

ORDINANCE O2023-\_\_

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING NAPA MUNICIPAL CODE (NMC) TITLE 17 TO ADD A NEW CHAPTER 17.33 ESTABLISHING THE OLD SONOMA ROAD MIXED-USE MASTER PLAN ZONE DISTRICT (MP: OSR-MU) AND AMENDING THE ZONING MAP TO REZONE AN 8.6 ACRE PARCEL AT 2344 OLD SONOMA ROAD, APN:004-291-015, AND AN ADJACENT PARCEL OF APPROXIMATELY 2,911 SQUARE FEET, FROM PUBLIC, QUASI-PUBLIC (PQ-P) DISTRICT TO MP: OSR-MU, AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS ORDINANCE WERE ADEQUATELY ANALYZED BY A PREVIOUS CEQA ACTION

WHEREAS, on September 20, 2022, by City Council Resolution R2022-085, the City Council certified that certain Environmental Impact Report for the City of Napa 2040 General Plan, and on October 18, 2022, by City Council Resolution R2022-098, the City Council approved and adopted an Addendum to the certified Environmental Impact Report for the City of Napa 2040 General Plan, which together are referred to herein as the “General Plan EIR”; and

WHEREAS, on October 18, 2022, by the same City Council Resolution R2022-098, the City Council adopted the City of Napa 2040 General Plan (“2040 General Plan”). The 2040 General Plan is the culmination of a three-year long process to identify, formulate and establish long-term goals, objectives and policies for the operation, maintenance, and development of the City and the City government through the year 2040; and

WHEREAS, the 2040 General Plan reflects the community’s vision for its growth and evolution, addressing a wide range of topics that affect the character and quality of life in Napa; and

WHEREAS, the 2040 General Plan addresses future land uses and new development, and includes policies for sustainable development by, among other things, making more efficient use of available land by allowing higher density development and minimizing the adverse effects of new development on the environment to ensure that it does not unduly contribute to global warming and climate change; and

WHEREAS, on January 4, 2023, Napa Community Real Estate Fund (“Applicant”) submitted an application (File No. PL23-0002) for a Zoning Amendment pursuant to Napa Municipal Code (“NMC”) Section 17.66 (“Zoning Amendments”) to rezone an approximately 8.6 acre parcel at 2344 Old Sonoma Road bearing Assessor’s Parcel Number 004-291-015 and, an adjacent parcel of approximately 2,911 square feet that is more particularly described and shown on Exhibit A hereto (together, the “Property”), from the Public, Quasi-

## ATTACHMENT 1

Public District to a Master Plan District pursuant to NMC Section 17.26 (“Master Plan District”) for a proposed mixed-use development consisting of 162 mixed-income for sale residential units and approximately 9,575 square feet of commercial uses (the “Project”); and

WHEREAS, the Applicant designed and intends for the Project to be consistent with the 2040 General Plan and to promote 2040 General Plan goals and policies relating to, among other things, land use, affordable housing, sustainability, and cultural and historic resources, and has worked cooperatively with the City to achieve such consistency between the Project and the 2040 General Plan; and

WHEREAS, to comply with the California Environmental Quality Act (Public Resources Code §§ 21000—21189.70.10) (hereafter, “CEQA”) and its implementing regulations (California Code of Regulations §§ 15000—15387) (hereafter, the “CEQA Guidelines”), the City caused the preparation of an initial study and consistency analysis pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines to assess the consistency of the Project with the 2040 General Plan, a copy of which is attached hereto as Exhibit B and incorporated herein by reference (the “Section 15183 Consistency Analysis”); and

WHEREAS, on April 6, 2023, the Planning Commission held a noticed public hearing on the Project and the Section 15183 Consistency Analysis and has recommended that the City Council approve the Project and determine, pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines, that the Project is consistent with the 2040 General Plan as evaluated in the certified General Plan EIR and no additional environmental review is required; and

WHEREAS, on May 2, 2023, the City Council held a duly noticed public hearing and considered all information related to this matter, including the Project application, a staff report and staff and Applicant presentations, the 2040 General Plan and the General Plan EIR, the Section 15183 Consistency Analysis, and all other materials and information available during the City’s processing of the application.

