

TEXT OF MEASURE A ADOPTED BY VOTERS NOVEMBER 4, 1980 NAPA COUNTY SLOW GROWTH INITIATIVE MEASURE A Full Text of Ordinance INITIATIVE ORDINANCE FOR A SLOW GROWTH GENERAL PLAN, REDUCTION OF COSTLY URBAN SPRAWL, AND THE PRESERVATION OF THE COUNTY'S UNIQUE CHARACTER AND AGRICULTURAL LANDS. TO THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA:

We, signators hereof, being duly qualified and registered electors of the County of Napa, California, hereby petition the Board of Supervisors of said County and request that the following proposed ordinance be submitted immediately to a vote of the people at a regular or special election pursuant to the Election Code of the State of California, or that, in lieu of an election, the Board of Supervisors enact said proposed ordinance pursuant, to said Election Code. To the degree practicable, we would encourage that the proposed ordinance be placed on the ballot at the general election to be held November, 1980. The People of the County of Napa do ordain as follows:

Section 1. Findings. The People of the County of Napa find that mismanaged and unlimited residential growth causes conditions harmful to the public health, safety and general welfare and results in substantial increase in the cost of government services, loss of irreplaceable agricultural land, inadequate police and fire protection, increased traffic congestion, inadequate parks and recreation facilities, loss of open space, increased air pollution, deterioration of older urban areas, general urban sprawl, increased crime rate and overcrowded schools.

Section 2. Purpose.

The People declare that the foregoing conditions can be avoided, or alleviated, by the enactment of this Ordinance.

Section 3. Standards.

(a) The annual number of new housing units permitted in the County of Napa (unincorporated area), through the year 2000, shall be limited to accommodate an annual population growth rate that shall not exceed that of the Nine San Francisco Bay Area Counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Sonoma, and Solano) as such rate is reflected in the United States Census; provided, however, that said annual population growth rate limit shall not be permitted to exceed 1% in the County of Napa (unincorporated area). In setting the annual number of new housing units permitted, the Board of Supervisors shall use the most recent United States Census for determining the persons per household and the vacancy rate of the year-round housing units. (b) At least 15% of those housing units permitted each year shall be for housing capable of purchase or rental by persons with average or below-average income. The average income shall be based on the average income of residents of the County of Napa, based on the most recent Federal Census.

Section 4. Programs.

(a) General Plan Revision and Growth Management System. Within nine (9) months of the date this Ordinance becomes effective, the County of Napa shall amend its General

Plan to comprehensively carry out the provisions enacted by this Ordinance, and shall enact, as part of the General Plan, a Growth Management System and such ordinances as are required to implement the intent of this ordinance, to regulate the character, location, amount, and timing of future residential development, in conformity with the standards and procedures contained in this Ordinance. If the County of Napa does not adopt a revised General Plan and Growth Management System and related ordinances as required by this ordinance within nine (9) months of date this Ordinance becomes effective, no building permits for new construction of residential units shall thereafter be issued by the County of Napa, nor shall any subdivision of land thereafter be approved, until such time as said General Plan revision and Growth Management System and related ordinances as required by this Ordinance are adopted as provided herein. (b) Review Following Census. The Board of Supervisors, as soon as it receives the relevant data taken during the most recent Census (U.S. Decennial Census and Mid-Decade Census), shall modify the Growth Management System to reflect any changes in the annual population growth rate for the Nine San Francisco Bay Area Counties as reflected in said census; provided, however, that all modifications shall be consistent with the provisions of this Ordinance and in accordance with the standards contained in Section 3 herein.

Section 5. Severability.

If any portion of this Ordinance is hereafter determined to be invalid, all remaining portions of this Ordinance shall remain in full force and effect, and to this extent the provisions of this Ordinance are separable.

Section 6. Amendment.

No part of this Ordinance shall be amended or repealed, except by a vote of the people.

Section 7. Effective Date.

This Ordinance shall take effect as provided by law.

Section 8. Ordinance Supersedes.

The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, and general welfare. This Ordinance shall supersede any other ordinance, rule or regulation which has been previously adopted by the Board of Supervisors, or by a vote of the people to the extent that said Ordinance is not intended to interfere with, abrogate, annul, or repeal any ordinance, rule or regulation which has been previously adopted and is not in conflict with any of the provisions of this Ordinance.

APPENDIX B: DEFINITION OF TERMS AND PHRASES CONTAINED IN THE MEASURE A GROWTH MANAGEMENT SYSTEM

(Terms and phrases are listed in the order in which they appear in Measure A.)

