

ORDINANCE NO. 1332
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
NAPA, STATE OF CALIFORNIA, AMENDING SECTION 18.08.260 DEFINING
DWELLING UNIT AND ADDING A NEW SECTION 18.104.410 REGULATING
TRANSIENT OCCUPANCIES OF DWELLING UNITS TO THE NAPA COUNTY CODE

WHEREAS, under the Napa County General Plan, amended June, 2008, four overriding goals of Napa County are to preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County; and to concentrate urban uses in the County's existing cities and town and urbanized areas; and to maintain and enhance the economic viability of agriculture; and to develop and promote a diversity of business opportunities, which do not conflict with agriculture. (AG/LU and ED Goals, AG/LU-1 and 2 Policies, ED/E-1,2,4,13, Policies, ED/E-13.1 Action Item), and;

WHEREAS, preserving the economic viability of agriculture by helping to position Napa County to compete globally as a visitor destination and accepting the agri-tourism industry's need to adapt and change are goals inherent in the General Plan. These goals recognize the historic and ongoing relationship between tourism, the making and marketing of wine, and the value of the Napa County agriculture. Wine and grape-based agriculture is the county's #1 industry, and is supported by tourism/hospitality. (AG/LU and ED Statements and Goals, ED/E-1 Goal, ED/E-2, E-3,E-4 Policies, CC-24), and;

WHEREAS, in support of these goals, the General Plan contains numerous policies which direct that agriculture is the primary land use in the County, minimize conflicts arising from encroachment of urban uses into agricultural areas, limiting new non-agricultural uses or developments, concentrate urban uses and residential growth in the incorporated cities and town which can provide necessary and expected public services and not conflict with the agricultural heritage of the County. With the goals in the private sector, plan for commercial, industrial, residential, recreational, and public land uses in locations that are compatible with adjacent uses and agriculture. (AG/LU-5 Goal, AG/LU-1, 3,12,22,23 Policies, ED/E-5 Policy), and;

WHEREAS, additionally the General Plan contains policies which direct the County to promote development concepts that support the economic viability of agriculture, and supporting industries to ensure the preservation of agricultural lands. The County recognizes that tourism contributes to the economic viability of agriculture in Napa County and is an important part of the County's economy and generating jobs. (AG/LU-1, 3,12,22,23,33, Policies and Action Item 33.1, and ED/E-2 Policy), and;

WHEREAS, the General Plan policies recognize the importance of the Napa brand and encourages efforts to protect and enhance the image and integrity of the "Napa" and "Napa Valley" names for the marketing of Napa County goods, services, tourism and lifestyle. The county seeks to maintain the economic viability of agriculture and improve the economic vitality of all of Napa County. (ED/E-3,4 Policies), and;

WHEREAS, the General Plan further states that the County values businesses which currently operate in Napa County. Business retention strategies will be integral to meeting the County's economic goals. Policies encourage local employment and to utilize-County resources to promote countywide economic health. (Goal E-2, Policies E-6, E-8, Action Item E-13.1), and;

WHEREAS, the General Plan recognizes that a sizeable portion of the county's population is located in rural areas, and that small businesses are important to the overall economy. The County encourages appropriate home-based business to be established in suitable locations. The County should recognize the contributions of local businesses to the economy of Napa County. by instituting local preferences where appropriate. The County encourages investment by the private sector, and balances the rights of individuals. The General Plan explicitly acknowledges that private ownership provides valuable incentives for the proper care of property and the environment, and that preservation of property rights is an important cultural, economic, and community value. (Goal AG/LU-6, AG/LU-108 Policy, and ED/E-15,E-19 Policies), and;

WHEREAS, the use of dwelling units on an overnight transient basis of less than 30 days occupancy supports the appreciation of the agricultural nature and rural ambiance of the County, and those areas devoted to rural residential use, and it may even be considered an accessory use of the agricultural industry. (ED/E-15 Policy), and;

