

ORDINANCE NO. 274

ENDORSED  
filed APR 9 1968  
C. S. SHIPPY, Clerk  
By F. W. CUNNY  
Deputy Clerk

AN ORDINANCE AMENDING NAPA COUNTY ORDINANCE NO. 186, ESTABLISHING A NEW ZONING DISTRICT CLASSIFICATION BY THE ADDITION OF A NEW ARTICLE DESIGNATED AS ARTICLE P, AP, AGRICULTURAL PRESERVE DISTRICT, AND AMENDING SECTION 2.01 OF ARTICLE 2 TO DESIGNATE SAID AGRICULTURAL PRESERVE DISTRICT.

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The Board of Supervisors of the County of Napa does ordain as follows:

SECTION 1. Napa County Ordinance No. 186 is hereby amended by the addition of the following, which shall be designated as ARTICLE P, AP, AGRICULTURAL PRESERVE DISTRICT, and to read as follows:

ARTICLE P, AP, AGRICULTURAL PRESERVE DISTRICT

SECTION P.01. This District classification is intended to be applied in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use, where uses incompatible to agriculture should be precluded and where the development of urban type uses would be detrimental to the continuance of agriculture and the maintenance of open space which are economic and aesthetic attributes and assets of the County of Napa.

The following specific regulations and the general rules and regulations set forth in Article 30 shall apply in all AP Districts.

SECTION P.02. USES PERMITTED:

- a. General farming, including but not limited to the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay, grains and similar food and fiber crops.
- b. Pastures and grazing.
- c. Animal husbandry, including the breeding and raising of cattle, sheep, horses, goats, pigs (except garbage fed) and rabbits.
- d. Poultry ranching.
- e. Facilities for the processing of agricultural products including but not limited to wineries, dairies, dehydrators, fruit and vegetable packing plants, and those uses similar to the foregoing.

- f. Sale of agricultural products grown, raised or produced on the premises.
- g. Kennels.
- h. Dairies.
- i. Public park and recreation facilities when in conformance with the Napa County General Plan.
- j. Accessory and incidental uses compatible with and necessary to the operation of the above uses.
- k. One single family dwelling per legal lot, including private garage, accessory buildings and uses, provided that before a building permit shall be issued for any new construction in connection with such use, the applicant shall first comply with any applicable provisions of the Napa County Subdivision Ordinance and any other applicable State or local laws.

SECTION P.03. USES REQUIRING USE PERMIT:

- a. Park and recreation facilities when not in conformance with the Napa County General Plan.
- b. Public utility buildings, substation structures and uses, regulator stations, relay and repeater facilities, and those uses of a similar character to the foregoing.
- c. Farm labor housing, including but not limited to permanent housing constructed in accordance with prevailing Building Code requirements and farm labor trailer camps.
- d. Additional residential uses not governed by Section P.02(k) or Section P.03(c); provided, however, that all such additional residential uses shall be occupied by farm owners or employees thereof.

SECTION P.04. MINIMUM LOT AREA: 20 Acres.

SECTION P.05. MAXIMUM MAIN BUILDING COVERAGE: None

SECTION P.06. MAXIMUM FRONT YARD SETBACK: 20 Feet

SECTION P.07. MINIMUM SIDE YARD: 20 Feet

- SECTION P.08. MINIMUM REAR YARD: 20 Feet.
- SECTION P.09. MINIMUM VEHICLE PARKING: Adequate off-street parking shall be provided for all vehicles, provided, however, that no such parking area shall be permitted in any required front yard setback.
- SECTION P.10. LOADING AND UNLOADING AREA: All loading and unloading areas shall be clear of roads and streets, provided, further, that no such loading or unloading area shall be permitted in any required front or side yard setback.
- SECTION P.11. MAXIMUM BUILDING HEIGHT: 2-1/2 stories for any residential use and not to exceed 35 feet for any such use. All other uses: None.
- SECTION P.12. LEGAL LOT: As used in this Article, the term "Legal Lot" shall refer to any parcel in existence at the time of adoption of this Article, as indicated on official records maintained in the office of the Napa County Recorder, or any parcel created subsequent to the adoption of this Article which was duly created in accordance with the requirements of the Napa County Subdivision Ordinance and which meets the minimum area and similar requirements specified by this Article, and which has been placed on record in the Office of the Napa County Recorder.
- SECTION P.13. NON-CONFORMING USES: In addition to the provisions of Section P.12 hereof, any lawful use of land existing at the time of the effective date of this Article, may be continued as legal non-conforming uses with, and subject to, the provisions of Article 33 of this Ordinance.
- SECTION P.14. BUILDING PERMITS: No building permit shall be issued for any construction of any parcel of land which is not a "Legal Lot" as defined in Section P.12 hereof, unless a variance is first obtained pursuant to the provisions of Article 32 of this Ordinance, or unless the building permit is to be issued in connection with a legal non-conforming use, pursuant to the provisions of Section P.13 of this Article.

SECTION P.15. CONDEMNATION: Any lot or parcel of land created as a result of Eminent Domain proceedings, or purchased for a public purpose by any agency under threat of Eminent Domain, shall be deemed a legal lot upon the filing of a record of survey map with the Napa County Planning Commission, in compliance with any applicable provisions of the Napa County Subdivision Ordinance.

SECTION 2. Section 2.01 of Article 2 of Napa County Ordinance 186 is hereby amended by the addition of the zoning district classification designated as: AP, AGRICULTURAL PRESERVE DISTRICT.

SECTION 3.

(a) All ordinances and parts of ordinances of said County in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

(b) If any section, sub-section, sentence, clause or phrase of this ordinance, is for any reason held by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one of more sections, sub-sections, sentences, clauses or phrases be declared invalid.

(c) This ordinance shall be and it is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage.

(d) This ordinance shall be published in the NAPA COUNTY RECORD for the time prescribed by law.

The foregoing Ordinance was adopted at an \_\_\_\_\_ regular meeting of the Board of Supervisors of the County of Napa held on the 9th day of April, 1968, by the following vote:

AYES: ANDERSEN, WIGGER, FERGUSON and CAIOCCA

NOES: NONE

ABSENT: NONE

ABSTAINED: CLARK

ATTEST:

(SEAL)

s/ J. CAIOCCA, JR.

Chairman, Board of Supervisors

s/ C. S. SHIPPY  
Clerk of the Board