

ORDINANCE NO. O2025-010

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, EXTENDING, PURSUANT TO A SECTION 15168 ANALYSIS AND ADDENDUM TO THE DOWNTOWN NAPA SPECIFIC PLAN PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT (SCH NO. 2010042043), AND ALTERNATIVELY, TO THE CEQA GUIDELINES SECTION 15332 CATEGORICAL EXEMPTION, THE ENTERTAINMENT OVERLAY DISTRICT DESCRIBED IN CHAPTER 17.37 OF THE NAPA MUNICIPAL CODE AND AMENDING THE DOWNTOWN NAPA SPECIFIC PLAN PERTAINING TO THE PROPERTY LOCATED AT 1106, 1116, 1118 FIRST STREET (APNs: 003-166-010, 003-166-013, 003-166-015 AND 003-166-016) AND 1151 AND 1199 PEARL STREET (APN: 003-166-008, AND 003-166-011) AND DWIGHT MURRAY PLAZA (APN: 003-166-017)

WHEREAS, 3VG and Coombs Street LLC (the “Applicants”) submitted an application for multiple entitlements (PL20-0135), including a Specific Plan amendment, a Planned Development Overlay District, a Tentative Parcel Map, and a Development Agreement (collectively, the “Project”), to provide for the development of a proposed mixed use project including commercial/retail uses, residential units and a hotel at 1106, 1116 and 1118 First Street (APN’s 003-166-010, 003-166-013, 003-166-015, 003-166-016) and 1151 and 1199 Pearl Street (APN’s: 003-166-008 & 003-166-011) and Dwight Murray Plaza (APN: 003-166-017) (the “Project Site”); and

WHEREAS, the request for approval of the Specific Plan amendment is intended to extend the Entertainment Overlay District described in Chapter 17.38 of the Napa Municipal Code to cover the entire Project Site (hereafter, the “Zoning Amendment”); and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) and its implementing regulations (the “CEQA Guidelines”), the City prepared the First Street Napa II Project Addendum dated May 29, 2025 for the Project, to determine whether, under CEQA Guidelines section 15168, the Project’s potential environmental effects are within the scope of the development program evaluated by the City in the certified Downtown Napa Specific Plan Programmatic Environmental Impact Report (SCH No. 2010042043) (“DNSP EIR”), whether there are Project-specific significant effects peculiar to the proposed Project or the site, whether additional documentation is required and, in the alternative, whether the Project is an In-Fill Development Project that is exempt from any additional environmental review under Section 15332 of the CEQA Guidelines (“Section 15168 Analysis and Addendum”); the Section 15168 Analysis and Addendum, and

the DNSP EIR are on file in the Office of the City Clerk and are incorporated herein by reference; and

WHEREAS, the Planning Commission of the City of Napa, State of California, held a duly-noticed public hearing on June 5, 2025, and has recommended approval of the Project; and

WHEREAS, on June 24, 2025, the City Council of the City of Napa held a duly-noticed public hearing on the Project, where it considered all information related to the Project, including information presented at the public meetings of the City Council identified herein, any supporting reports by City Staff, and any information provided during public meetings.

WHEREAS, on June 24, 2025, the City Council approved Resolution R2025-079 finding, that, based on the whole record before it, including the Section 15168 Analysis and Addendum, the administrative record, and all other written and oral evidence, all environmental impacts of the Project are either less than significant or can be mitigated to a level of less than significant under the mitigation measures outlined in the Section 15168 Analysis and Addendum, Alternatively, the Council found that the Project is exempt from CEQA under CEQA Guidelines section 15332 and none of the exceptions in CEQA Guidelines section 15300.2 have application. The Council adopted the Section 15168 Analysis and Addendum and adopted the MMRP previously adopted for the DNSP EIR as it pertains to the Project.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Napa as follows:

Section 1: The City Council finds that the recitals, set forth above, are true and correct and provide bases for the City Council's adoption of this Ordinance.