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

**SECTION 1: CEQA Determination.** The City Council hereby determines that the potential environmental effects from the actions authorized by this ordinance were adequately analyzed in that certain City of Napa General Plan Update Final EIR (SCH #2021010255) certified by the City Council on September 20, 2022 (the “2040 General Plan EIR”) and, pursuant to Public Resources Code Section 20183.3 and Sections 15183 and 15168 of the CEQA Guidelines, and no additional environmental review is required for the Project because the Project is consistent with the development density and use characteristics established by the 2040 General Plan and there are no potentially significant environmental effects that (1) are peculiar to the Project or the Site, (2) were not analyzed as significant effects in the 2040 General Plan EIR, (3) are potentially significant off-site impacts and cumulative impacts which were not discussed in the 2040 General Plan EIR,

or (4) are previously identified significant effects which, as a result of substantial new information which was not known at the time the 2040 General Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the 2040 General Plan EIR. These findings are set forth in greater detail, accompanied by the substantial evidence in support thereof, in the “Section 15183 Consistency Analysis.

## **SECTION 2: Findings.**

A. The City Council hereby makes the following Zoning Amendment findings in accordance with NMC Section 17.66.080:

1. *The proposed amendment is consistent in principle with the General Plan.*

The proposed zoning amendment is consistent with the General Plan in that the proposed amendment will correct an existing inconsistency between the 2040 General Plan and the zoning. The proposed mixed-use designation is consistent with the property’s Residential Mixed-Use designation. The Old Sonoma Road Mixed-Use Master Plan district will implement the goals, objectives, and policies of the Residential Mixed-Use Designation of the General Plan.

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

The proposed 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; designating which land uses are complementary to the mix of uses within the city; and, determining that they are appropriate to its surroundings.

3. *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: 1) the project does not include any proposal to increase a minimum lot size, 2) nor does it eliminate any site designated in the Housing Element from future use as a housing site.

B. The City Council hereby makes the following Master Plan findings in accordance with NMC Section 17.26.080:

1. *The Master Plan is consistent with the General Plan and other City plans or policies that apply to the property.*

## ATTACHMENT 1

The proposed Master Plan is consistent with the principles of the General Plan, since it locates an appropriate mixed-use development within the boundaries and urban limits of the City of Napa, which land use is complementary to the mix of uses within the city and is appropriate to its surroundings and further, that the proposed Master Plan provides the appropriate use and development standards for the Old Sonoma Road Mixed Use development which is consistent with the project site's Residential Mixed Use designation in the 2040 General Plan.

- 2. Any residential development shall constitute a residential environment of sustained desirability and stability that responds to its context.*

The Old Sonoma Road Mixed-Use Project, for which the Master Plan has been tailored to provide appropriate development and use standards, will be complementary to the mix of uses within the city and is appropriate to its surroundings. It will renovate and preserve the existing historic Napa Infirmary buildings while creating appropriately scaled single family homes near existing single-family homes and locating multi-family buildings near Napa Christian School and the Napa County Juvenile Hall. The Project also provides limited neighborhood serving commercial uses within the renovated historic buildings that have been in the neighborhood for over a century. As such, the Project will create a residential environment of sustained desirability and stability that responds to its context.

- 3. Any nonresidential uses shall be appropriate in area, location and overall planning for the purpose intended, and the design and development standards shall create a nonresidential environment of sustained desirability and stability that respond to their context.*

The Old Sonoma Road Mixed-Use Master Plan provides development and use standards that allow for limited non-residential uses within one of the historic Napa Infirmary buildings which is appropriately located near the center of the mixed-use site. Its location, surrounded by new residential uses, combined with its adaptive reuse of the former infirmary/Health and Human Services building, will create a nonresidential environment that is appropriate for the surrounding residential neighborhood which already has a neighborhood serving commercial center (Food City). The Old Sonoma Road Mixed Use Master Plan provides development standards that are consistent with other residential and commercial districts but with slight variations in building height and parking requirements that facilitate the development of the proposed mixed-use development. As such, the Project will create a nonresidential environment of sustained desirability and stability that responds to its context.