1) New Housing Units: A room or connected rooms constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a monthly or longer basis, physically separated from other rooms or dwelling units in the same

structure, and containing independent cooking and sleeping facilities. May also be referred to as "dwelling units" or "residential units" and shall include mobile homes (excepting those within the Lake Berryessa Take Line). Shall not include the rebuilding of an existing unit, the replacement of an existing unit by another, or the movement of an existing unit (currently outside the Lake Berryessa Take Line), or units exempted by "grandfathering".

2) Unincorporated Area: All of the County area located outside of the city/town limits.

3) Population Growth Rate: The change in total population in one year's time stated as a percentage either increasing or decreasing. Calculations shall be based on U.S. Census data for the unincorporated part of Napa County (adjusted for annexations and incorporations), and the entirety of the 9-County Bay Area.

4) United States Census: Shall refer to censuses conducted by the U.S. Bureau of the Census, including the Decennial Census, and the Mid-Decade Census also referred to as the quinquennial Census, provided that the Mid-Decade information includes all of the data required by the Growth Management System. May also be referred to as the most recent Federal Census (11).

5) Persons Per Household: The population in households divided by the number of occupied dwelling units in the unincorporated portion of Napa County. (Consistent with the 1970 Census definition App-4, PHC (1)-223). "The average population per household is obtained by dividing the population in households by the number of household heads. Head of Household. One person in each household is designated as the "head", that is, the person who is regarded as the head by the members of the household. However, if a married woman living with her husband was reported as the head, her husband was considered the head for the purpose of simplifying the tabulations. Two types of household heads are distinguished - the head of a family and a primary individual. A family head is a household head living with one or more persons related to him by blood, marriage or adoption. A primary individual is a household head living alone or with nonrelatives only."

6) Vacancy Rate: The number of vacant year-round dwelling units divided by the total number of year-round dwelling units in the unincorporated portion of Napa County.

7) Year-Round Housing Units: Those dwelling units which are capable of year-round occupancy; excluding less-than-monthly rentals and dwelling units within the Lake Berryessa Take Line.

8) At Least 15% of Those Housing Units Permitted Each Year: 15% of the annual number of permits which can be issued must be reserved for units capable of purchase or rental by persons with average income.

9) Housing Capable of Purchase Or Rental By Persons With Average Or Below Average Income: Income information provided annually by HUD or HCD shall be used; average

shall mean the median. Capable of purchase or rental shall mean that not more than 30% of the (gross) household income shall be spent on housing costs such as rent payment, mortgage payment, insurance, taxes, necessary utilities and condominium membership fees.

10) Residents of the County of Napa: Persons who have a Napa County address as their primary residence, as specified by the Bureau of the Census on Page 1 of the 1990 Census form.

11) Most Recent Federal Census: (See 4).

12) Growth Management System: The comprehensive plan which is part of the County's General Plan and together with related ordinances (20), implements the Slow Growth Initiative, Measure A.

13) Character: Aesthetic and physical qualities which may be controlled, including density, building type (e.g., single-family detached or attached, apartments, mobilehome parks), setbacks, height limits, landscaping, building coverage, color, siding material, roof overhang and material, accessory buildings, parking, orientation, style and signing.

14) Location: Within the County; including sub-area, whether inside or outside the cities, or where on a particular site.

15) Amount: The number of new housing units approved for construction in one year.

16) Timing: The relationship of the number of building permits issued within one year to the total number of permits issued over several years.

17) Future Residential Development: The number of dwelling units to be permitted in the future through the controlled issuance of building permits in the unincorporated part of Napa County.

18) Adopt: To formally accept by vote of the Board, after public hearing and discussion, in the same manner as a General Plan element.

19) Revised General Plan and Growth Management System: (See 12).

20) Related Ordinances: (See 12).

21) Building Permits for New Construction of Residential Units: Permits for the construction of new dwelling units on a site. Does not include rebuilding, remodeling, renovating or enlarging existing units, or moving an existing dwelling unit from one unincorporated site (outside the Berryessa Take Line) to another unincorporated site, or units exempted by "grandfathering".

22) Any Subdivision of Land: Divisions of land which require discretionary action by the County; shall not include lot line adjustments.

23) Relevant Data Taken During the Most Recent Census: Information necessary to calculate the annual number of dwelling units to be permitted (see 4).

24) Reflect Any Changes in the Annual Population Growth Rate: The maximum growth rate allowed shall be changed to match that of the 9 Bay Area Counties as soon as new information is available from the Census, but in no case can be greater than one percent.