

ORDINANCE O2020-__

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 TO REZONE A 31.48 ACRE PROPERTY LOCATED AT 1025 KAISER ROAD (APN 046-400-054) FROM MASTER PLAN: NAPA PIPE - LIGHT INDUSTRIAL: AIRPORT COMPATIBILITY (MP:NP-IL:AC) TO MASTER PLAN: NAPA PIPE-MIXED USE RESIDENTIAL WATERFRONT: AIRPORT COMPATIBILITY (MP:NP-MUR-W:AC) RECONFIGURE THE AREA ZONED MASTER PLAN: NAPA PIPE-INDUSTRIAL/BUSINESS PARK: AIRPORT COMPATIBILITY (MP-NP-IBP:AC) AND AMENDING THE TEXT IN NAPA MUNICIPAL CODE SECTIONS 17.32.160 AND 17.32.390 FOR THE NAPA PIPE MASTER PLAN DISTRICT, AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS ORDINANCE WERE ADEQUATELY ANALYZED BY PREVIOUS CEQA ACTION

WHEREAS, Napa Redevelopment Partners, LLC submitted an application (PL18-0168) to rezone a 31.48 acre property located at 1025 Kaiser Road (APN: 046-400-054) from Master Plan: Napa Pipe-Light Industrial: Airport Compatibility (MP:NP-IL:AC), to Master Plan: Napa Pipe-Mixed Use Residential Waterfront: Airport Compatibility (MP:NP-MUR-W:AC), reconfigure the area zoned Master Plan: Napa Pipe-Industrial/Business Park: Airport Compatibility (MP:NP-IBP:AC) and amend the text in Napa Municipal Code ("NMC") Sections 17.32.160 and 17.32.390 for the Napa Pipe Master Plan District (collectively, the "Zoning Amendments"); and

WHEREAS, Napa Redevelopment Partners, LLC also submitted applications for a General Plan Amendment, Development Agreement Amendment, Development Plan Amendment, Design Guidelines Amendment and a Tentative Subdivision Map Amendment for the 154-acre Napa Pipe Property located at 1025 Kaiser Road (APNs 046-400-054, 046-400-055, 046-412-006 and 046-412-007) (the foregoing collectively with the Zoning Amendments, the "Project"); and

WHEREAS, pursuant to CEQA Guidelines Section 15164, the Addendum to the Napa Pipe EIR for the Napa Pipe Project dated November 2019 ("2019 Addendum") was prepared by the City as an addendum to the Napa Pipe Final Environmental Impact Report certified by Napa County Board of Supervisors on January 14, 2013 (State Clearinghouse No. 2008122111) (the "Certified EIR"), to analyze the potential environmental impacts of the Project. The 2019 Addendum and the Certified EIR are on file in the Office of the City Clerk and are incorporated herein by reference; and

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WHEREAS, the 2019 Addendum concluded that none of the conditions described under CEQA Guidelines Section 15162 are present, and accordingly, no subsequent or supplemental environmental impact report or negative declaration is required for the Project; and

WHEREAS, on December 5, 2019 the Planning Commission considered the Certified EIR, the 2019 Addendum, and the Project and all written and oral testimony submitted to them at a duly noticed public hearing regarding the same 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 (a) find, based on the 2019 Addendum and pursuant to Sections 15162, 15164 and 15168 of the CEQA Guidelines, that the Project is within the scope of the project that was evaluated in the Certified EIR and no further environmental review is required to approve the application for the Zoning Amendments, and (b) approve the application for the Zoning Amendments. The Planning Commission also referred the Project to the Napa County Airport Land Use Commission ("ALUC") for a consistency determination in accordance with NMC Section 17.34.070; and

WHEREAS, on December 18, 2019, the ALUC determined that the Project, including the Zoning Amendments, is consistent with the Napa County Airport Land Use Compatibility Plan; and

WHEREAS, on January 21, 2020, the City Council of the City of Napa held a duly noticed public hearing on the Zoning Amendments in accordance with the requirements of the Government Code and the Napa Municipal Code; and

WHEREAS, the City Council has considered all information related to these Zoning Amendments, 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.