WHEREAS, open space facilitates a healthy agricultural economy which complements and supports growth focused on urban areas, and provides the visual backdrop that defines the sense of place for Napa County residents and visitors alike. While nearly three-fourths of these open space lands are privately owned, the properties can accommodate a variety of low-intensity uses including rural residential, hunting, fishing, back-country hiking and cycling, and other privately-sponsored recreational uses. Use of dwelling units on an overnight transient basis of less than 30 days occupancy as residential vacation rentals uniquely supports these recreational uses, which are available only in the event those property owners are willing and able to accommodate transient occupancy visitors. (RE/OS Statement and Goals), and;

WHEREAS, the grape-based agricultural industry faces ever-increasing competition from other winemaking regions around the world. Preserving the economic viability of agriculture by helping to position Napa County to compete globally as a visitor destination necessitates and by accepting the visitor industry's need to adapt and change, and embracing that as a goal inherent in the policies in the General Plan. The use of dwelling units on an overnight transient basis of less than 30 days occupancy is a global trend in visitor lodging accommodations, and is provided for in all major wine country destinations worldwide. For Napa County to be competitive and sustain the agricultural economy, offering this type of lodging diversity is essential; (AP/LU Statement and Goal), and;

WHEREAS, through the General Plan the County recognizes the principle of sustainability by seeking to address community needs without compromising the ability of future generations to meet their own needs. The use of dwellings for transient occupancy has become integral with the tourist industry, Napa Valley as a destination, the agricultural and local economy, and contributes to the sustainability of the economy and the community now and for future generations; (AP/LU-109 Policies) and;

WHEREAS, existing residences are used to accommodate visitors, therefore development is buffered. The residences disperse tourism and travel; (AP/LU-3 Policy, and AP/LU Action Item 15.5.1), and;

WHEREAS, rental of dwellings as residential vacation rentals accommodates visitors for less than 30 days, and transient occupancy tax can be collected; and;

WHEREAS, the rental of dwelling units is consistent with the goals, policies and objectives of the General Plan; and

WHEREAS, the Board of Supervisors determine that the enactment of this ordinance regulating transient occupancies of dwelling units supports the agriculture-based tourism which is the economic foundation of the entire county. It can promote and advance the health, safety and general welfare of the county and its inhabitants.

NOW, THEREFORE, the Board of Supervisors of the County of Napa, State of California, ordains as follows:

SECTION 1. Section 18.08.260 (Dwelling unit) of Chapter 18.08 (Definitions) of the Napa County Code is amended to read in full as follows:

18.08.260 Dwelling unit.

A. "Dwelling unit" means a room or connected rooms constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease for a period of thirty days or longer, or rental for transient occupancy for less than 30 days, physically separated from other rooms or dwelling units in the same structure, and containing independent cooking and sleeping facilities.

B. "Dwelling unit" does not include those commercial timeshare or vacation ownership arrangements as more specifically defined in Section 11212 of Chapter 2 of Part 2 of Division 4 of the Business and Professions Code, including a dwelling unit owned by a corporation or club, including arrangements commonly referred to as corporate club memberships, private residence clubs, vacation home partnerships, vacation clubs, destination clubs, or condo hotels, and used by individual shareholders or members by advance reservation or arrangement for a period of less

than thirty consecutive days, and also does not include arrangements involving a parcel of real property with more than twelve fee owners per legal dwelling unit where any fee owner is entitled to exclusive occupancy of the dwelling unit or units for a period of less than thirty days in a given calendar year.

SECTION 2. A new Section 18.1 04.41 0 (Transient occupancies of dwelling units) is added to Chapter 18.1 04 (Additional Zoning District Regulations) of the Napa County Code to read in full as follows:

18.104.410 Transient occupancies of dwelling units .

A. Transient occupancies of dwelling units will be permitted in residential and agricultural zoning districts within the county.

B. Definitions. Unless otherwise defined in Chapter 18.08, the following definitions shall apply to this section:

1. "Transient use" shall be subject to regulations, licenses, permits and transient occupancy tax, except it shall not include house exchanges, where owners or occupants swap homes for vacation purposes.
2. "Occupancies" means the use or possession or the right to the use or possession of real property or a portion thereof, including any dwelling unit, single family dwelling unit, guest cottage, or second unit, for dwelling, lodging or sleeping purposes. The right to use or possession includes any nonrefundable deposit or guaranteed no-show fee paid by a person, whether or not the person making the deposit actually exercises the right to occupancy by using or possessing any property or portion thereof.
3. "Transient occupancies of dwelling units" means any use of a dwelling unit for a period of time less than thirty consecutive days. It does not include occupancies associated with farm labor camps, residential care facilities, family day care homes, or legally permitted bed and breakfast establishments, hotels or motels.

