain tributaries are located, where development would adversely impact on all such uses, and where the protection of agriculture, watersheds and floodplain tributaries from fire, pollution and erosion is essential to the general health, safety and welfare.

(Ord. 538 § 4, 1977: prior code § 12230)

18.20.020 - Uses allowed without a use permit.

The following uses shall be allowed in all AW districts without use permits:

- A. Agriculture;
- B. One single-family dwelling unit per legal lot;
- C. A second unit, either attached to or detached from an existing legal residential dwelling unit, providing that all of the conditions set forth in Section 18.104.180 are met;
- D. Residential care facilities (small);
- E. Family day care homes (small);
- F. Family day care homes (large), subject to Section 18.104.070;
- G. One guest cottage, provided that all of the conditions set forth in Section 18.104.080 are met;
- H. Wineries and related accessory uses and structures which legally existed prior to July 31, 1974 without the requirement that a use permit be issued, and which have not been abandoned; provided, that the extent of such uses and structures have been determined in accordance with the procedure set forth in Section 18.132.050. No expansion beyond those which existed prior to July 31, 1974 may occur unless specifically authorized by use permit, issued in conformance with the applicable provisions of this title;
- I. Small wineries which were issued a certificate of exemption prior to the date of adoption of the ordinance codified in this chapter, and used the certificate in the manner set forth in Section 18.124.080 before the effective date of the ordinance codified in this chapter, in conformance with the applicable certificate of exemption, Section 18.08.600, and any resolution adopted pursuant thereto;
- J. Wineries and related accessory uses which have been authorized by use permit and used in a manner set forth in Section 18.124.080 or any predecessor section; provided, that no expansion of uses or structures beyond those which were authorized by a use permit or modification of a use permit issued prior to the effective date of the ordinance codified in this

chapter shall be permitted except as may be authorized by a subsequent use permit issued pursuant to this title;

- K. Minor antennas meeting the requirements of Sections 18.119.240 through 18.119.260;
- L. Telecommunication facilities, other than satellite earth stations, that meet the performance standards specified in Section 18.119.200, provided that prior to issuance of any building permit, or the commencement of the use if no building permit is required, the director or his/her designee has issued a site plan approval pursuant to Chapter 18.140;
- M. Hunting clubs (small) as defined in Chapter 18.08;
- N. Overnight lodging in public parks or in structures, at the density and intensity of use (number of units) lawfully developed for such purpose prior to October 13, 1977, provided that such use has a currently-valid certificate of the extent of legal nonconformity pursuant to Section 18.132.050;
- O. Any recreational vehicle park or campground and their accessory and related uses which have been authorized by use permit and used in a manner set forth in Section 18.124.080 or any predecessor section; provided that no expansion of uses or structures beyond those which were specifically authorized by a use permit or modification of a use permit issued prior to May 10, 1996, shall be permitted except as may be authorized by a subsequent permit issued pursuant to this title;
- P. Floating dock which complies with all of the following:
 - 1. Is accessory to a residential or agricultural use otherwise permitted by this chapter without a use permit,
 - 2. Any portion located on a navigable waterway is determined by the Napa County Flood Control and Water Conservation District engineer to not obstruct seasonal flood flows, and
 - 3. In operation is located adjacent and parallel to, and does not exceed in length the water frontage of the legal parcel or contiguous legal parcels owned by the owner of the floating dock;
- Q. Maintenance and emergency repairs of legally-created levees, subject to compliance with Chapter 16.04 of this code;
- R. Farmworker housing (i) providing accommodations for six or fewer employees, or (ii) consisting of no more than thirty six beds in group quarters or twelve units designed for use by a single household, and otherwise consistent with Health and Safety Code Sections 17021.5 and 17021.6, or successor provisions, subject to the conditions set forth in Sections 18.104.300 and 18.104.310, as applicable; and
- S. Quasi-private recreation uses and facilities, as defined in Section 18.08.494, conforming to the standards in Section 18.104.350, and provided that they do not adversely impact adjacent agriculture.
- T. Grading and paving contractors, including offices, equipment storage and repair, and materials storage, so long as the following conditions are met:
 - 1. The grading and paving business has been conducted in the same location since July 1, 1968 or earlier;

2. The number of buildings used for the grading and paving business, and the total square footage of the building used for the grading and paving business, does not exceed that in existence as of January 1, 2015;
3. The days and hours of operation of the grading and paving business do not exceed the average of the years 2013 through 2015;
4. The grading and paving business is located within one mile of the city limits of an incorporated city;
5. The grading and paving business is located on a parcel no smaller than five acres and no larger than ten acres;
6. Uncovered storage areas shall be screened from pre-existing residences on adjacent parcels. Screening shall generally consist of evergreen landscape buffers and fences;
7. All exterior lighting, including landscape lighting, shall be shielded and directed downward, located as low to the ground as possible, and the minimum necessary for security, safety, or operations.

