COUNTY OF NAPA MEASURE Z
STANLEY LANE PUMPKIN PATCH INITIATIVE

FULL TEXT OF ORDINANCE
ORDINANCE NO. 96-3

AN ORDINANCE OF THE PEOPLE OF THE COUNTY OF NAPA ENACTING THE STANLEY LANE PUMPKIN PATCH INITIATIVE.

The People of the County of Napa ordain as follows:

Section 1. Purpose

The purpose of this Initiative is to preserve and protect what has become a tradition in Napa County, i.e. 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 of animals by children, such as children's pony rides and petting zoos, on agricultural lands by the owners of those lands.

This Initiative will accomplish this purpose by permitting 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 of animals by children, such as children's pony rides and petting zoos, to take place on agricultural lands by the owner or owners of those lands in locations on which such sales have historically taken place.

Section 2. Findings

A. Without the passage of this Initiative, a feature of life in Napa County that is intrinsically tied to the agricultural and rural nature of the County and that has become a way of life for the residents of Napa County may be in danger of disappearing.

B. The use of property located within the Agricultural Watershed zoning district for uses permitted in an agricultural produce stand combination district would not be permitted under the terms of the proposed amendment to the Napa County Code unless such sales at such locations have historically taken place.

Section 3. General Plan Amendment

Subparagraph e) shall be added to Paragraph 3, Section F, Subparagraph 7) of the Land Use Element of the General Plan of Napa County which shall provide as follows:

e) The sale to the public 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, and construction of buildings to accommodate such sales and animals shall be permitted on any parcel designated as an agricultural produce stand combination district.

Section 4. Zoning Ordinance Amendments

The Zoning Ordinance, Title 18 of the Napa County Code, is hereby amended as follows:

A. Establishment of :PS Combination Zoning District

Section 18.12.010 of the Zoning Ordinance is hereby amended to add the following Combination Zoning District:

Combination Zoning District	Letters
AGRICULTURAL PRODUCE STAND	:PS

B. :PS Combination Zoning District Regulations

The Zoning Ordinance, Title 18 of the Napa County Code, is hereby amended to add

Chapter 18.102 as follows:

Chapter 18.102 :PS AGRICULTURAL PRODUCE STAND COMBINATION DISTRICT

Sections:

18.102.010 Intent of Classification
18.102.020 Uses Allowed Without a Use Permit
18.102.030 Other Regulations Applicable

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.

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.

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.

Section 5. Zoning Map Amendment

The Official Zoning Map of the County of Napa is hereby amended to redesignate the property described as Assessor's Parcel No. 47-230-34 on the Napa County Assessors Maps currently in effect from "Agricultural Watershed District" to "Agricultural Watershed District: Agricultural Produce Stand Combination District," (AW to AW:PS).

Section 6. Implementation

A. Pursuant to California Elections Code section 9122, the Zoning Ordinance and General Plan amendments made herein shall be adopted upon the date the vote is declared by the Napa County Board of Supervisors and shall go into effect 10 days after that date.

B. If in the year this Initiative becomes effective the maximum number of General Plan amendments permitted by state law for that year have already been made, the General Plan amendment made herein shall be the first amendment made to the General Plan on January 1 of the following year.

Section 7. State and Federal Laws

This Initiative is not intended to preempt or conflict with state or federal laws or regulations, and shall not be so construed or applied.

Section 8. Severability

The provisions of this Initiative are severable. If any section, subsection, phrase, or word made or extended herein, or the application hereof to any person, property or circumstance, is held invalid by a court of competent jurisdiction, either on its face or as applied, the remaining portions of this Initiative shall not be affected, and shall remain in full force and effect. We, the People, hereby declare that each section, subsection, phrase or word would have been approved and adopted even if we had known at the time we voted in favor of this Initiative that any one or more of the sections, subsections, phrases, or words would be held invalid.

Section 9. Amendment Only By Vote of The People

Except as expressly provided by this initiative, this Initiative may be repealed or amended only by the voters at a County election.

This ordinance shall be considered as adopted upon the date the vote is declared by the Board of Supervisors, and shall go into effect ten (10) days after that date, all pursuant to section 9122 of the California Elections Code.

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18.102.020 Uses Allowed Without a Use Permit
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regulations, and shall not be so construed or applied.

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Section 9. Amendment Only By Vote of The People

Except as expressly provided by this initiative, this Initiative may be repealed or amended only by the voters at a County election.

This ordinance shall be considered as adopted upon the date the vote is declared by the Board of Supervisors, and shall go into effect ten (10) days after that date, all pursuant to section 9122 of the California Elections Code.