- 4. The applicant demonstrates that public facilities are provided to serve the anticipated population.*

The Project plans demonstrate that public facilities will be provided to serve the anticipated population with the inclusion of approximately 9,138 square feet of commercial/retail floorspace that can contain neighborhood services uses such as a coffee shop. The historic "Crescent" semi-circular driveway and lawn area will be retained and repurposed

## ATTACHMENT 1

for community serving events such as a farmer's market. This open space feature could accommodate other community events that serve the anticipated population as well as existing population. The project has been reviewed by the City's Public Works and Utilities Department as well as Napa Sanitation District and has been conditioned to provide adequate public utilities to serve the new commercial and residential development within the Master Plan District.

- 5. The motor vehicle, bicycle and pedestrian traffic system provides adequate area and on-site connections for circulation needs and public safety.*

The proposed site plan for the 8.6-acre project site that would be regulated by the Old Sonoma Road Master Plan provides adequate private streets and driveways that have been designed and reviewed for compliance with City Standards for safe streets and sufficient circulation patterns. In addition to new sidewalks along the private street, the project provides pedestrian paths that serve as pedestrian facilities. In addition, the common open space areas provide locations that could accommodate bicycle racks as well as within the subterranean garages of the condominium buildings and within garages of the single-family homes.

- 6. For sites in mixed use land use categories, that General Plan mixed use goals and policies, and objectives of the general mixed-use regulations in Chapter 17.52 have been met.*

The Old Sonoma Road Mixed-Use Master Plan has been structured specifically to meet the General Plan mixed use goals and policies by creating development and use standards for an appropriate mix of single family, multi-family uses at a mix of income levels and also incorporating limited neighborhood serving commercial uses. These mix of uses relate to and complement each other through site design which includes shared use of public spaces and landscape connections throughout the site. Pedestrian connections abound as well as shared access and parking consistent with development objectives prescribed in NMC Chapter 17.52.

**SECTION 3: Zoning Ordinance Text Amendment.** Title 17 of the Napa Municipal Code is hereby amended to add a new Chapter 17.33 to read as set forth in Exhibit "C", attached hereto and incorporated herein by reference. The City Clerk is hereby authorized and instructed to enter the correct City Ordinance number into Section 17.33.010.A and to the proposed Zoning Map attached hereto as Exhibit "D2" prior to codification.

**SECTION 4: Zoning Map Amendment.** The Zoning Map of the City of Napa, as defined by Napa Municipal Code Sections 17.02.020.A and 17.06.030, and the boundaries of the Districts of such map, are hereby amended pursuant to Chapter 17.66 of such Code to rezone the Property (as shown on Exhibit "D1") to MP: OSR-MU for the Old Sonoma Road Mixed Use Master Plan (as shown in Exhibit "D2") attached hereto and made a part hereof; pursuant to the findings contained in Section 2 of this Ordinance.

**SECTION 5: Severability.** If any section, sub-section, subdivision, paragraph,

**ATTACHMENT 1**

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.

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 public meeting of the City Council on the 2<sup>nd</sup> day of May, 2023, and had its second reading and was adopted and passed during the public meeting of the City Council on the 16th day of May, 2023, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

ATTEST: \_\_\_\_\_

Tiffany Carranza  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF APPROXIMATELY 2,911 SQUARE FOOT PARCEL  
TO BE REZONED WITH APN 004-291-015**

That parcel of land conveyed to the Board of Directors of the Napa County Infirmary by deed filed February 8, 1869 and recorded in [Book "L" of Deeds at Page 304](#) in Office of the Recorder of Napa County, California,

EXCEPTING therefrom the following:

Commencing at the southwesterly corner of the above mentioned parcel of land conveyed to the Board of Directors of the Napa County Infirmary; thence along the west line of said parcel north 30.00 feet to a point on the northerly line of the road known as "Old Sonoma Road", said point being the true point of beginning of this description; thence continuing along said west line of the parcel of land conveyed to the Board of Directors of the Napa County Infirmary north 367.80 feet; thence leaving said west line of the parcel of land conveyed to the Board of Directors of the Napa County Infirmary east 130.49 feet; thence south 50.38 feet; thence east 235.56 feet; thence south 317.42 feet to the northerly line of the road known as "Old Sonoma Road" (".. .the road leading by P. Guessford's lands..." per "L" Deeds 304, N.C.R.), thence along said northerly line West 366.05 feet to THE TRUE POINT OF BEGINNING.

