

ATTACHMENT 1

RESOLUTION R2022____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF NAPA 2040 GENERAL PLAN, AND ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS AND DETERMINING THAT THE GENERAL PLAN MAY SERVE AS A MITIGATION MONITORING PLAN IN COMPLIANCE WITH CEQA

WHEREAS, the City of Napa is required by State law to prepare and adopt a General Plan for the long-term physical growth and development of the City; and

WHEREAS, the City Council directed staff to produce a comprehensive update to the General Plan that fully complies with State law and will be useful to the City and in implementing future growth and development programs; and

WHEREAS, City of Napa 2040 General Plan prepared by staff may be referred to herein as the “2040 General Plan” or “Project”; and

WHEREAS, the City of Napa has caused an Environmental Impact Report (“EIR”) consisting of a Draft EIR, a Partial Recirculated Draft EIR, a Final EIR, and all the appendices thereto, to be prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000 et seq., and its implementing regulations (the “CEQA Guidelines”), Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Napa CEQA Guidelines; and

WHEREAS, on January 22, 2021, a Notice of Preparation for the Draft EIR was circulated to all responsible and affected agencies pursuant to CEQA Guidelines Section 15082; and

WHEREAS, on January 27, 2021 an EIR Scoping Meeting was noticed and held pursuant to CEQA Guidelines Section 15083; and

WHEREAS, on March 10, 2022, the City of Napa filed a Notice of Completion of the Draft EIR with the State Office of Planning and Research (“OPR”) which was distributed to reviewing agencies by OPR, and from March 10, 2022 to April 25, 2022 (with one extension through May 6, 2022), the Draft EIR was circulated for review and comment by the public and public agencies having jurisdiction by law with respect to the Project; and

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WHEREAS, on June 17, 2022, the City filed a Notice of Completion for a Partial Recirculated Draft EIR for the Agricultural Resources section of the Draft EIR, and circulated the Partial Recirculated Draft EIR for public review and comment from June 17, 2022 through August 1, 2022; and

WHEREAS, the City prepared a Final EIR based on comments received from the public and public agencies on the Draft EIR and the Partial Recirculated Draft EIR; and

WHEREAS, the Draft EIR, the Partial Recirculated Draft EIR, and the Final EIR, all of which, together with all appendices thereto, constitute the EIR for the Project, remain available for public review in the office of the Community Development Department at 1600 First Street in the City of Napa and at www.napa2040.com/resources, were previously distributed to members of City Council, and are attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein by reference; and

WHEREAS, on August 18, 2022 and September 1, 2022, the Planning Commission considered the EIR and the Project, and all written and oral testimony submitted to the City thereon, at a noticed public hearing, at which time the Planning Commission heard a presentation by staff and took public testimony, and thereafter closed the public hearing and subsequently recommended that the City Council certify the EIR and adopt the 2040 General Plan; and

WHEREAS, on September 20, 2022 the City Council of the City of Napa held a public hearing on the EIR and the 2040 General Plan, received a presentation by staff, and took public testimony, and thereafter closed the public hearing and considered the adequacy of the EIR, the supporting Findings of Fact and Statement of Overriding Considerations, and adequacy of the 2040 General Plan to serve as the mitigation monitoring plan for the Project pursuant to CEQA Section 21081.6(b) and Section 15097(b) of the CEQA Guidelines.

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

1. Recitals. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

2. Compliance with CEQA. The City Council hereby certifies that the EIR was prepared in compliance with the requirements of CEQA.

3. EIR Reviewed and Considered. The City Council hereby certifies that the EIR has been presented to the City Council; that the City Council has reviewed and considered the information contained in the EIR prior to acting on the Project; that the

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EIR reflects the independent judgment and analysis of the City Council; and that the information contained therein has substantially influenced all aspects of the decision by the City Council on the Project.

4. Findings of Fact Regarding Significant Effects and Statement of Overriding Considerations. Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 and 15093 require the City Council to make certain findings regarding the potential environmental effects of the Project and, if the Project may result in the occurrence of significant effects that cannot be avoided or substantially lessened, the City Council's reasons for approving the Project despite its potentially significant effects. The City Council hereby adopts all the statements and findings contained in the Findings of Fact and Statement of Overriding Considerations attached hereto as Exhibit "C" and incorporated herein by reference.

5. As more fully identified and set forth in Exhibit "C" hereto, the City Council hereby finds, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, that the mitigation measures described in the EIR are feasible and fully enforceable.

6. Pursuant to Public Resources Code Section 21081.6(b) and Section 15097(b) of the CEQA Guidelines, the City Council hereby finds that the 2040 General Plan is adequate to serve as the mitigation monitoring plan for the Project, as set forth in Exhibit "D" hereto, and that through application and implementation of the 2040 General Plan all measures described in the EIR to mitigate the Project's impacts will be implemented.

7. The City Council, exercising its own independent judgment, hereby finds that all of the statements and findings contained in Exhibit "C" are supported by substantial evidence in the record.

8. Location and Custodian of Documents. The record of the Project's environmental review, which is further described in Exhibits "A" and "B," shall be kept at the Community Development Department, 1600 First Street, Napa, CA 94559.

9. Certification. Based on the above facts and findings and the findings in the attached Exhibits, the City Council hereby certifies, as the lead agency and the decision-making body for the Project, that the EIR for this Project is accurate and adequate. The Council further certifies that the EIR was completed in compliance with CEQA and the State CEQA Guidelines. The City Clerk is directed to file a Notice of Determination as required by CEQA and the CEQA Guidelines.