18.104.411 Definitions associated with transient occupancies of dwelling units .

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

- A. "Local contact person" means a local property manager, owner or agent of the owner, who is available to respond to tenant and neighborhood questions or concerns, or any agent of the owner authorized by owner to take remedial action and respond to any violation of this ordinance.
- B. "Managing agency or agent" means a person, firm or agency representing the owner of the Vacation Rental, or a person, firm or agency owning the residential Vacation Rental.
- C. "Operator" means the person who is proprietor of a transient lodging facility, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee or any capacity. Where the operator performs his functions through a managing agent of any type of character, other than an employee, or where the operator performs his functions through a rental agent, the managing agent or the rental agent shall have the same duties as his principal. Compliance with the provisions of this chapter by either the principal or the managing agent or the rental agent shall be considered to be in compliance by both.
- D. "Owner" means the person or entity that holds legal and/or equitable title to the private property.
- E. "Person" means an individual, a group of individuals, or an association, firm, partnership, corporation or other entity, public or private.
- F. "Person responsible for event" means the owner of the property where the large party, gathering or event takes place, the person in charge of the premises and/or the person who organized the event. If the person responsible for the event is a minor, then the parents or guardian of minor will be jointly and severally liable for the fines imposed for the special security assignment.

G. "Vacation Rental" means one or more dwelling units, including either a single-family, detached or multiple-family attached unit, rented for the purpose of overnight lodging for a period of not more than 30 days other than ongoing month-to-month tenancy granted to the same renter for the same unit.

18.104.412 Dwelling Unit / Residential Vacation Rental Permit Requirements

No owner of a residential vacation rental shall rent that unit for 30 consecutive calendar days or less without a valid vacation rental permit for that unit issued pursuant to this chapter. A separate permit shall be required for each vacation rental. The permit requirements of this chapter are in addition to any business license, transient occupancy tax, registration or any other permit or licensing requirements. However, at the discretion of the county treasurer/tax collector, the processing of permits required under this chapter may be combined with the processing of business licenses, transient occupancy tax registration or any other permit or license process administered by the county treasurer/tax collector. The county treasurer/tax collector is authorized to prescribe forms and procedures for the processing of permits under this chapter.

18.104.413 Agency

An owner may retain an agent, representative or local contact person to comply with the requirements of this chapter, including, without limitation, the filing of an application for a permit, the management of the dwelling unit to be available as a vacation rental and the compliance with the conditions of the permit. The permit shall be issued only to the owner of the dwelling unit/vacation rental. The owner of the dwelling unit is responsible for compliance with the provisions of this chapter and the failure of an agent, representative, or local contact person to comply with this chapter shall be deemed non-compliance by the owner.

18.104.414 Application for Transient Occupancy of Dwelling Unit / Residential Vacation Rental Permit

An application for a permit shall be filed with the tax collector or designee prior to use of the property as a Residential Vacation Rental. Permit applications for properties presently used as Residential Vacation Rentals shall be filed within 90 days of the effective date of this ordinance upon forms provided by the county and shall contain the following information:

- A.** The name, address and telephone number of the owner of the residential vacation rental for which the permit is be issued.
- B.** The name, address and telephone number of the agent, representative or local contact person for the owner of the residential vacation rental.
- C.** The number of bedrooms and approximate square footage in the residential vacation rental, and the maximum number of overnight occupants.
- D.** Acknowledgment that all designated bedrooms meet all local building and safety code requirements.
- E.** A diagram and/or photograph of the premises showing and indicating he number and location of designated on-site parking spaces, and the maximum number of vehicles allowed for overnight occupants.
- F.** Evidence of a valid business license issued by the county for the separate business of operating the residential vacation rental, unless the operation of the residential vacation rental is otherwise exempt from the requirement of a business license under the express provisions of this code. An application for a permit under this chapter may be made concurrent with an application for a business license. If concurrent applications are made, a permit under this chapter shall not be approved unless the application for the business license is also approved.
- G.** Evidence of a valid transient occupancy tax (TOT) registration certificate issued by the county for the residential vacation rental. Such registration may be filed concurrently with the application for a permit under this chapter.
- H.** Acknowledgment that the owner, agent and local contact person have read all regulations pertaining to the operation of a residential vacation rental.