APN: 004-291-015-000

**EXHIBIT "B"**

**SECTION 15183 CONSISTENCY ANALYSIS**

See "Attachment 26 of the May 2, 2023 Council Staff Report" for consistency analysis.

**EXHIBIT “C”**

**OLD SONOMA ROAD MIXED-USE MASTER PLAN**

**17.33.010 Specific purposes.**

The Old Sonoma Road Mixed-Use Master Plan district is intended to:

- A. Implement the goals, objectives, and policies of the Residential Mixed-Use designation of the General Plan for properties located along Old Sonoma Road between Walnut Street and Jefferson Street.
- B. Provide development standards to facilitate economical, efficient, and coordinated development consistent with the goals and purposes of the Residential Mixed Use designation.
- C. Allow deviation from standard zoning district regulations such as setbacks, lot area, lot coverage, and building height, while remaining consistent with design guidelines that encourage flexibility and creativity in building design and site planning and promote a higher level of amenities beyond that expected in conventional developments.
- D. Encourage a mix of different dwelling types and a variety of land uses which complement each other and which are compatible with existing and future surrounding uses.
- E. Encourage development of a walkable neighborhood with higher density housing types and limited neighborhood-serving commercial uses in a desirable relationship to planned common use space, cultural, recreational, and other uses.

**17.33.020 Land Use Regulations**

The following uses shall be allowed in the MP: OSR-MU district:

P = Permitted; C = Conditional Use Permit

Use Type	MU	Added use Regulations
<b>A. Residential and Related Uses</b>		
Single-family attached and detached including condominiums	P	
Multifamily	P	Timeshare units are not included in the definition of multifamily housing.
Mixed use developments consisting of residential and other uses allowed this district	P	
Residential care facilities:	P	
Small (0-6 residents)	P	
Large (7 or more residents)	C	
Family day care home, child, or adult (up to 14 children or 8 adults)	P	
Day care facility (15 or more children; 9 or more adults)	C	
<b>B. Commercial Uses</b>		
<b>1. Food and beverage service establishments, stores</b>		
Food service establishments, with or without accessory serving of beer or wine;	P*	*C if open after 10 p.m.
Bakeries, retail	P*	
Boutique grocery stores, produce markets	P*	
<b>C. Personal service establishments</b>		
Art, music, photographic studios	P*	*C if open after 10 p.m.
Barber shops/beauty salons, nail salons, personal grooming	P*	

# ATTACHMENT 1

Mail services	P	
Tailor/seamstress	P	
<b>D. Recreation facilities, commercial</b>		
Health spas	P*	*C if open after 10 p.m.
Health clubs/gyms	P*	
Recreation (Indoors)	P*	
<b>E. Retail uses</b>		
Art, craft, music, and photographic supply and processing	P	
Art galleries	P	
Beauty supplies	P	
Bicycle (and accessory repair)	P	
Books, magazines, and stationery	P	
Clothing	P	
Gift	P	
Medical equipment and supplies	P	
Shoes	P	
Sporting goods, including rentals	P	
Variety stores	P	
Wine Shop	P	
<b>F. Offices (administrative, business, and professional)</b>		
Financial services offices	P	
<b>G. Public and Quasi-Public Uses</b>		
Library/Museum	P*	*C if open after 10 p.m.
Other public/quasi-public uses of an administrative, educational, religious, cultural, communications or public service nature, including community care facilities not otherwise listed, and excluding corporation yards and warehouses	C	
<b>H. Other Uses</b>		
ATM, stand alone	P*	*C if open after 10 p.m.
Community Garden	P*	

## ATTACHMENT 1

Farmer's Market	P*	
Home occupations	P	Subject to the provisions of NMC Section 17.52.240.
Nonresidential condominiums	P	
Temporary uses	P/C	Subject to the provisions of NMC Chapter 17.52