10. This Resolution shall take effect immediately upon its adoption.

ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 20th day of September 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
CITY CLERK OF THE CITY OF NAPA

Approved as to form:

Michael W. Barrett
City Attorney

Attachments:

- Exhibit A: Draft Environmental Impact Report and Partial Recirculated Draft Environmental Impact Report (DEIR) (distributed previously and on file with the Community Development Department)
- Exhibit B: Final Environmental Impact Report (FEIR)
- Exhibit C: CEQA Findings of Fact and Statement of Overriding Considerations
- Exhibit D: Mitigation Monitoring and Reporting Program

EXHIBIT “A”

DRAFT ENVIRONMENTAL IMPACT REPORT
AND PARTIAL RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT

(PREVIOUSLY DISTRIBUTED TO THE CITY COUNCIL,
AND MADE AVAILABLE TO THE PUBLIC FOR REVIEW AT

www.napa2040.com

AND THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT,
1600 FIRST STREET, NAPA, CA 94559)

EXHIBIT “B”

FINAL ENVIRONMENTAL IMPACT REPORT

(PREVIOUSLY DISTRIBUTED TO THE CITY COUNCIL,
AND MADE AVAILABLE TO THE PUBLIC FOR REVIEW AT

www.napa2040.com

AND THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT,
1600 FIRST STREET, NAPA, CA 94559)

EXHIBIT "C"

**CEQA FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS**

CITY OF NAPA GENERAL PLAN UPDATE

CEQA FINDINGS OF FACT

PREPARED FOR:

City of Napa
Community Development Department
1600 First Street
Napa, CA 94559
Contact: Michael Walker, Senior Planner
(707) 257-9530

PREPARED BY:

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August 2022



ICF Jones & Stokes, Inc. 2022. *City of Napa General Plan Update Final Environmental Impact Report*. August. (ICF 104372) Sacramento, CA. Prepared for the City of Napa, Napa, CA.

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Acronyms and Abbreviations

AB	Assembly Bill
BAAQMD	Bay Area Air Quality Management District
BMPs	Best management practices
CEQA	California Environmental Quality Act
CO	carbon monoxide
CO ₂ e	carbon dioxide equivalent
EIR	Environmental Impact Report
EO	Executive Order
GHG	greenhouse gas
NOP	Notice of Preparation
NO _x	nitrogen oxides
PM	particulate matter
ROG	reactive organic gases
SB	Senate Bill

City of Napa General Plan Update

CEQA Findings of Fact

Introduction

The purpose of these findings is to satisfy the requirements of Sections 15091 and 15092 of the California Environmental Quality Act (CEQA) Guidelines, associated with approval of the City of Napa General Plan update. A statement of overriding considerations, found at the end of this document, consistent with Section 15093 is adopted separately. The CEQA statute (Public Resources Code Sections 21000 et seq.) and State CEQA Guidelines (Title 14, California Code of Regulations Sections 15000, et seq.) state that if it has been determined that a project may or will have significant impacts on the environment, then an Environmental Impact Report (EIR) must be prepared. Prior to approval of the project, the EIR must be certified pursuant to Section 15090 of the State CEQA Guidelines. When a certified Final EIR identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale for each identified significant impact (Section 15091 of the CEQA Guidelines).

- Changes or alterations have been required in, or incorporated into, such project that avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

No findings are required for impacts that are less than significant and require no mitigation.

Section 15092 of the State CEQA Guidelines states that after consideration of a Final EIR, and in conjunction with making the Section 15091 findings identified above, the lead agency may decide whether to approve the project. A project that would result in a significant environmental impact can be approved only if the agency has eliminated or substantially lessened all significant effects on the environment where feasible.

Only when specific economic, legal, social, technological, or other considerations outweigh the unavoidable adverse environmental effects, can a project with unmitigated significant impacts be approved. Section 15093 requires the lead agency to document and substantiate any such determination in a *Statement of Overriding Considerations*. A Statement of Overriding Considerations is being adopted separately from these findings.

Project Location, Description, and Objectives

The project is the City of Napa's (City's) comprehensive update of its General Plan. The update addresses changes in state and federal law, to reflect new policies and issues of interest to the City, and to address changes in the City since the current General Plan was last updated, including demographic, technological, economic, and transportation conditions; the completion of flooding infrastructure and open space projects; and new development downtown and city-wide.

The City is proposing to comprehensively update its General Plan for the first time since 1998. The Housing Element, one of seven State-required general plan elements, was last updated in 2015 and does not need to be updated again until 2023. The Napa General Plan update will have all elements required by State law plus additional elements to incorporate strategies for achieving the plan vision, complying with new State laws enacted since the Napa General Plan was last comprehensively updated, and addressing emerging trends and new technologies. The General Plan update includes the following elements: Land Use and Community Design; Transportation; Community Services, Parks, and Recreation; Historic and Cultural Resources; Climate Change and Sustainability; Natural Resources Conservation; Safety and Noise; Public Health and Equity; and Economic Development.

The Vision of the General Plan update reflects the community's aspirations for Napa's future. It is a summary of the shared goals to be achieved by the General Plan. The Guiding Principles elaborate upon the Vision and provide guidance to detailed policies. The guiding principles below are based on input from the community, gained through community workshops and pop-up outreach, an online community survey, stakeholder interviews, General Plan Advisory Committee meetings, and a focused joint City Council and Planning Commission workshop. The guiding principles for the Project are as follows.

1. Foster Napa as a community of connected neighborhoods, with vibrant, walkable districts, and revitalized corridors.
2. Increase travel options through enhanced walking, bicycling, and public transportation systems, and promote mobility through increased connectivity and intelligent transportation management.
3. Balance tourism and local needs.
4. Promote housing and support a diverse array of housing types to meet the needs of all segments of the population.
5. Foster connections to nature and open space.
6. Emphasize environmentally sustainability.
7. Achieve a healthy and safe community for all.
8. Promote continued downtown revitalization.
9. Celebrate culture, arts, and history.
10. Achieve an economically diverse and resilient community.

Environmental Impact Report

The EIR consists of the Draft EIR, Partial Recirculated Draft EIR, the Final EIR, and all appendices thereto. The Final EIR consists of the comments on the Draft EIR and Partial Recirculated Draft EIR, the responses to those comments, and revisions made in response to comments on the Draft EIR and Partial Recirculated Draft EIR and errata reflecting those text corrections made for purposes of clarity. The EIR is the totality of the above-described documents, which together constitute a single document whose contents supersede those of the Draft EIR and Partial Recirculated Draft EIR upon which it is based.