Section 2. The City Council hereby determines, based on, and consistent with, its actions in Resolution R2025-079, that the potential environmental effects of the actions authorized by this Ordinance were adequately identified, analyzed, and addressed in the DNSP EIR and that no further environmental review is required for the Project as documented in the Section 15168 Analysis and Addendum, and alternatively, that the Project is exempt from CEQA under CEQA Guidelines section 15332 and none of the exceptions in CEQA Guidelines section 15300.2 have application.. The City Council further directs staff to prepare, execute, and file a Notice of Determination, and, as to the CEQA Guidelines section 15332 categorical exemption, a Notice of Exemption with the County Clerk's office and the Office of Planning and Research within five (5) working days of approval of this Ordinance.

Section 3. The City Council hereby makes the following findings in support of the Zoning Amendment as required by NMC Section 17.66.080 and makes a finding under "A" below in support of the amendment to the Downtown Napa Specific Plan as required by Government Code Section 65454:

- A. The proposed amendment is consistent in principle with the General Plan.

The proposed Zoning Amendment and amendment to the Downtown Napa Specific Plan is consistent with the General Plan in that the Entertainment Overlay District is intended to accommodate and support cultural events including live and amplified music, live performances and advance night-live and extend the period of the business day; all desires identified in the General Plan. In addition, the small area added to the existing boundary that encompasses the Project Site simply reflects all opportunities available for the project to provide entertainment uses consistent with the intent of the Downtown Napa Specific Plan. Additionally, the Project would meet many of the goals of the Downtown Napa Specific Plan by redeveloping the area with a high-quality hotel and condominiums providing both economic benefit and housing opportunity in the downtown area, which several goals and policies of the General Plan and Specific Plan call for. In particular, the goals and policies identified in the corresponding staff report highlight this consistency.

- B. The public health, safety and general welfare are served by the adoption of the proposed amendment.

The proposed Zoning Amendment is in the public interest, since it is consistent with the principles and policies of the General Plan such as locating appropriate land uses within the boundaries and urban limits of the City of Napa, which land uses are complementary to the mix of uses within the city; and, because they are appropriate to its surroundings.

- C. If a rezoning to a district with a larger minimum lot size is proposed, effectively reducing the planned residential density, the City shall also find that the remaining sites in the Housing Element are adequate to accommodate the jurisdiction's share of the regional housing need pursuant to California Government Code section 65584; or if not, that it has identified sufficient additional, adequate and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.

This finding is not applicable to this Project because the Project does not include any proposal to increase a minimum lot size nor does it eliminate any site designated in the Housing Element from future use as a housing site.

- D. The Zoning Amendment is consistent with the Downtown Napa Specific Plan as required by Government Code Section 65455.

The Project would meet many of the goals of the Downtown Napa Specific Plan by redeveloping the area with a high-quality hotel and condominiums providing both economic benefit and housing opportunity in the downtown area, which several goals and policies of the General Plan and Specific Plan call for. In particular, the goals and policies identified in the corresponding staff report highlight this consistency.

Section 4: Amendment. The boundaries of the Districts of the Zoning Map established under NMC Section 17.04.040(A) and Figures 4.2 and 4.4 of the Downtown Napa Specific Plan are hereby amended pursuant to NMC Chapter 17.66 to re-designate

ATTACHMENT 3

the subject properties as shown in Exhibits "A" & "B" attached hereto and made a part hereof. Exhibit "A" reflects the Entertainment Overlay District as it exists prior to the effective date of this Ordinance, and Exhibit "B" reflects the Amended Entertainment Overlay District, as it will be after the effective date of this Ordinance.

Section 5: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 6: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

Section 7. Indemnification. To the fullest extent permitted by law, Applicant shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the First Street Napa Phase II Project, including but not limited to, the approval of the zoning actions, discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, or any alleged failure to act as required by law, and (ii) Applicant's construction, operation, use, or related activity under the Project. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. Applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. Applicant shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition.