- I.** Certification of the accuracy of the information submitted and agreement to comply with all conditions of the permit.
- J.** Acknowledgment that the owner, agent, or local contact person has or will post the residential vacation rental with the notice required in Section _____.
- K.** Such other information as the tax collector or designee deems reasonably necessary to administer this chapter. If the information supplied by the property owner on the application for a residential vacation rental permit is not consistent with county records, an inspection can be required prior to or after the issuance of the residential vacation rental permit. An inspection fee established by resolution of the board of supervisors shall be charged for any inspection requested by a property owner.

18.104.415 Application Fee

An application for a residential vacation rental permit shall be accompanied by an initial fee established by resolution of the board of supervisors; provided, however, the fee shall be no greater than necessary to defer the cost incurred by the county in administering the provisions of this chapter. An annual renewal fee will be established by resolution of the board of supervisors and shall be no greater than necessary to defer the cost incurred by the county in administering the provisions of this chapter.

18.104.416 Permit Conditions

A. All permits issued pursuant to this chapter are subject to the following standard conditions:

1. The owner shall by written agreement, limit overnight occupancy of the vacation home rental to the specific number of occupants designated in the permit; with the number of overnight occupants not to exceed 2 persons per bedroom meeting building code requirements, plus 4 additional persons per residence. A bedroom is a room that is designed to be used as a sleeping room and for no other primary purpose. Every bedroom shall have an emergency escape or rescue exit and a minimum ceiling height as follows:

(a) Bedrooms shall have at least one operable window or door approved for emergency escape or rescue that opens directly into a public street or yard. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. The minimum net clear openable one dimension [e.g. height] shall be 24 inches. The minimum net clear openable other dimension [e.g. width] shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor.

(b) Bedrooms shall have a ceiling height of not less than 7 feet 6 inches, except as provided in this section. When exposed beam ceiling members are spaced at 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than 7 feet above the floor. If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one half of the area thereof. No portion of the room measuring less than 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof. If any room has a furred ceiling, the prescribed ceiling height is required in two thirds area thereof, but in no case shall the height of the furred ceiling be less than 7 feet.

2. The owner shall by written agreement, limit the number of vehicles of overnight occupants to the number designated in the permit; with the number of vehicles of overnight occupants not to exceed the number of designated on-site parking spaces.

3. The owner shall use best efforts to assure that the occupants and/or guests of the vacation rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any State law pertaining to noise or disorderly conduct by notifying the occupants of the rules regarding residential vacation rentals and responding when notified that occupants are violating laws regarding their occupancy. It is not intended that the owner, local agent or contact person act as a peace officer or place himself or herself in harms way.

4. The owner shall, upon notification that occupants and/or guests of his or her residential vacation rental have created unreasonable noise or disturbances, engaged in disorderly conduct or violated provisions of this code or State law

pertaining to noise, or disorderly conduct, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.

5. The owner of the residential vacation rental shall comply with and use his or her best efforts to achieve compliance by the occupants with all the provisions of Chapter ___ of this code (Solid Waste Management Ordinance).

6. The owner of the residential vacation rental shall post a copy of the permit and a copy of the conditions set forth in this section in a conspicuous place within the residential vacation rental.

B. The board of supervisors at a duly noticed meeting shall have the authority to impose additional standard conditions, applicable to residential vacation rentals, as necessary to achieve the objectives of this chapter.

C. The chief administrative officer or designee shall have the authority to impose additional conditions on any permit in the event of any violation of the conditions to the permit or the provisions of this chapter subject to compliance with the procedures set forth in Section 0.00.000 of this code.

D. A public notice mailing for notification of the permit application to neighboring property owners within 300 feet radius and/or adjoining properties.