EIR Process

Prior to preparing the Draft EIR, the City released a Notice of Preparation (NOP) to solicit the comments of public agencies and interested organizations and individuals regarding the scope and content of the EIR. The NOP was distributed for this EIR in January of 2021. The comments to the NOP received from agencies and the public are included in Appendix A of the Draft EIR.

In order to offer an additional opportunity for input prior to preparation of the Draft EIR, the City held a scoping meeting for public agencies and members of the public on January 27, 2021. The comments received at the scoping meeting were considered during preparation of the Draft EIR.

The Draft EIR was released for review and comment by public agencies and interested organizations and individuals on March 10, 2022. A notice of availability was published, and a copy posted with the Napa County Clerk. In addition, copies of the Draft EIR were sent to the State Clearinghouse for circulation to state responsible and trustee agencies. The review period for the Draft EIR closed on April 25, 2022. The comments received were responded to in the Final EIR.

A Partial Recirculated Draft EIR was prepared because the agricultural resources section was inadvertently omitted from the Draft EIR. The Partial Recirculated Draft EIR was released for review and comment by public agencies and interested organizations and individuals on June 15, 2022. A notice of availability was published, and a copy posted with the Napa County Clerk. In addition, copies of the Partial Recirculated Draft EIR were sent to the State Clearinghouse for circulation to state responsible and trustee agencies. The review period for the Partial Recirculated Draft EIR closed on August 1, 2022. The comments received were responded to in the Final EIR.

Record of Proceedings

For the purposes of CEQA and the findings hereinafter set forth, the administrative record consists of those items listed in Section 21167.6(e) of the Public Resources Code. Pursuant to the requirements of State CEQA Guidelines Section 15091(e), the location and custodian of the documents and other materials that constitute the record of proceedings upon which these decisions are presented below.

City of Napa
Community Development Department
1600 First Street
Napa, CA 94559
Contact: Michael Walker, Senior Planner
mwalker@cityofnapa.org

Terminology of Findings

For purposes of these findings, the term *avoid or substantially lessen* refers to the effectiveness of one or more of the mitigation measures to reduce a significant environmental effect. When an impact remains significant or potentially significant even with implementation of the mitigation, the findings will generally conclude that the impact is *significant and unavoidable*. In the process of adopting the mitigation measures identified in the EIR, the City Council has also made a determination regarding whether the mitigation proposed in the EIR is *feasible*. Pursuant to the CEQA Guidelines, *feasible* means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. In the process of considering the EIR for certification, the City Council has recognized that impact avoidance is not possible in many instances. This is because, under the statutory requirements of Planning and Zoning Law (Government Code Section 65300, et seq.), a general plan is intended to provide for additional growth and that growth cannot be accommodated within the city without significant and unavoidable changes to existing conditions. To the extent that significant adverse environmental impacts will not be reduced to a less-than-significant level with the adopted mitigation, the City Council has found that specific economic, social, and other considerations support approval of the project. The resultant statement of overriding considerations follows the findings of fact.

Findings Required Under CEQA

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandates and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which an EIR is required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding, supported by substantial evidence, reaching one or more of three permissible conclusions.

The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).)

The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, § 15091, subd. (a)(2).)

The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).)

Public Resources Code section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." CEQA Guidelines section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* ("Goleta II") (1990) 52 Cal.3d 553, 565.)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (Ibid.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507-1508 (the failure to meet project objectives can be sufficient evidence demonstrating infeasibility of an alternative).)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The city must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." (Pub. Resources Code, § 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations are mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-521, where the court of appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question to a less-than-significant level.

CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]." The findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level or has simply been substantially lessened but remains significant. Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the EIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project

modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of both mitigation measures and environmentally superior alternatives when contemplating approval of a proposed project with significant impacts. Where a significant impact can be mitigated to an “acceptable” level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact – even if the alternative would render the impact less severe than would the proposed project as mitigated. (*Laurel Hills Homeowners Ass’n v. City Council* (1978) 83 Cal.App.3d 515, 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; and *Laurel Heights Improvement Ass’n v. Regents of the University of California* (“Laurel Heights I”) (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the city addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Nonetheless, the city also addresses the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) “feasible” within the meaning of CEQA.

Legal Effect of Findings

These findings satisfy the requirements of Sections 15091, 15092, and 15093 of the State CEQA Guidelines and constitute the city's evidentiary and policy bases for its decision to approve the project in a manner consistent with the requirements of CEQA. In doing so, they disclose the final disposition of the significant impacts identified in the Final EIR and the reasons for not adopting a project alternative. The city also incorporates by reference all of the mitigation measures identified in the EIR. Adoption of the statement of overriding considerations allows the City Council to approve the project, even though it would result in significant and unavoidable impacts.

Findings on Alternatives

In accordance with State CEQA Guidelines Section 15126.6, the Draft EIR considered an alternative location alternative preliminarily but rejected it for failure to meet the most fundamental project objectives. The Draft EIR considered a higher infill alternative but rejected it because the Project was considered the environmentally superior alternative because it would result in lesser impacts overall in relation to the Alternatives. The Draft EIR conducted a comparative impact assessment of the No Project Alternative and determined that it would have greater impacts overall than the Project. Public Resources Code Section 15091(a) states that if the City Council rejects any or all of the alternatives analyzed in the EIR, it must describe why the alternatives are infeasible. Infeasibility can be the result of “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers.” Based on the impacts identified in the EIR, the City Council rejects the No Project Alternative as infeasible. The No Project

Alternative would retain the existing General Plan and therefore would not attain most of the fundamental project objectives (see Draft EIR, Chapter 4, Section 4.1.1 *Land Use Strategies*).