(Ord. No. 1326, § 6, 9-22-2009; Ord. No. 1323, § 7, 6-23-2009; Ord. 1144 § 2, 1998; Ord. 1105 § 4, 1996; Ord. 1097 § 14, 1996; Ord. 947 § 13, 1990; Ord. 900 § 2, 1988; Ord. 867 § 11, 1988; Ord. 816 § 7, 1986; Ord. 815 § 5, 1986; Ord. 784 § 1, 1984; Ord. 629 § 3, 1980; Ord. 538 § 4, 1977; prior code § 12231)

(Ord. No. 1427, § 5, 3-16-2018)

18.20.030 - Uses permitted upon grant of a use permit.

The following uses may be permitted in all AW districts, but only upon grant of a use permit pursuant to Section 18.124.010:

- A. Parks and rural recreation uses and facilities as defined in Chapter 18.08, conforming to the standards in Chapter 18.104;
- B. Farmworker housing and seasonal farmworker centers conforming to Section 18.104.300 or 18.104.310, unless exempt from a use permit requirement under subsection (R) of Section 18.20.020;
- C. Facilities, other than wineries, for the processing of agricultural products grown or raised on the same parcels or contiguous parcels under the same ownership;
- D. Kennels, horse boarding and/or training stables, veterinary facilities, and wildlife rescue centers;
- E. Feed lots;
- F. Sanitary landfill sites;
- G. Noncommercial wind energy and conversion systems;
- H. Wineries, as defined in Section 18.08.640;
- I. The following uses in connection with a winery:
 1. Crushing of grapes outside or within a structure,
 2. On-site, aboveground disposal of wastewater generated by the winery,

3. Aging, processing and storage of wine in bulk,
 4. Bottling and storage of bottled wine; shipping and receiving of bulk and bottled wine, provided the wine bottled or received does not exceed the permitted production capacity,
 5. Any or all of the following uses provided that, in the aggregate, such uses are clearly incidental, related and subordinate to the primary operation of the winery as a production facility:
 - a. Office and laboratory uses,
 - b. Marketing of wine as defined in Section 18.08.370,
 - c. Retail sale of (1) wine fermented or refermented and bottled at the winery, irrespective of the county of origin of the grapes from which the wine was made, providing nothing herein shall excuse the application of subsections (B) and (C) of Section 18.104.250 regulating the source of grapes; and (2) wine produced by or for the winery from grapes grown in Napa County;
- J. The following uses, when accessory to a winery:
1. Tours and tastings, as defined in Section 18.08.620,
 2. Display, but not sale, of art,
 3. Display, but not sale, of items of historical, ecological or viticultural significance to the wine industry,
 4. Sale of wine-related products,
 5. Child day care centers limited to caring for children of employees of the winery;
- K. Telecommunication facilities, other than satellite earth stations, that do not meet one or more of the performance standards specified in Section 18.119.200;
- L. Satellite earth stations that cannot, for demonstrated technical reasons acceptable to the director, be located in an Industrial (I), Industrial Park (IP), or General Industrial (GI) zoning district;
- M. Campgrounds on public lands conforming to the standards in Chapter 18.104;
- N. Hunting clubs (large) as defined in Chapter 18.08 and subject to the standards in Chapter 18.104;
- O. Facilities, other than wineries, for the processing of agricultural products where the products are grown or raised within the county, provided that the facility is located on a parcel of ten or more acres, does not exceed five thousand gross square feet, and is not industrial in character. Only those agricultural products raised or processed on-site may be sold at the facility; and
- P. Farm management uses not meeting one or more of the standards contained in subsections (F)(2), (F)(3), and (F)(4) of Section 18.08.040.