18.104.417 Sign and notification requirements .

Each residential vacation rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

A. The name of the managing agency, agent, property manager, local contact or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis; this information must also be given to neighbors.

B. The maximum number of occupants permitted to stay in the unit;

C. The maximum number of vehicles allowed to be parked on the property;

D. The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pick-up to 6:00 p.m. on the day designated for trash pick-up;

E. Notification that an occupant as a person responsible for an event, may be cited and fined for creating a disturbance or for violating other provisions of this ordinance; and

G. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this ordinance.

H. The transient occupancy tax number must be included in the notice posted; as well as in all advertising.

18.104.418 Parking

All permissible uses shall comply with the county parking, driveway and loading standards, and local regulations. Owner shall provide sufficient parking to meet county onsite parking requirements, including the garage when necessary. All overnight occupant parking shall be on site or immediately in front of the vacation rental. (Ord. 1332)

18.104.419 Noise

All vacation rentals shall comply with the following standard: It shall be unlawful for any person on residential property or a public way to make or continue, or cause to be made or continued, any offensive, excessive, unnecessary, or unusually loud noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others on residential property or public ways within the county. Compliance with this standard shall be in addition to compliance with all other provisions of this code relating to nuisance, peace and safety.

18.104.420 Local Contact Person

Each owner of a residential vacation rental shall designate a local person or property manager/agent as a local contact person who has access and authority to assume management of the unit and take remedial measures. An owner of a vacation rental who resides in Napa County may designate himself/herself as the local contact person. The local contact person shall be required to respond to the location of the vacation rental home within one (1) hour after being notified by the sheriff of the existence of a violation of this chapter or any other provision of this code, or any disturbance requiring immediate remedy or abatement.

18.104.421 Violation and Penalties

A. The following conduct shall constitute a violation for which the penalties specified in subsection (B) may be imposed, or the permit suspended or revoked:

1. The owner has failed to comply with the standard conditions specified in Section 0.00.000.A of this code; or
2. The owner has failed to comply with additional conditions imposed by the chief administrative officer pursuant to the provisions of Section 0.00.000 of this code; or,
3. The owner has violated the provisions of this chapter; or,
4. The owner has failed to collect and/or remit to the county the transient occupancy tax as required by Chapter ____ of this code.

B. The penalties for violations specified in subsection (A) shall be as follows:

1. For the first violation within any 12 month period, the penalty shall be a warning notice of violation;
2. For a second violation within any 12 month period, the penalty shall be a fine not to exceed \$250.00.
3. For a third violation within any 12 month period, the penalty shall be a fine not exceed \$500.00;
4. For a fourth violation within any 12 month period, the penalty shall be a fine not to exceed \$1,000.00 and/or suspension of the permit; and
5. For a fifth violation within any 12 month period, the permit may be revoked in accordance with the provisions of Section _____ of this code. An owner may petition the hearing officer for reinstatement no sooner than 12 months after revocation.

18.104.422 Procedure for Imposition of Penalties/Suspension/Revocation

Penalties, including a notice of violation, shall be imposed, and permits shall be revoked, only in the manner provided in this section.

A. The tax collector or designee shall conduct an investigation whenever there is reason to believe that an owner has failed to comply with the provisions of this chapter. The investigation may include an inspection of the premises. Should the investigation reveal substantial evidence to support a finding that a violation occurred, the tax collector or designee shall issue written notice of the violation and intention to impose a penalty and/or revoke the permit. The written notice shall be served on the owner and operator or agent and shall specify the facts which in the opinion of the tax collector, constitute substantial evidence to establish grounds for imposition of the penalties and/or revocation, and specify that the penalties will be imposed and/or that the permit will be revoked within 15 days from the date the notice is given unless the owner and/or operator files with the tax collector the fine amount and a request for a hearing before the tax collector.

B. If the owner requests a hearing within the time specified in subsection (A), the tax collector shall serve written notice on the owner and operator, by mail, of the date, time and place for the hearing which shall be scheduled not less

than 15 days, nor more than 45 days of receipt of request for a hearing. The tax collector may preside over the hearing or may designate a hearing officer. The penalties or revoke the permit only upon a finding that a violation has been proven by a preponderance of the evidence and submit proposed findings and recommendations to the tax collector. The tax collector shall impose a penalty or revocation of the permit, and that the penalty or revocation is consistent with the provision of Section 0.00.000 of this code. The hearing shall be conducted according to the rules normally applicable to administrative hearings. The tax collector shall render a decision within 30 days of the hearing and the decision shall be appealable to the board of supervisors.