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 that the potential environmental effects of the Project were adequately evaluated and addressed in the Certified EIR as documented in the 2019 Addendum, and that none of the conditions described in CEQA Guidelines Section 15162 requiring further environmental review are present and therefore no subsequent or supplemental environmental impact report or negative declaration is required for the Project.

SECTION 3: The City Council hereby makes the following findings in support of the Zoning Amendment as required by NMC Section 17.66.080:

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A. The Zoning Amendments are consistent in principle with the General Plan.

The Zoning Amendments will promote orderly growth and quality development in accordance with the goals and policies set forth in the General Plan; are compatible with the uses authorized in, and the regulations prescribed for, the district in which the property is located; will promote the public convenience, general welfare, and good land use practice; will not be detrimental to the health, safety and general welfare; will not adversely affect the orderly development of property or the preservation of property value; and will promote and encourage the development of the Project by providing a greater degree of requisite certainty. The Zoning Amendments are consistent with the General Plan as amended by the General Plan Amendment for the Project. Such consistency is specifically demonstrated in the record, including but not limited to the analysis contained in the 2019 Addendum to the Certified EIR as well as the First Addendum to the Certified EIR adopted by Resolution R2014-132.

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

The Zoning Amendments are in the public interest, since they are 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 the 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 NMC Section 17.04.040(A) are hereby amended pursuant to NMC Chapter 17.66 to re-designate a 31.48 acre portion of the Property from Master Plan: Napa Pipe-Light Industrial: Airport Compatibility (MP:NP-IL:AC), to Master Plan: Napa Pipe-Mixed Use Residential Waterfront: Airport Compatibility (MP:NP-MUR-W:AC) Zoning District, and reconfigure the area zoned Master Plan: Napa Pipe-Industrial/Business Park: Airport Compatibility (MP:NP-IBP:AC) by deleting the existing zoning map attached as Exhibit "A1" hereto and replacing it with the amended zoning map attached as Exhibit "A2" hereto. The text of NMC Sections 17.32.160 (Uses allowed upon approval of a development plan) and 17.32.390 (Revisions to development plan and

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design guidelines) are hereby amended pursuant to NMC Chapter 17.66 as identified by "redline", "italics" and "underlined" changes as shown in "Exhibit A3" attached hereto and made a part hereof.

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, 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 regular meeting of the City Council on the 21st day of January, 2020, and had its second reading and was adopted and passed during the regular meeting of the City Council on the 4th day of February, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to Form:

Michael W. Barrett
City Attorney

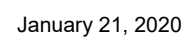


EXHIBIT "A2"
AMENDED ZONING MAP

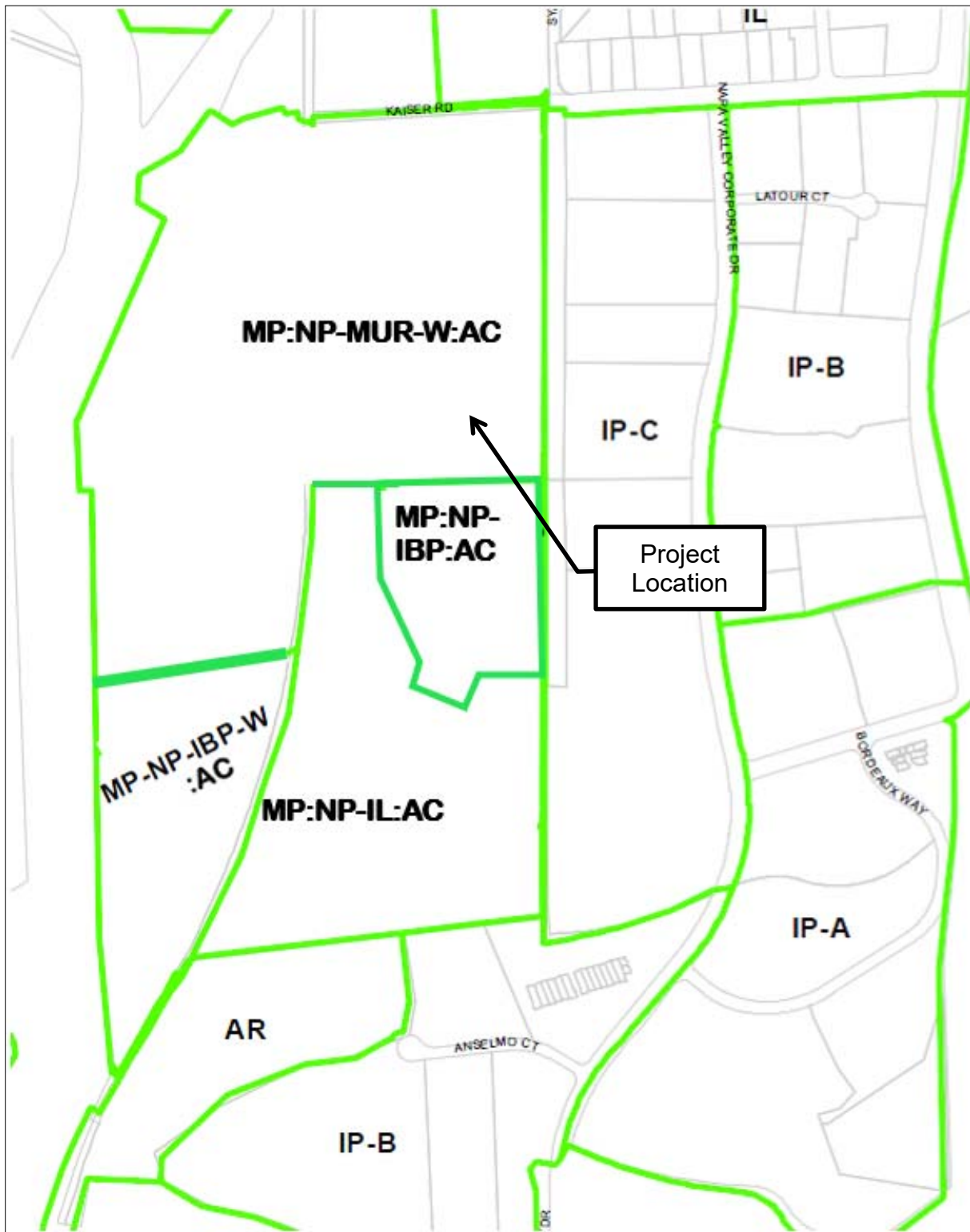


EXHIBIT "A3"

TEXT AMENDMENTS TO SECTIONS 17.32.040, 17.32.160 AND 17.32.390 OF THE
NAPA PIPE MASTER PLAN DISTRICT

17.32.160 Uses allowed upon approval of a development plan.

The following uses shall be allowed in the MP:NP-IBP-W:AC district, subject to the limitations of Section 17.32.040:

A. Hotel. One hotel is allowed within the MP:NP-IBP-W district with a maximum of 150 rooms/suites. A hotel is defined as a facility that offers transient lodging accommodations typically on a daily rate to the general public and that may provide additional services, such as restaurants, conference facilities, and recreational facilities.

B. Office Uses. Office uses include professional, administrative, executive, financial, real estate, insurance and other general business offices, including service businesses such as small financial services, such as branch banks. Office uses also include medical, dental, and optical offices and related accessory laboratories.

C. Common use/open space as defined in Section 17.32.050. (O2015-9, 8/4/15)

D. Neighborhood service uses, as defined in subsection E of Section 17.32.080.

17.32.390 Revisions to development plan and design guidelines.

Within the MP:NP districts, the review ~~procedures described in Chapter 17.66 (Zoning Amendment) shall apply to the approval of revisions to the development plan and design guidelines, and approval of amendments to the Development Plan and Design Guidelines will be by Resolution adopted by the Planning Commission. The Planning Commission may refer amendments for approval by the City Council. Notwithstanding the foregoing~~ and subject to the provisions regarding amendments therein and the Napa Pipe Development Agreement, an application for an amendment to the Development Plan or Design Guidelines (except for a Substantive Amendment as defined in the Development Agreement), may be submitted to the Community Development Director for review and approval.