(Ord. 1285 § 3, 2006; Ord. 1275 § 2, 2006; Ord. 1246 § 7, 2004; Ord. 1105 §§ 5, 6, 1996; Ord. 1101 § 6, 1996; Ord. 1097 § 15, 1996; Ord. 1040 § 6, 1993; Ord. 947 § 14, 1990; Ord. 757 § 4, 1983; Ord. 538 § 4, 1977; prior code § 12232)

(Ord. No. 1323, § 8, 6-23-2009; Ord. No. 1326, § 7, 9-22-2009; Ord. No. 1340, § 4, 5-11-2010; Ord. No. 1370, § 13, 3-20-2012; Ord. No. 1420, § 3, 5-9-2017)

18.20.040 - Other regulations applicable.

The regulations shown for AW districts in the Schedule of Zoning District Regulations, Section 18.104.010 shall apply to each structure and to each use of land within the agricultural watershed district.

(Ord. 1194 § 11, 2002; Ord. 538 § 4, 1977; prior code § 12233)

Chapter 18.102

:PS AGRICULTURAL PRODUCE STAND COMBINATION DISTRICT

Sections:

18.102.010 - Intent of classification.

The :PS combination district classification is intended to be applied in Agricultural Watershed districts where the sale of agricultural produce, fruits, vegetables, and Christmas trees, grown on or off premises, and items related thereto, as well as the recreational and educational use by children of animals, such as children's pony rides and petting zoos. Only lands that have been historically used for such purposes are eligible for the :PS combination district classification.

(Ord. 96-3 § 4 (part), 1996)

18.102.020 - Uses allowed without a use permit.

The following uses shall be allowed in all :PS combination districts without a use permit:

- A. In any district with which the :PS combination district is combined, all uses allowed without a use permit in the principal zoning district;
- B. Any use permitted upon grant of a use permit in the principal zoning district with which the :PS zoning district is combined;
- C. Sale by the owner of the parcel with which the :PS zoning district is combined of agricultural produce, fruits, vegetables, and Christmas trees, grown on or off premises, and items related thereto, and construction of buildings to accommodate such sales, as well as the recreational and educational use by children of animals, such as children's pony rides and petting zoos, and buildings necessary to house such animals.

(Ord. 96-3 § 4 (part), 1996)

18.102.030 - Other regulations applicable.

The regulations for the principal zoning district with which the :PS zoning district is combined with the exception of the uses set forth in Section 18.102.020 above shall apply to each structure and to each use of land within the :PS combination zoning district.

(Ord. 96-3 § 4 (part), 1996)

18.102.040 - Uses allowed upon grant of a use permit.

The following uses may be permitted on a parcel within a :PS zoning district, when accessory to an agricultural produce stand lawfully existing thereon, upon grant of a use permit pursuant to Section 18.124.010.

- A. Delicatessens with outdoor barbeque;
- B. Wine tastings.

(Ord. 08-01 § 3, 2008)

Chapter 18.104

ADDITIONAL ZONING DISTRICT REGULATIONS

Sections:

18.104.010 - Schedule of zoning district regulations.

- A. The table presented in this section lists zoning districts in the first vertical column. Regulations are shown horizontally across the top of the table. The second and each succeeding vertical column shows the indicated minimum or maximum standard allowed for each listed regulation in the zoning district specified in the first vertical column.
- B. Notwithstanding subsection (A) of this section, the side yard setbacks for legal parcels that are two acres in size or less and are located in the agricultural preserve, agricultural watershed or residential country zoning districts shall be the side yard setbacks applicable within the residential single zoning district.
- C. Notwithstanding subsection (A) of this section, the side yard setback for a dwelling unit or accessory structure proposed on any lot with a lot width of less than sixty feet measured at the front yard setback line shall be five feet.
- D. Notwithstanding subsection (A) of this section, and except as provided in Section 18.104.295, the minimum parcel size in the AP zoning district shall be two acres for worker centers established pursuant to Section 18.104.305 and the minimum parcel size in the AW zoning district shall be two acres for farmworker centers established pursuant to Section 18.104.305.
- E. Notwithstanding subsection (A) of this section, the front yard setbacks for all parcels within the Berryessa Highlands Subdivision, Units I and II, shall be ten feet from the front property line.

Table 18.104.010
SCHEDULE OF ZONING DISTRICT REGULATIONS