Significant Impacts

The following impacts and related mitigation measures are described in detail in the Draft EIR and the Partial Recirculated Draft EIR under the titles listed below. The Draft EIR's and Partial Recirculated Draft EIR's descriptive discussions of each of these impacts and mitigation measures are incorporated by reference. The analysis of impacts compares the existing environment to the level of development that is anticipated to be built during the period from 2022 to 2040, the General Plan's planning horizon.

Agricultural and Forestry Resources

Summary Description

Impact AF-1: Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

While the Planning Area is predominantly urban and built-up land, there are 473 acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance mapped by the California Department of Conservation FMMP within the Planning Area's RUL line. While the Project's proposed goals and policies above would protect most of the farmland in the Planning Area from conversion to non-agricultural use, it is not guaranteed that farmland designated for uses other than agricultural would be preserved. Further, approximately 15 acres of Farmland of Statewide Importance in the Big Ranch Road area is part of a planned development area identified by the Project. As such, the Project would result in conversion of Farmland of Statewide Importance to non-agricultural use. Given that housing development is a main objective of the Project and that this site is currently zoned and planned for residential uses, mitigation to prevent conversion of this farmland would be contrary to the Project and not practicable. Therefore, this impact is significant and unavoidable.

Impact AF-5: Other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, or conversion of forest land to non-forest use.

The Project would not result in changes to existing forest land or forest uses. However, the Project has the potential to introduce non-agricultural uses such as higher density residential on or near farmland and the Project would also convert agricultural uses of Farmland of Statewide Importance at the Big Ranch Road area to residential. While concentrated infill development within Focus Areas and other planned growth sites would reduce changes to existing environments adjacent to or near other existing farmland or forest land and thereby reduce the likelihood of conversion of these lands to non-agricultural or non-forest use (respectively), the targeted objective of residential development in the Big Ranch Road area constitutes a significant and unavoidable impact, with no feasible mitigation measures.

Findings

- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible any mitigation measures or project alternatives.

Basis for Findings:

The Planning Area contains 473 acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the Planning Area's RUL line. While the Project's policies and goals would protect most of the farmland in the Planning Area from conversion to non-agricultural use, it is not guaranteed that farmland designated for uses other than agriculture would be preserved. The Big Ranch Road area, which includes 15 acres of Farmland of Statewide Importance within the Planning Area, is part of a planned development area identified by the Project and zoned for residential uses. As a main objective of the Project is housing development, mitigation to prevent conversion of this farmland would be contrary to the goals and objectives of the Project and the impact is significant and unavoidable.

Air Quality

Summary Description

Impact AQ-1: Conflict with or obstruct implementation of the applicable air quality plan

The Project would incorporate applicable control measures of the 2017 Clean Air Plan and would not disrupt or hinder implementation of any of these control measures. Also, the increase in vehicle trips associated with resident and service populations is lower than the rate of their projected increases. However, because the Project would result in an increase in criteria pollutant emissions, it would conflict with the primary goals of the 2017 Clean Air Plan. Given that the Project already includes policies that would help reduce impacts to the maximum extent feasible, the Project would have a significant and unavoidable impact, and there are no additional feasible mitigation measures.

Impact AQ-2: Potential to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)

Construction associated with projects pursuant to the Project would result in the temporary generation of ozone precursors (reactive organic gases [ROG], nitrogen oxides [NOX]), carbon monoxide, and particulate matter exhaust emissions that could result in short-term impacts on ambient air quality in the Planning Area. Emissions would originate from mobile and stationary construction equipment exhaust, employee vehicle exhaust, dust from clearing the land, exposed soil eroded by wind, and ROG from architectural coatings and asphalt paving. Construction-related emissions would vary substantially depending on the level of activity, length of the construction period, specific construction operations, types of equipment, number of personnel, wind and precipitation conditions, and soil moisture content.

Buildout of the Project has the potential to result in air quality impacts from mobile, area, and energy sources. Mobile sources would include vehicle trips generated by land uses proposed within the Planning Area. Area sources would include fireplace and oven usage, landscaping equipment, off-

gassing during the reapplication of architectural coatings, and consumer products (e.g., solvents, cleaning supplies, cosmetics, toiletries). Energy sources would include onsite natural gas combustion for space and water heating. Each of these sources was taken into account in calculating the Project's long-term operational emissions, which were quantified using CalEEMod.

The implementation of proposed policies and compliance with Bay Area Air Quality Management District (BAAQMD) best management practices (BMPs) would reduce construction-related emissions of ROG, NOX, and particulate matter (PM) exhaust under the Project to the maximum extent feasible by incorporating all additional mitigation measures recommended by BAAQMD for projects that exceed significance thresholds. However, BAAQMD BMPs do not ensure that ROG, NOX, and PM exhaust emissions would be less-than-significant. In recognition of uncertainty associated with future offset programs, impacts related to air quality due to construction under the Project are deemed to be significant and unavoidable.

Additional policies, such as those discussed in Impact AQ-1 that support 2017 Clean Air Plan control measures, would further reduce Project operational emissions. Given that the Project incorporates policies that meet each of the applicable control strategies intended to achieve regional attainment of National Ambient Air Quality Standards and California Ambient Air Quality Standards, all feasible mitigation measures would be applied through implementation of the Project. However, because the effect of these reductions cannot be quantified and in consideration of the extent by which the Project exceeds some of BAAQMD's significance thresholds, the Project's impact on the cumulatively considerable increase in criteria pollutants for which the region is in nonattainment is deemed to be significant and unavoidable.

Impact AQ-3: Exposure of sensitive receptors to substantial pollutant concentrations

The Project would allow growth of residential land uses that would be new sensitive receptors and non-residential land uses that are a potential for new emissions sources, as well as increase traffic volumes that exacerbate existing mobile sources, which would be a significant and unavoidable impact.

Findings

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible any mitigation measures or project alternatives.