18.104.423 Permits and Fees Not Exclusive

Permits and fees required by this chapter shall be in addition to any license, permit or fee required under any other chapter of this code. The issuance of any permit pursuant to this chapter shall not relieve the owner of the obligation to comply with all other provisions of this code pertaining to the use and occupancy of the Residential Vacation Rental or the property on which it is located.

18.104.424 Penalty

Any person violating the provisions of this chapter by operating a Residential Vacation Rental without a valid permit shall be guilty of a misdemeanor resulting in imposition of a fine of \$500.00 for a first violation and a fine of \$1,000.00 for a second violation.

18.104.425 Enforcement of Chapter

The sheriff or designee is hereby authorized and directed to establish such rules and regulations as may from time-to-time be required to carry out the purpose and intent of this chapter. Substantive changes to this ordinance can only be made by the Board of supervisors.

18.104.426 Private Actions to Enforce

Any person who has suffered, or alleges to have suffered, damage to person or property because of a violation of this chapter may bring an action for money damages and any other appropriate relief in a court of competent jurisdiction against the party alleged to have violated this chapter. The prevailing party in any such litigation shall be entitled to recover reasonable litigation costs, including attorney's fees in an amount deemed reasonable by the court. Nothing herein shall be deemed or construed to create any right of action against the county or any of its officers, employees, or agents. The sole purpose and intent of this section is to create a right of action between private parties, entities and interests, which are or may be impacted or affected by various aspects of Residential Vacation Rentals within the county.

18.104.427 Violations by Occupants of Residential Vacation Rentals

Any violation of the provisions of this chapter shall be punishable pursuant to Chapter 0.00 of this code. Enforcement actions may be brought against occupants of a vacation rental home for violations of this chapter and any other provision of this code notwithstanding that this chapter may also make the owner of the vacation rental home responsible for the conduct constituting the violation.

SECTION 3. The Director of Conservation, Development and Planning has determined that this ordinance would not have a significant effect on the environment and is exempt from the California Environmental Quality Act [See guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15061 (b)(3)]. The project also will not impact an environmental resource of hazardous or critical concern, has no cumulative impact, there is no reasonable possibility that the activity may have a significant effect on the environment due to unusual circumstances, will not result in damage to scenic resources, is not located on a list of hazardous waste sites, will not cause substantial adverse change in the significance of a historical resource or extract groundwater in excess of the Phase 1 groundwater extraction standards as set by the Department of Public Works. [See Class 5 ("Minor Alterations in Land Use Limitations") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15305; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

SECTION 4. Pursuant Chapter 4, Title 7, commencing with Section 65800, of the California Government Code, this ordinance is consistent with the following goals and polices of the 2008 General Plan: Agricultural Preservation and Land Use Goals AG/LU-1, 2,3,5,6 and Policies AG/LU- 1,3,12,20,21,22,26,32,33,34,35,108,and 109; AP/LU Action Item AG/LU-15.5.1, AP/LU Action Item AG/LU-33.1; Economic Development , Goals E-1,2,and ED/E-1,2,3,4,5,6,8,13,15,19,22 and 23 Policies; Circulation Goal CIR-1,2, CIR-4,5,6,and 41; Action Item CIR-10.1; Policies; Community Character Goals CC-1,2, 6 and 8, and CC-24,31,32, 36,and 38, RE/OS Goals.

SECTION 5. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors of the County of Napa hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that anyone or more of said provisions be declared invalid.

SECTION 6. Applicability. The provisions of this chapter apply only within the unincorporated portions of the county located within the jurisdictional boundaries of the Napa County Planning Commission. All requirements, regulations and standards imposed by this chapter are intended to apply in addition to any other applicable requirements, regulations and standards imposed elsewhere in this code.

SECTION 7. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 8. A summary of this ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in the County of Napa, together with the names of members voting for and against the same.