

ORDINANCE O2018-__

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING THE ZONING MAP ESTABLISHED UNDER §17.04.050 OF THE NAPA MUNICIPAL CODE PERTAINING TO THE REZONING OF THE PROPERTY LOCATED AT 1351 SECOND STREET FROM DP, DOWNTOWN PUBLIC DISTRICT TO DMU, DOWNTOWN MIXED-USE DISTRICT AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS ORDINANCE WERE ADEQUATELY ANALYZED BY PREVIOUS CEQA ACTION

WHEREAS, Jim Keller and 1351 Second Street LLC Hotel (collectively, "Applicant") submitted an application (PL19-0090) for a zoning amendment pursuant to Napa Municipal Code ("NMC") Chapter 17.66 ("Zoning Amendment") to rezone the property at 1351 Second Street ("Site") from DP (Downtown Public) to DMU (Downtown Mixed Use); and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164, the Franklin Post Office Project Addendum dated October 9, 2018 ("Addendum") to the Downtown Specific Plan Environmental Impact Report ("DNSP EIR") certified by the City Council on May 1, 2012, was prepared to analyze the site-specific impacts of the Franklin Station Hotel and parking garage project ("Project") proposed by the Applicant. The Addendum and the DNSP EIR are on file in the Office of the City Clerk and are incorporated herein by reference; and

WHEREAS, the Addendum concluded that while certain changes and clarifications to the scope of the DNSP EIR are warranted, the Project is within the scope of the development program described and evaluated in the DNSP EIR, none of the conditions described under CEQA Guidelines Section 15162 are present, and accordingly, no subsequent or supplemental EIR or negative declaration is required for the Project; and

WHEREAS, the Planning Commission of the City of Napa, State of California, held a noticed public hearing on October 18, 2018 and has recommended approval of the subject application; and

WHEREAS, the City Council has considered all information related to this matter, 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

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

SECTION 1: The City Council hereby determines that the potential environmental effects of the actions authorized by this Ordinance fall within the scope of

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the DNSP EIR as documented in the Addendum, pursuant to CEQA Guidelines Section 15168; and

SECTION 2. The City Council hereby makes the following findings in support of the Zoning Amendment as required by 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 a concurrent General Plan amendment has also been adopted creating consistency in the proposed amendments. Such consistency is specifically demonstrated in the record, including but not limited to the analysis contained in the Staff Report and the Addendum. The General Plan land use designation for the Site would be amended to DMU; Downtown Mixed Use.

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

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

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 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 3: Amendment. The boundaries of the Districts of the Zoning Map established under NMC Section 17.04.040(A) are hereby amended pursuant to NMC Chapter 17.66 to re-designate the property at 1351 Second Street to DMU, Downtown Mixed-Use 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 Zoning Districts, as they will be after the effective date of this Ordinance

SECTION 4: 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

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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 5: 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 13th day of November, 2018, and had its second reading and was adopted and passed during the regular meeting of the City Council on the 4th day of December, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

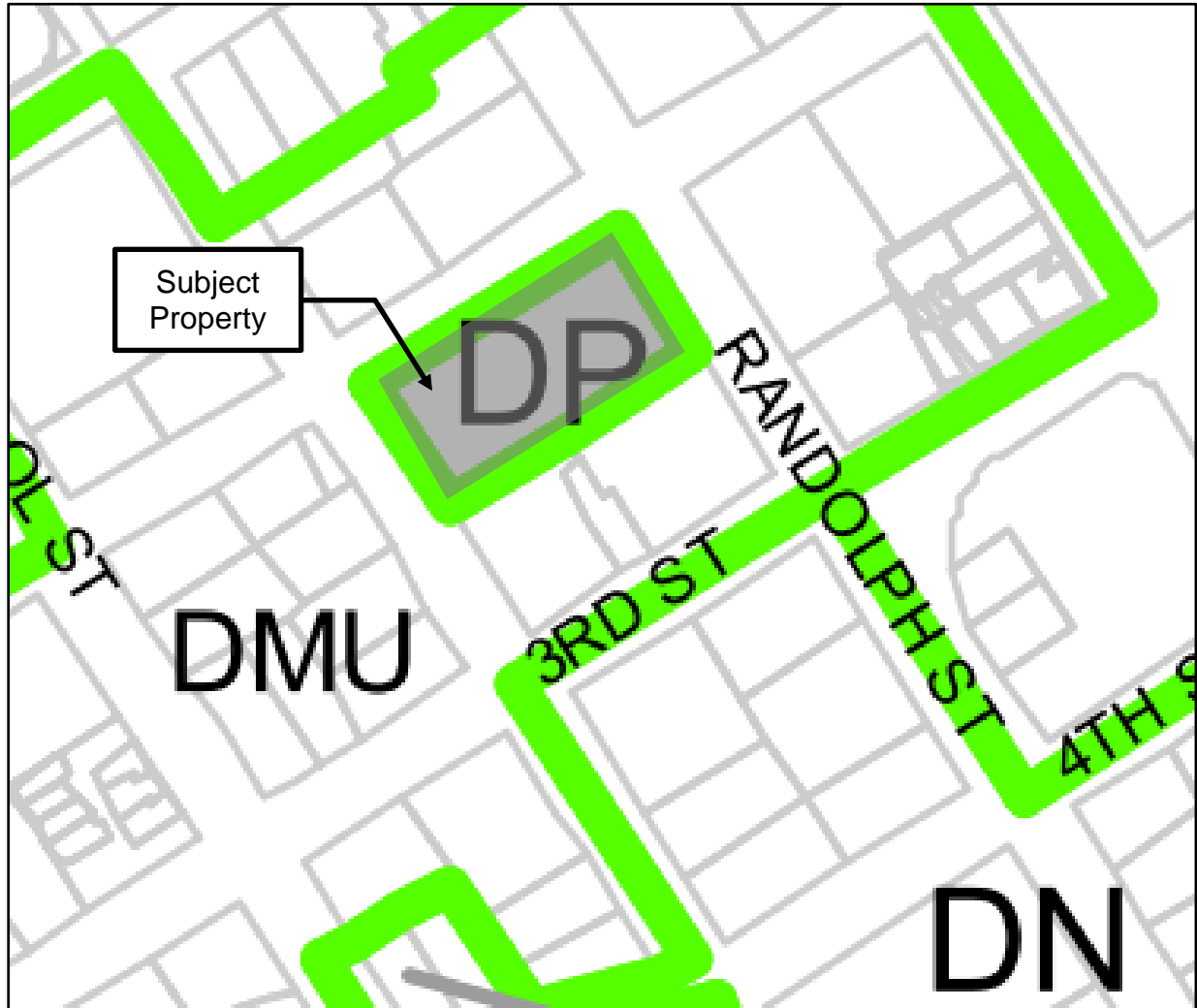
ATTEST: _____

Dorothy Roberts
City Clerk

Approved as to Form:

Michael W. Barrett
City Attorney

**EXHIBIT A1
EXISTING ZONING MAP**



**EXHIBIT A2
PROPOSED ZONING MAP**