Basis for Findings:

The applicable air quality plan is the 2017 Clean Air Plan. As discussed in Impact AQ-1, the Project includes policies that would foster sustainable development practices and would not cause the disruption, delay, or otherwise hinder implementation of any applicable control measure from the 2017 Clean Air Plan; rather, the Project would support and facilitate their implementation. For example, the Project encourages sustainability measures such as use of promotion of sustainable building design and landscaped design and support alternative modes of transportation such as transit, walking, and bicycling. However, because the Project would result in an increase in criteria

pollutant emissions, it would conflict with the primary goals of the 2017 Clean Air Plan, and there are no feasible mitigation measures which would reduce the impact to a less-than-significant level.

BAAQMD's project-level thresholds were developed to analyze emissions generated by a single project and not for a programmatic general plan. Similarly, there are limitations to the application of CalEEMod for quantifying plan-level emissions. Table 3.2-10 in the Draft EIR shows the effect of the Project with implementation of policies that could be quantified by CalEEMod, following guidance from CAPCOA for conservative estimates of quantified greenhouse gas (GHG) reductions. Specifically, commute trip reduction programs (goals CCS-1 and CCS-2) and parking reduction policies (Goal LUCD-4 and policies LUCD 3-6, LUCD 4-1, LUCD 11-3, LUCD 12-5, and LUCD 17-2) were applied. Implementation of these policies led to a reduction in all pollutant emissions, especially in fugitive PM, compared to unmitigated emissions estimates. Nevertheless, ROG, PM10, and PM2.5 emissions continue to exceed BAAQMD thresholds, and the impact would be significant and unavoidable.

Policies within the Project would establish buffers between potential air pollution sources and sensitive receptors and limit pollution during construction. Other exposure reduction strategies including requirement of air filters, expansion of urban forestry, speed reduction, and traffic management, would minimize the Project's contribution to existing sources as well as protect future sensitive receptors. Future development would be subject to individual review; new sources would be evaluated through the BAAQMD permit process and/or the CEQA process to identify and mitigate any significant exposures. The Project's impact on sensitive receptors from exposure to substantial pollutant concentrations would thus be minimized to the maximum extent feasible with implementation of the Project. Nevertheless, uncertainty regarding the effects of individual projects allowed under the Project during construction and the cumulative contribution of operational emissions within an already-significant context would make the Project's impact significant and unavoidable overall.

Biological Resources

Summary Description

Impact BIO-9: Potential for land use changes and subsequent development to introduce or spread invasive plant species

The proposed land use changes and subsequent development under the General Plan update could result in the introduction of new invasive species or the spread of invasive species to areas outside of the study area, particularly in the south portion of the study area where proposed land use changes are adjacent to open space areas. Planned changes in land use would occur primarily within previously disturbed areas. However, proposed land use designations would result in small areas of vineyard, grassland, oak woodland, and riverine areas being converted to other uses. Invasive plants or their seeds may be dispersed by construction equipment if appropriate preventive measures are not implemented, which would be a significant impact.

Findings

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. The

mitigation measures and the reasons why they substantially lessen the environmental effect are described below.

Basis for Findings

The following mitigation measure will reduce the impacts of the Project to a less-than-significant level by adding a policy to the General Plan update to avoid the introduction and spread of invasive plants, and thereby reduce this impact to a less than-significant level.

Mitigation Measure BIO-9: Add a policy to the General Plan to avoid the introduction and spread of invasive plants

This mitigation measure will work in conjunction with the updated General Plan policies identified in the Biological Resources section of the Draft EIR. Those policies would be implemented during approval of future development projects.

Greenhouse Gas Emissions

Summary Description

Impact GHG-1: Generation of GHG emissions, either directly or indirectly, that may have a significant impact on the environment

Operation of land uses supported by the Project would generate direct and indirect GHG emissions. Sources of direct emissions include mobile vehicle trips, natural gas combustion, and landscaping activities. Indirect emissions would be generated by electricity generation and consumption, waste and wastewater generation, solid waste, and water use. Operational emissions for existing baseline and 2040 buildout conditions (with and without quantifiable policies) are summarized in Table 3.7-5 of the Draft EIR. The modeled emissions for unmitigated Project conditions are a conservative estimate of the Project's impact on GHGs because they do not account for Project policies such as solid waste reduction, water and energy conservation, and promotion of sustainable modes of transportation (goals CCS-2, CCS-5, and CCS-6). Therefore, a conservative estimate of operational emissions generated by the Project would result in a net decrease in annual emissions by 29,848 MT carbon dioxide equivalent (CO₂e) compared to existing conditions. As seen in Table 3.7-5 of the Draft EIR, these reductions primarily come from mobile sources and, to a lesser extent, water consumption; however, there is a slight increase in emissions from area and energy sources. These changes reflect the increasing population and greater intensity development enabled by the Project, as well as diversification of land uses due to new mixed-use designations, which would reduce VMT.

Because the City of Napa does not have a Qualified GHG Reduction Strategy (i.e., a climate action plan), the Project is analyzed quantitatively to evaluate potential significant impacts on the environment due to GHG emissions. Quantified estimates of the Project's operational emissions would result in a significant impact. Unquantified construction emissions would further contribute to the overall total, though qualitatively less-than-significant when considered alone. As such, the City has preemptively determined that it is necessary to adopt a climate action plan as a Qualified GHG Reduction Strategy in order to ensure that the City and the Project, if adopted, would further the State's and region's GHG reduction goals. Proposed Policy CCS 1-5 would require the City to work with BAAQMD and other relevant agencies and partners to adopt a climate action plan as a Qualified GHG Reduction Strategy to address the GHG reduction goals of Executive Order (EO) B-55-

18, Senate Bill (SB) 32, and EO S-03-05. Implementation of this policy would lower the Project's impacts below both BAAQMD's current and proposed plan-level significance thresholds for GHG. However, because implementation of this policy (i.e., adoption of a Qualified GHG Reduction Strategy) cannot be guaranteed, this impact is significant and unavoidable.