17.33.030 Property Development Standards.

Property Development Standards	MP:OSR-MU	Additional Standards
Floor Area Ratio (FAR)	1.0	See NMC Chapter 17.52 for calculation of FARs, densities
<b>Condominium Unit Development Standards</b>		
Height-principal building stories/height in feet whichever is more restrictive	4/60*	Maximum building height shall be documented in the approved development plans.  * For structures on a site subject to NMC Chapter 15.52 (Historic Preservation), the maximum building height shall not exceed 40 feet.
Front Setback (feet)		
Public Street	15	Walnut Street
Side setback (feet)		
Public Street	10	Old Sonoma Road
Side Yard (feet)	5	(1)
Rear Yard (feet)	15 (2 story) 20 (3 stories)	(1)
<b>Single-Family Home Standards</b>		
Lot Area (sq. ft.)	3,500	
Lot Width & Lot Frontage at front setback (feet)	40	
Height-principal building stories/height in feet whichever is more restrictive	2/30	
Front Setback (feet)		

Private Street	10	
Side Setback (feet)		
Private Street	10	
Side Yard (feet)	5	
Rear Yard (feet)	15	
(1) Development proposed on land that abuts a RS, RI or RT District is subject to transitional standards that are the same as the multifamily (RM) district.		

**17.33.040 Exemptions from Height Limit.**

- A. The following features shall be exempt from the height limits established by this chapter, subject to limitations indicated:
  - i. Mechanical equipment and appurtenances necessary for the operation or maintenance of the building or structure itself.
  - ii. Additional building volume used to enclose or screen from view the features listed under subsection (i) above and to provide additional visual interest to the roof of the structure.
  - iii. Railings, parapets, and catwalks, with a maximum height of four feet and open railings, catwalks and fire escapes required by law, wherever situated.
  - iv. Flag poles and flags, and weathervanes.
  - v. Headhouses and/or enclosed roof access.

**17.33.050 Other development standards and requirements applicable to MP:OSR-MU district.**

- A. Accessory Structures. Accessory structures shall meet accessory standards for residential districts in Chapter 17.52. Walks or similar types of surfaced areas constructed at-grade, parking, fences, and signs (See Chapter 17.55, Sign Ordinance) may be located in setback areas.
- B. Screening of Trash, Outdoor Storage. The requirements in Chapter 17.52 for outdoor storage screening shall apply.

# ATTACHMENT 1

- C. Rooftop Equipment. Rooftop equipment shall be screened and integrated into the building architecture. Screens shall not disproportionately increase the mass of the building.
- D. Landscaping. All planting strips, yards, setbacks, and other required open space areas shall be landscaped in accordance with a landscape plan addressing city standards, approved by the decision-making body as part of the design review or other discretionary permit. All landscaping shall be maintained in a healthy, weed-free condition. Landscape maintenance agreements with the city may be required on sensitive sites.
- E. Lighting. Exterior lighting shall be directed or shielded so as to prevent glare onto public streets and residential properties.

### 17.33.060 Parking.

- A. The number of off-street parking spaces required in the MP: OSR-MU district shall be as set forth below.

Use	Parking Spaces Required
Residential	
Studio	1.25/unit
1-bedroom (affordable)	1.0/unit
1-bedroom (Market & Workforce)	1.5/unit
2-bedroom	2.0/unit
3-bedroom	2.0/unit
Residential (Guest parking)	1.0 per 4 units
Commercial-Retail	1 per 250 sq. ft.
Food and/or beverage service establishments	1 per 250 sq. ft.
Office	1 per 250 sq. ft.

**Notes:**

1. All required parking shall be provided onsite within private streets, driveways, and parking lots.
2. Parking shall be based on the gross floor area where indicated.
3. Where the computation of required parking spaces produces a fractional result, fractions of one-half or greater shall require one full parking space.
4. Shared parking arrangements shall be allowed as provided in Chapter 17.54 or in accordance with an approved development plan establishing standards for the distance between uses and parking spaces and establishing a maximum number of off-street parking spaces.

- B. The location of off-street parking spaces shall be as set forth in an approved development plan.

**17.33.070 Bicycle parking.**

Bicycle parking shall be provided for all residential and non-residential uses in accordance with the requirements set forth in Section 17.54.060.

**17.33.080 Off-street freight loading and service vehicle spaces.**

Off-street loading and service vehicle requirements shall be in accordance with Section 17.54.050.

**17.33.090 Signage.**

- A. In the MP: OSR-MU district, one monument sign and one wall-mounted building identification sign are permitted per building. The size, placement, maintenance, and design of the sign shall be in accordance with Chapter 17.55.
- B. Street signage shall be consistent with city standards and the approved design guidelines.