The foregoing ordinance was passed by a vote of the people of Napa County, on November 5, 1996, by the following vote:

AYES: 25,184

NOES: 20,836

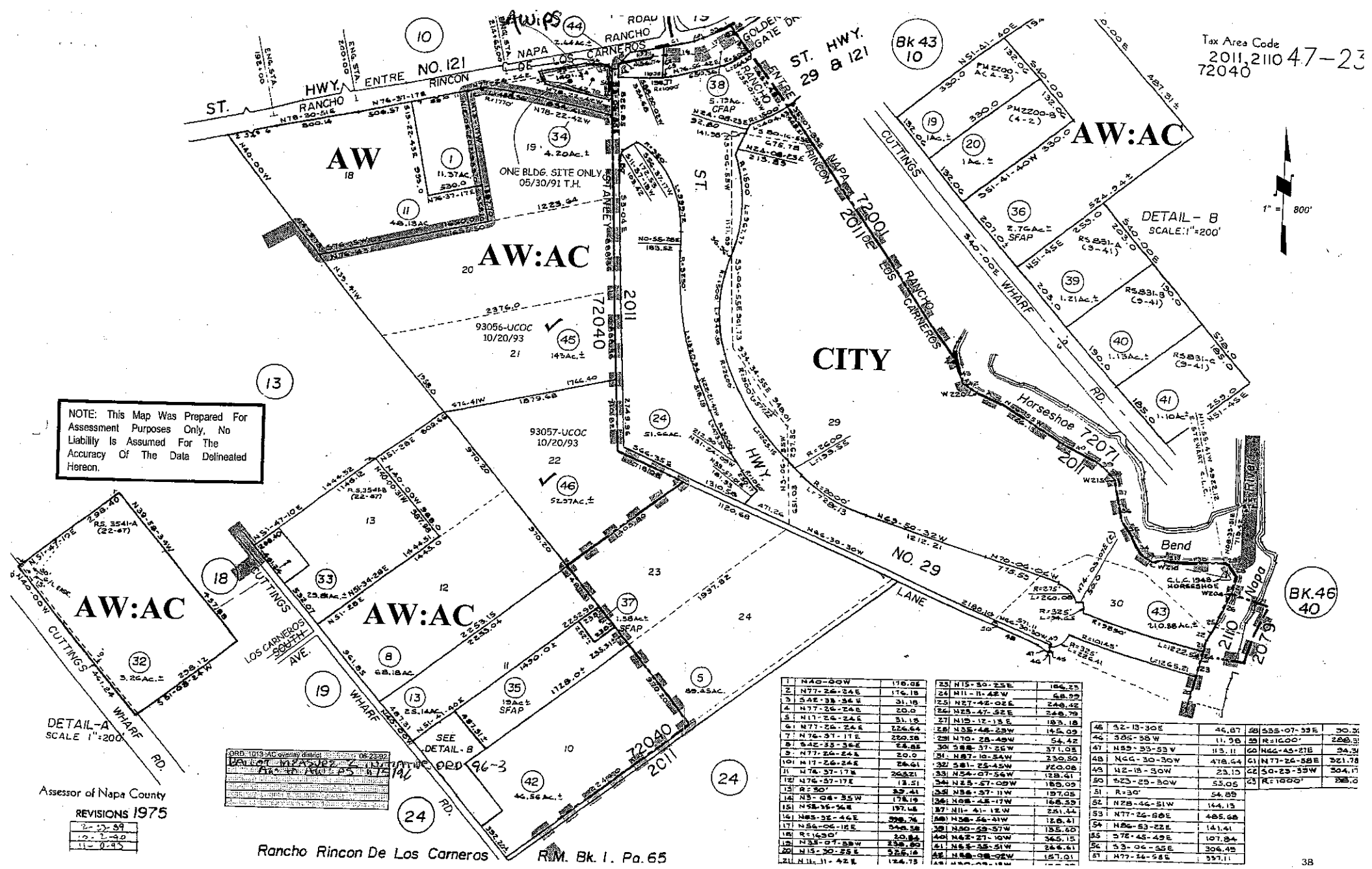
The vote on this ordinance was declared by the Board of Supervisors on November 26, 1996.

Paul Battisti, Chairman
Board of Supervisors

ATTEST:

MARY JEAN McLAUGHLIN
Clerk of the Board
By: Teri Sisson, Deputy

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Tax Area Code
2011,2110 47-23
72040
AWIPS
ST. HWY. 29 & 121
Bk 43
10
AW
18
AW:AC
20
AW:AC
CITY
ONE BLDG. SITE ONLY
05/30/91 T.H.
93056-UCOC
10/20/93
93057-UCOC
10/20/93
DETAIL - B
SCALE: 1"=200'
1" = 800'
NOTE: This Map Was Prepared For Assessment Purposes Only, No Liability Is Assumed For The Accuracy Of The Data Delineated Hereon.
AW:AC
AW:AC
DETAIL-A
SCALE 1"=200'
Assessor of Napa County
REVISIONS 1975
Rancho Rincon De Los Carneros
R.M. Bk. 1. Pg. 65
Bk.46
40
11-17-93