Impact GHG-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases

The Project includes numerous policies that support all applicable Plan Bay Area strategies, and proposed policies would achieve net reductions in GHG emissions and otherwise implement a Qualified GHG Reduction Strategy to meet targets established by EOs S-3-05 and B-55-18. However, due to the scale of emissions reductions needed to comply with these targets and given that adoption of a Qualified GHG Reduction Strategy cannot be guaranteed, as also discussed in Impact GHG-1, this impact would be significant and unavoidable.

Findings

- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible any mitigation measures or project alternatives.

Basis for Findings

The General Plan update includes the following policies that would reduce GHG emissions from construction (see page 3.7-26 of the Draft EIR for details): NRC 5-4, use of BMPs; CCS 1-2, develop plans to reduce fossil fuel consumption in construction and requires that construction for municipal projects use sustainable construction practices; CCS 8-1, green building practices, construction debris and waste diversion, and demonstrate high performance building standards. The General Plan update also includes the following policies that would reduce GHG emissions during operations (see page 3.7-26 of the Draft EIR for details): LUCD 3-6, LUCD 4-1, LUCD 11-3, LUCD 12-5, and LUCD 17-2, reductions in parking; goals CCS-1 and CCS-2, commute trips; goal CCS-5, water use; and CSPR 8-7, waste generation. It is noted that some policies cannot be quantified by CalEEMod due to lack of information or dependence on individual behavior – for example: Policy CCS 7-8, which converts street lighting, water pumping, water treatment, and other energy-intensive operations to more efficient technologies; Policy CCS 7-10, which incentivizes the use of on-site renewable energy generation for new and existing buildings; and TE 10-1, which promotes personal use of electric vehicles by providing or promoting adequate publicly-accessible charging stations and designated parking at City facilities, multi-family housing, and commercial developments. The effects of such policies would reasonably have additional mitigating potential that would further reduce GHG emissions, though it is unlikely that these reductions would be on the scale needed to offset mass emissions.

Avoidance of this impact is infeasible for legal reasons. Government Code Section 65301 requires the City Council to “adopt a comprehensive, long-term general plan for the physical development of the ... city ... and of any land outside its boundaries which in the planning agency’s judgment bears relation to its planning.” The General Plan provides for the long-term development of the city. Government Code Section 65580, et seq. requires the General Plan to “identify adequate sites for housing” and otherwise plan for sufficient development to meet the City’s share of the regional housing need. This requires the City to authorize future development to occur.

The 2030 goal of reducing GHG emissions to 40% below 1990 levels established by SB 32 will require statewide actions and is not feasible to achieve solely at the local level. These statewide initiatives are listed below.

- Reliance on 50% renewable energy for the electricity supply
- 50% reduction in petroleum use in vehicles
- Double the energy efficiency savings from existing buildings

Tribal Cultural Resources

Summary description

Impact TCR-1: Would the Project have the potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074

As noted above, in June 2021, the City received a request for consultation from the Yocha Dehe Wintun Nation. City staff met with Mr. Laverne Bill, Director of Cultural Resources for the tribe. During that meeting, the tribe requested that the City include additional goals and policies in the General Plan to recognize, work with, and promote educational opportunities with Tribal Nations. These goals and policies have been included in the Historic & Cultural Resources Element of the Draft General Plan. A draft copy of these goals and polices have been forwarded to Yocha Dehe during the staff review of the Administrative Draft EIR.

Consultation will be ongoing during development of the General Plan update. As consultation under the General Plan update EIR proceeds, if any significant tribal cultural resources are identified, the City and the Tribe will negotiate appropriate measures to be incorporated into General Plan policies to prevent a substantial adverse change in the significance of the resource. At a minimum, these measures would include those recommended in PRC Section 21084.3 to avoid damaging effects on tribal cultural resources, incorporated in the Draft EIR as Mitigation Measure TCR-1. Accordingly, the impact of the General Plan update on tribal cultural resources would be less than significant with mitigation incorporated.

Impact TCR-2: Would the Project have the potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074, that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1

The City of Napa received one request for consultation, from the Yocha Dehe Wintun Nation, but no tribal cultural resources had been identified as of June 14, 2021. The City has not otherwise identified or been notified of any tribal cultural resources in the Planning Area.

The records search conducted for Chapter 3.4, *Cultural Resources*, found that 51 archaeological resources have been recorded in the plan area. It is possible that these would be considered to be tribal cultural resources under Assembly Bill (AB) 52, but such determination has not been made. Mitigation measures described in Chapter 3.4 of the Draft EIR would apply to protect these resources. If tribal cultural resources are identified or encountered during future development projects anticipated under the General Plan update, the City would require one or

more actions recommended under Mitigation Measure TCR-1, in addition to specific measures agreed upon with the consulting tribe, if any, during AB 52 consultation under CEQA. Accordingly, the impact would be less than significant with mitigation incorporated.

Finding

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR. The mitigation measure and the reasons why it substantially lessens the environmental effect are described below.

Basis for Finding

The following mitigation measure would reduce these impacts by providing measures recommended in Public Resources Code Section 21084.3 to avoid damaging effects on tribal cultural resources.

Mitigation Measure TCR-1: Implement mitigation measures recommended in Public Resources Code Section 21084.3 to avoid damaging effects on tribal cultural resources

Significant Irreversible Environmental Changes

State CEQA Guidelines Section 15126.2 requires that the EIR for a general plan must address any significant irreversible environmental change that would result from implementation of the Project. Specifically, per the Guidelines (Section 15126.2[c]), such an impact would occur under the circumstances listed below.

- The project would involve a large commitment of nonrenewable resources.
- Irreversible damage can result from environmental accidents associated with the project.
- The proposed consumption of resources is not justified.

Approval and implementation of project-related activities would be typical of these sorts of land use planning and regulatory actions. They would result in an irretrievable commitment of nonrenewable resources such as fossil fuel-based energy supplies and construction-related materials. The energy resource demands would be used for construction, heating and cooling of buildings, transportation of people and goods, heating and refrigeration, lighting, and other associated energy needs.

