

ORDINANCE O2018-\_\_

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING THE ZONING MAP ESTABLISHED UNDER NAPA MUNICIPAL CODE SECTION 17.04.050, REZONING TWO PARCELS TOTALING 78-ACRES LOCATED AT 3095 OLD SONOMA ROAD FROM "AGRICULTURAL RESOURCE" (AR) TO "SINGLE FAMILY RESIDENTIAL" (RS-7); AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS ORDINANCE WERE ADEQUATELY ANALYZED IN THE ENVIRONMENTAL IMPACT REPORT FOR THE NAPA OAKS II PROJECT

WHEREAS, on March 31, 2011 Davidon Homes submitted an application (PL11-0042) to rezone the properties at 3095 Old Sonoma Road (APN: 043-040-008 & 025) from AR, Agricultural Resource to RS-7, Single Family Residential ("Zoning Amendment") was submitted on March 31, 2001; and

WHEREAS, by Application PL 11-0042, Davidon Homes also applied for a General Plan Amendment, Use Permit, Design Review Permit and a Tentative Subdivision Map, all of which, together with the Zoning Amendment ("Project Approvals"), comprise the "Project" evaluated by the Napa Oaks II Project Environmental Impact Report (State Clearinghouse No. 2012082093; the "EIR"); and

WHEREAS, on December 7, 2017 the Planning Commission considered the Zoning Amendment and all written and oral testimony submitted to them at a noticed public hearing on the EIR, General Plan Amendment, Zoning Amendment, Use Permit, Design Review Permit and Tentative Subdivision Map, at which time the Planning Commission heard a presentation by staff and took public testimony, and thereafter closed the public hearing and subsequently continued its consideration of the "Project" to a special meeting on December 21, 2017 where they subsequently recommended that the City Council deny the application for the General Plan Amendment; and

WHEREAS, on June 19, 2018, the City Council considered the Zoning Amendment and all written and oral testimony submitted to them at a noticed public hearing on the EIR and the applications for the GPA, Zoning Amendment, Use Permit, Design Review Permit and Tentative Subdivision Map, at which time the City Council heard presentations by staff and Davidon Homes and took public testimony, and thereafter closed the public hearing and considered the application for the Zoning Amendment; and

WHEREAS, the City Council has considered all information related to this Zoning Amendment, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings; and

## ATTACHMENT 4

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

SECTION 1: The above Recitals are true and correct and incorporated herein.

SECTION 2: The City Council hereby determines, consistent with the criteria set forth in CEQA Guidelines Section 15162, that the potential environmental effects of the actions authorized by this ordinance were adequately examined by the Environmental Impact Report that was certified by the City Council on June 19, 2018.

SECTION 3. The City Council hereby makes the following findings:

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

The proposed amendment is consistent with the General Plan in that a concurrent General Plan amendment will be adopted creating consistency in amendments. Such consistency is specifically demonstrated in the record, including but not limited to the analysis contained in the EIR.

B. 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 of the General Plan such as locating appropriate land uses within the boundaries and urban limits of the City of Napa. The proposed land uses are complementary to the mix of uses within the city and appropriate to the site's surroundings.

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

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

SECTION 4: Amendment. The boundaries of the Districts of the Zoning Map established under Section 17.04.040(A) of the Napa Municipal Code are hereby amended pursuant to Chapter 17.66 of such Code to re-designate the property at 3095 Old Sonoma Road to RS-7, Single Family Residential Zoning District as shown in Exhibits "A1" & "A2" attached hereto and made a part hereof. Exhibit "A1" reflects the Zoning Districts as they exist prior to the effective date of this ordinance, and Exhibit "A2" reflects the Amended

**ATTACHMENT 4**

Zoning Districts, as they will be after the effective date of this ordinance.