EXHIBIT "D1"

EXISTING ZONING MAP FOR 2344 OLD SONOMA ROAD  
(ASSESSOR'S PARCEL NUMBER 004-291-015)

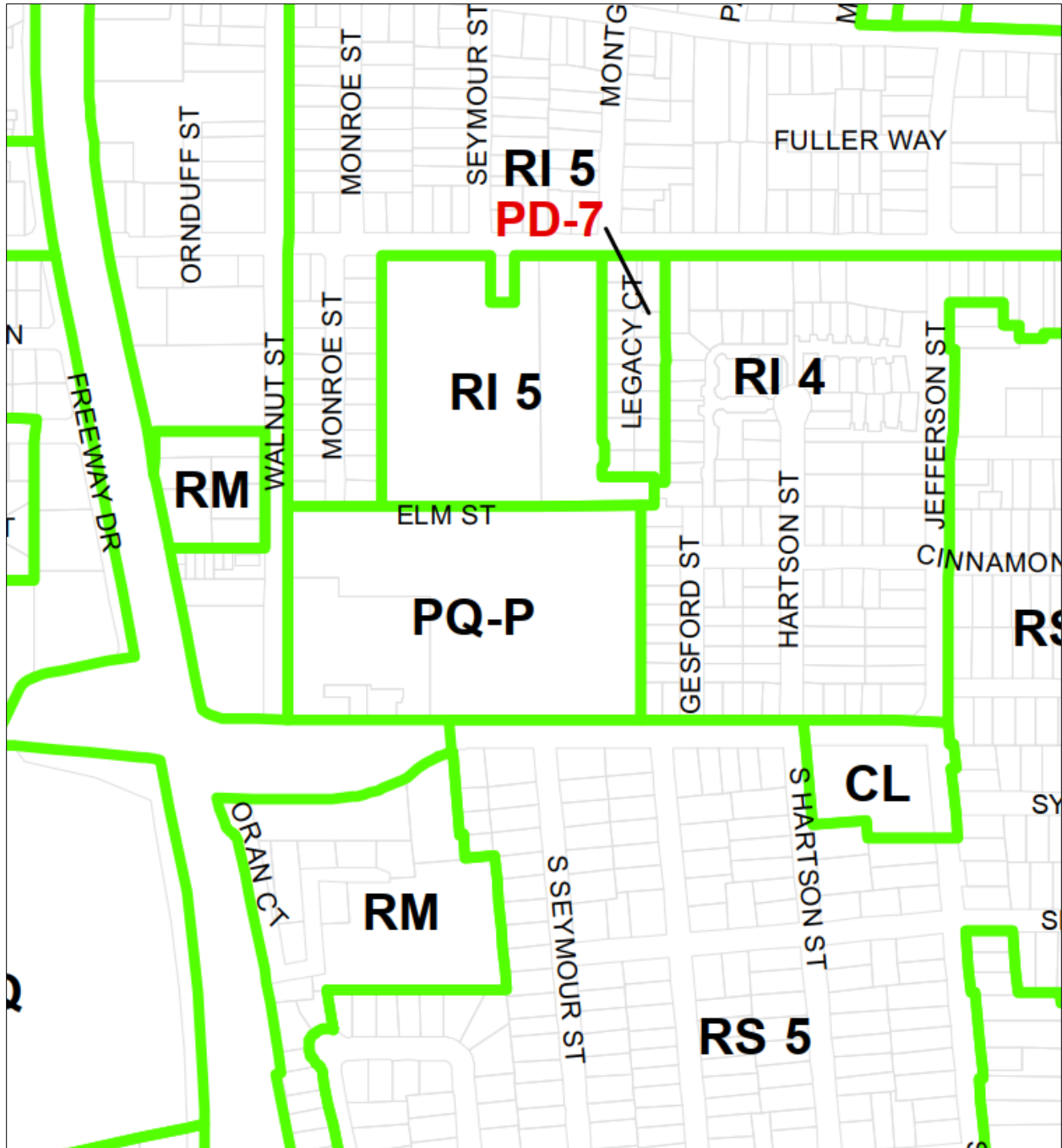


EXHIBIT "D2"

AMENDED ZONING MAP FOR 2344 OLD SONOMA ROAD  
(ASSESSOR'S PARCEL NUMBER 004-291-015)