Implementing the General Plan update would result in environmental changes because the physical environment would be altered through continued commitments of land and construction materials to urban development. There would be an irretrievable commitment of labor, capital, and materials used in construction and a permanent loss of open space over time. Nonrenewable resources would be committed primarily in the form of fossil fuels such as oil, natural gas, and gasoline used to support the additional development associated with implementation of the General Plan update.

Implementing the General Plan update would also result in the consumption of other nonrenewable or slowly renewable resources, including lumber and other forest products, sand and gravel, asphalt, steel, copper, and water. Although alternative energy sources such as solar and wind energy are in use in Napa, the proportion of energy generated by these sources is so much smaller than the

proportion generated by fossil fuel sources that it is unlikely that savings in nonrenewable energy supplies (e.g., oil and gas) could be realized in the immediate future.

Recirculation Not Required

The revisions made in the Final EIR, and General Plan Policies are intended to reflect the streamlining provisions of CEQA for projects consistent with the General Plan, and do not raise substantive changes that would rise to the level of “significant new information” requiring recirculation. Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when “significant new information” is added to the EIR after public notice is given of the availability of the Draft EIR for public review but prior to certification of the Final EIR. The term “information” can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(CEQA Guidelines, § 15088.5.)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is “not intend[ed] to promote endless rounds of revision and recirculation of EIRs.” (Laurel Heights Improvement Assn. v. Regents of the University of California (1993) 6 Cal. 4th 1112, 1132.) “Recirculation was intended to be an exception, rather than the general rule.” (Ibid.)

CEQA case law emphasizes that “[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new, and unforeseen insights may emerge during investigation, evoking revision of the original proposal.” (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) “CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.’ In short, a project must be open for public discussion and subject to agency modification during the CEQA process.” (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936.) Here, the changes to the

Draft EIR are exactly the kind of revisions that the case law recognizes as legitimate and proper because they offer clarifying information to the reader and do not result in an exacerbation of existing impacts or create new impacts.

Statement of Overriding Considerations

This statement of overriding considerations describes the project benefits that outweigh its environmental impacts. It is adopted in accordance with Public Resources Code section 21081(b) and CEQA Guidelines Section 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

The EIR for the General Plan update examines the changes to the existing environment that would occur as the General Plan is built-out over time to the 2040 planning horizon. The significant, unavoidable impacts are described below. These are detailed in the respective sections of the Draft EIR.

- Agricultural and Forestry Resources
- Air quality
- Greenhouse gas emissions

These impacts are outweighed individually and collectively by the following benefits of the General Plan update project.

Benefits and Supporting Facts

The General Plan update will ensure that the General Plan complies with current statutory requirements for content and avoid the consequences that may occur from inconsistency with current state law. The prior General Plan was adopted in 1998 and has not had a comprehensive update since that time.

The update includes key strategies that provide a bridge to the detailed goals and policies in each element and include compact growth patterns; corridor revitalization; accessible and walkable city; diversity of housing choices; connection to the Napa River; improved streetscape design; flexibility in residential neighborhoods; economic diversity; and climate change and environmental resiliency.

Government Code Section 65302, et seq. sets out the essential content requirements for General Plans. The General Plan update ensures that the city's General Plan complies with these requirements. In particular, although Napa does not have any disadvantaged communities, the update includes equitable policies to support both a healthy livable environment and a socially responsible community (SB 535). The update includes policies addressing vehicle miles traveled (SB 743) and reducing or eliminating GHG emissions (SB 32, EO S-3-05, B-55-18 and N-79-20).

Further, Government Code Section 65300.5 states: "the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies." The General Plan update ensures that the elements of the General Plan are consistent with the Housing Element that was adopted in March 2015 and reflect the city's policies ensuring that it can accommodate its share of the Regional Housing Needs Allocation. The General Plan includes all the elements required under State law—land use, circulation, conservation, open space, safety, noise, and housing—as well as additional topics of local importance: economic development, climate change and sustainability, historic and cultural resources, community design, and public health and equity.

Other Benefits

The General Plan is the foundation of the City's land use planning and regulatory scheme. It embodies land use goals and policies ranging from community design to public health and equity, to climate change and sustainability. An up-to-date General Plan that complies with current state law and represents the Planning Commission's and City Council's land use goals and policies enables the city to make land use decisions in a timely and consistent manner, which represents good planning.

The General Plan update supports the following key strategies:

- **Compact Growth Patterns.** The General Plan seeks to achieve the City's 20-year growth needs within the existing Sphere of Influence. Thus, the Plan emphasizes infill development in Downtown, aging commercial areas, and where underutilized or outmoded uses offer opportunities to accommodate new housing, employment, and commercial development. The General Plan also provides direction for development of remnant vacant land at City edges within the existing Sphere of Influence. Increased densities and mixed-use development are targeted in selected areas, balanced with preservation of the City's rich historical and cultural heritage.
- **Corridor Revitalization.** To further the guiding principles, key portions of Soscol Avenue, Jefferson Street, Imola Avenue, and Trancas Street have mixed-use designations, and policies that seek to foster development of these areas as pedestrian-oriented community

spines. The General Plan outlines varied approaches to land uses and mixes, and transportation improvements, reflecting each corridor's location and community role.