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

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

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, Dorothy Roberts, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the regular meeting of the City Council on the 19th day of June, 2018, and had its second reading and was adopted and passed during the regular meeting of the City Council on the \_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Dorothy Roberts  
City Clerk

Approved as to Form:

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Michael W. Barrett  
City Attorney

EXHIBIT "A1"  
EXISTING ZONING MAP

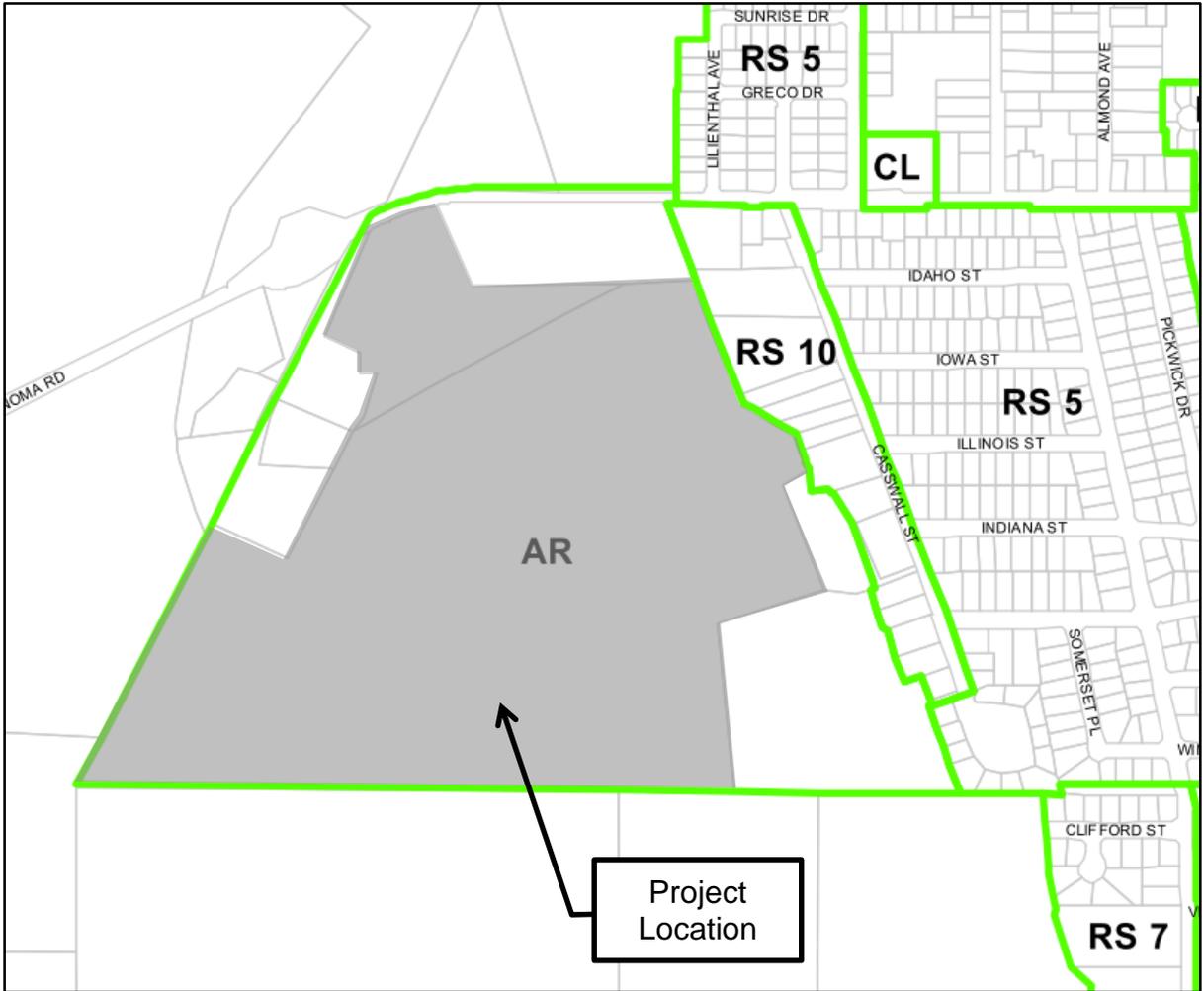


EXHIBIT "A2"  
PROPOSED ZONING MAP