City of Napa, a municipal corporation

MAYOR: _____

ATTEST: _____
CITY CLERK OF THE CITY OF NAPA

STATE OF CALIFORNIA }
COUNTY OF NAPA } SS:
CITY OF NAPA }

I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the special meeting of the City Council on the 24th day of June, 2025, and had its second reading and was adopted and passed during the regular meeting of the City Council on the 15th day of July, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

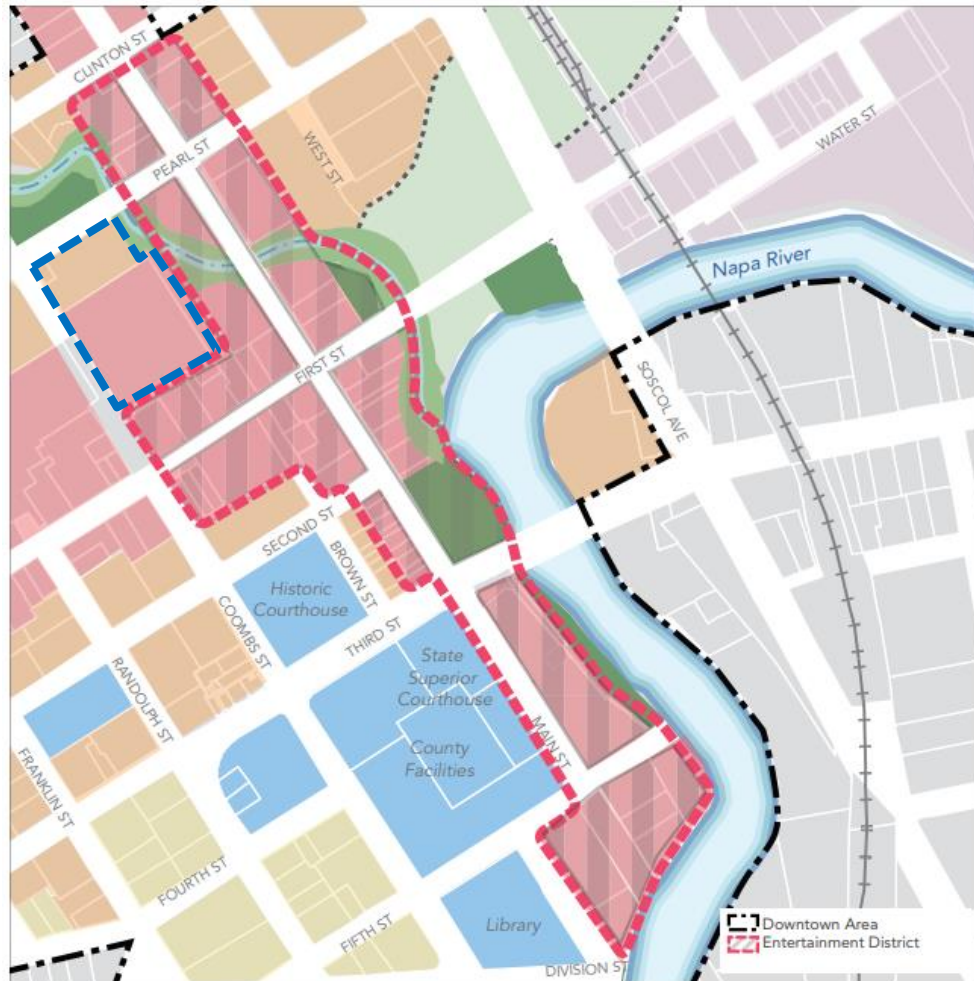
ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to Form:

Christopher Diaz
Interim City Attorney

EXHIBIT A

Existing Entertainment Overlay District



 = Project Boundary (approximate)

Note: "Project Boundary" outlined is the area that is proposed for inclusion within the Entertainment Overlay District and does not represent the entirety of the Project area since some of the area is already within the existing Entertainment Overlay District (i.e. surface parking lot along Main Street)

EXHIBIT B
Amended Entertainment Overlay District