- **Accessible and Walkable City.** The General Plan emphasizes walking and bicycling through a multipronged strategy that fosters pedestrian-oriented development; new pedestrian and bicycle connections; increased densities; and greater mix of uses to enable shorter trips. Corridors would provide amenities and services for adjacent neighborhoods and include high- and medium-density housing surrounding retail uses or integrated in mixed-use buildings.
- **Diversity of Housing Choices.** The General Plan provides a range of residential densities wider than previously permitted in the city, as well as several areas with mixed residential and commercial designations to facilitate production of a range of housing types to meet the needs of people of all incomes, abilities, and stages of life, with a focus on workforce housing and improved community-wide jobs/housing balance. The housing growth is focused in locations with access to services, amenities, and open spaces.
- **Connection to the Napa River.** Trails and open space networks along the Napa River will be enhanced to enable residents and visitors to recreate along the river and enjoy dining and shopping along the waterfront. Sites undergoing development adjacent to the Napa River will be encouraged or required to facilitate public access to the waterfront, and orient buildings toward the river.
- **Improved Streetscape Design.** The City's corridors are envisioned as community spines that provide community gathering spaces and facilitate multi-modal mobility. Streetscapes, including along Soscol Avenue, Trancas Street, and Jefferson Street, will be improved as feasible, with consistent street trees, ample and continuous sidewalks, pedestrian-scale lighting, and bikeways to enhance corridor and community character and identity, and improve pedestrian and bicycle comfort and safety.
- **Flexibility in Residential Neighborhoods.** By carefully expanding the types of new housing allowed in existing residential neighborhoods, the existing character of traditional neighborhoods can be preserved while allowing for more housing options and expanded use of historic properties. Residential areas would remain in residential use, but with opportunities to build a greater diversity of housing types. Homebased businesses and small-scale businesses would be permitted to enhance economic opportunity.
- **Economic Diversity.** The General Plan promotes diversification of the economy by identifying locations for a diverse range of employment-generating uses with an emphasis on "maker spaces"/production uses, health and wellness, arts and entertainment, business incubation, and small-business promotion and retention. Land use designations around the Queen of the Valley hospital on Trancas Street focus on medical, technology, health and wellness, and professional services to enable business incubation with linkages to medical uses and technology. Existing light industrial areas, such as along Lincoln and Soscol avenues and the business park at Napa Valley Commons, are to remain, with limitations on conversion to other uses. Policies supporting downtown retail diversity and the "auto row" are outlined.
- **Climate Change and Environmental Resiliency.** The General Plan envisions the City as a leader in reducing greenhouse gas emissions, and in adapting the community to climate change. The Land Use Diagram identifies location for open space, and goals and policies in the elements that follow emphasize conservation of riparian habitats, nurturing and growing the urban forest, integrated recreation/open space/flooding improvements along

Napa River, sustainable site planning and development practices, and increased emphasis on recycling and reuse.

Statement of Overriding Considerations

The City of Napa has independently reviewed the information in the EIR and the record of proceedings and made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the proposed General Plan update to the extent feasible, by including policies and actions in the General Plan that mitigate potential environmental impacts to the greatest extent feasible, while balancing the project's benefits against significant and unavoidable impacts.

Adoption and implementation of the General Plan update would provide the following economic, social, legal, and other considerable benefits:

1. The General Plan update promotes environmentally sustainable development through goals and policies that balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, agricultural preservation, environmental protection, and preservation of quality of life for residents of the city.
2. The General Plan update implements principles of sustainable growth by concentrating new development around along corridors and within existing urbanized areas.
3. The General Plan update improves mobility options through the development of complete streets with walkable communities, adequate rights-of-ways, and development proximate to transit.
4. The General Plan update addresses adverse environmental impacts associated with global climate change by facilitating sustainable development, adopting a combined climate action plan with the county, and promoting energy efficiency, all which will work in concert to reduce greenhouse gas emissions.
5. The General Plan update enhances the local economy and provides opportunities for future jobs and businesses.
6. The General Plan update is the product of comprehensive public planning efforts, comprised of the public, staff, the Planning Commission, and the City Council, and results in a thoughtful balance of community, economic, and environmental interests.

Conclusion

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the City Council of the City of Napa, find that the significant unavoidable impacts may be considered "acceptable" due to the specific considerations listed herein, which outweigh the impacts.

The City Council has considered the information presented in the EIR, as well as public testimony, and the record of proceedings in which the General Plan update was considered. Recognizing that significant unavoidable impacts exist in agricultural and forestry resources, air quality, and greenhouse gas emissions, the Council nevertheless finds that the benefits in the General Plan update outweigh the impacts of the Project. Having included all feasible mitigation measures as policies and actions in the General Plan update, and recognized all unavoidable significant impacts,

the Council hereby finds that each of the separate benefits of the General Plan, as stated herein, are determined to be unto themselves separated overriding considerations, independent of other benefits, and warrant adoption of the General Plan update.

Based on the foregoing findings, the City Council hereby determines that:

1. All significant environmental impacts due to the adoption of the General Plan update have been eliminated or substantially lessened where feasible.
2. There are no feasible alternatives to the Project which would mitigate or substantially lessen the impacts while attaining most or all of the Project objectives.
3. Any remaining unavoidable significant environmental impacts are acceptable due to the factors stated herein.

EXHIBIT "D"

CEQA MITIGATION MONITORING PLAN

CEQA Mitigation Monitoring Plan

The California Environmental Quality Act (CEQA) requires the public agency approving a project for which an environmental impact report (EIR) was certified to adopt a program for monitoring or reporting on the implementation of the measures imposed to mitigate or avoid the project's significant effects on the environment. (Public Resources Code Section 21081.6; CEQA Guidelines Section 15097.) However, CEQA section 21081.6(b) and CEQA Guidelines section 15097(b) provide that, when the project at issue is adoption of a general plan, the general plan may serve as the monitoring program if the general plan includes or embodies the policies and mitigation measures described in the EIR to mitigate the project's impacts.

The policies and mitigation measures described in the EIR to mitigate the Napa 2040 General Plan project's impacts are set forth in the Findings of Fact attached as Exhibit "C" to Resolution 2022-_____, and each of these policies and mitigation measures has been incorporated as a policy into the Napa 2040 General Plan.

The City's Community Development Department staff prepares and presents to the City Council an annual report on the status of General Plan implementation.

Based on the foregoing, the City Council has determined that no additional action by the City is required to comply with Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines, as relates to a mitigation monitoring plan.

The Community Development Department is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the General Plan Update was based. Inquiries about the record of proceedings should be directed to:

Michael Walker, Senior Planner
Community Development Department
(707) 257-9530 or mwalker@cityofnapa.org

The location of this information is:

City of Napa
Community Development Department
1600 First Street
Napa, CA 94559