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City of Napa
Planning Commission Draft Resolution

RESOLUTION R2020 __

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AMENDING THE GENERAL PLAN DESIGNATION FOR A 31.48 ACRE PORTION OF THE PROPERTY LOCATED AT 1025 KAISER ROAD (APN 046-400-054) FROM "LIGHT INDUSTRIAL" (LI-723) TO "MIXED USE" (MU-722) AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION WERE ADEQUATELY ANALYZED BY A PREVIOUS CEQA ACTION

WHEREAS, on September 28, 2018, Napa Redevelopment Partners, LLC submitted an application (PL18-0168) for a General Plan Amendment ("GPA") to re-designate the General Plan designation from Light Industrial (LI-723) to Mixed Use (MU-722) for a 31.48 acre portion of the property at 1025 Kaiser Road (APN 046-400-030); and

WHEREAS, Napa Redevelopment Partners, LLC also submitted applications for a Zoning 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 GPA, the "Project"); and

WHEREAS, pursuant to CEQA Guidelines Section 15164, the Addendum ("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 "EIR"), was prepared to analyze the potential environmental impacts of the Project. The Addendum and the EIR are on file in the Office of the City Clerk and are incorporated herein by reference; and

WHEREAS, the Addendum concluded that none of the conditions described under CEQA Guidelines Section 15162 requiring further environmental review 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 Addendum and EIR and the GPA and all written and oral testimony submitted to them at a noticed public hearing on the GPA, Zoning Amendment, Design Guidelines Amendment, Development Plan Amendment, Development Agreement Amendment and Tentative Subdivision Map Amendment, 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 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

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further environmental review is required to approve application PL18-0168, and (b) approve the application for the GPA; and

WHEREAS, the City Council has considered all information related to this GPA, as presented at the public meetings 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 RESOLVED, by the City Council of the City of Napa, as follows:

Section 1. The above Recitals are true and correct and are incorporated herein.

Section 2. The City Council hereby determines that the potential environmental effects of the GPA were adequately evaluated and addressed in the EIR as documented in the 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 approves the amendment to the Land Use Element Diagram and Figure 1-10 of the Napa General Plan to re-designate the property at 1025 Kaiser Road (APN: 046-400-054) from Light Industrial (LI-723) to Mixed Use (MU-722), by deleting the existing land use designation map, attached as Exhibit A1 hereto, and replacing it with the land use designation map attached as Exhibit A2 hereto. In addition, the City Council hereby makes the following findings as required by Napa General Plan Chapter 10, Paragraph A-1.4 in support of this approval:

That the proposed amendment is in the public interest, and that it is internally consistent with other goals, policies and programs of the General Plan, and that the public health, safety and general welfare are served by the adoption of the proposed amendment.

The proposed amendment is in the public interest as the Project would facilitate commencement of the construction of housing units and more specifically, to deliver the necessary infrastructure for the development of a large commercial retailer business. The Project would also provide public access to an expansive parkland that had previously been privately owned and inaccessible to the public. The privately maintained parks and walking trails would be available to the public.

The Project is also consistent with several policies and principles of the General Plan, including policies that encourage the creative and efficient use of vacant land along with providing an increased mix of various types of housing throughout the City to meet the community's housing needs. The following is an analysis of the consistency of the Project with the City's General Plan and applicable General Plan policies:

Land Use Element Policy LU-3.3 states, "The City shall endeavor to maintain an even rate of development within the RUL over the plan period."

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The size of the Project would not substantially contribute to City-wide growth rates and therefore represents an even rate of development within the Rural Urban Limit (RUL) line over the plan period.

Land Use Element Policy LU-4.1 seeks to "...require new residential development to conform to the density range shown in [the General Plan], and to be consistent with the general neighborhood typology of the surrounding area. The City may require clustering in environmentally sensitive areas when special measures are adopted to ensure the sensitive portions of each property remain undeveloped in the future.

The proposed Project involves allowing residential units on the east side of the railroad tracks where industrial uses were previously approved, which is why a General Plan Amendment is requested. The Project would conform to the proposed designation.

Land Use Policy LU-10.1 states, "The City shall promote an urban form that integrates the urban environment with the city's natural features."

The Project integrates new development into natural features of the site through clustered development.

Land Use Policy LU-3.2 seeks..." To minimize urban/rural conflicts (e.g., pesticides, odors, noise, vandalism, feral pets), the City shall ensure a buffer is provided (agricultural setback) between residential uses on the periphery of the RUL and productive agricultural land outside the RUL."

The Project site is within the RUL. A buffer of at least 80 feet from residential homes is included at boundaries shared with agricultural land outside the RUL.

Land Use Element Policy LU-4.5 encourages projects to be compatible with the surrounding neighborhood.

As noted above, the proposed Project could be considered consistent with the General Plan RUL policies. The Project is consistent with City policies for efficient development of land within the RUL. The Project design would concentrate the density of development within the center portion of the site, while avoiding natural resources and hazards in the area (i.e., the riparian areas). The proposed development by design and density would be consistent with General Plan policies encouraging buffering and feathering development adjacent to the RUL.

Section 4. This Resolution shall become effective on the day following the Council's approval of this Resolution.

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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 XXth day of January, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney

EXHIBIT "A1"
EXISTING GENERAL PLAN MAP

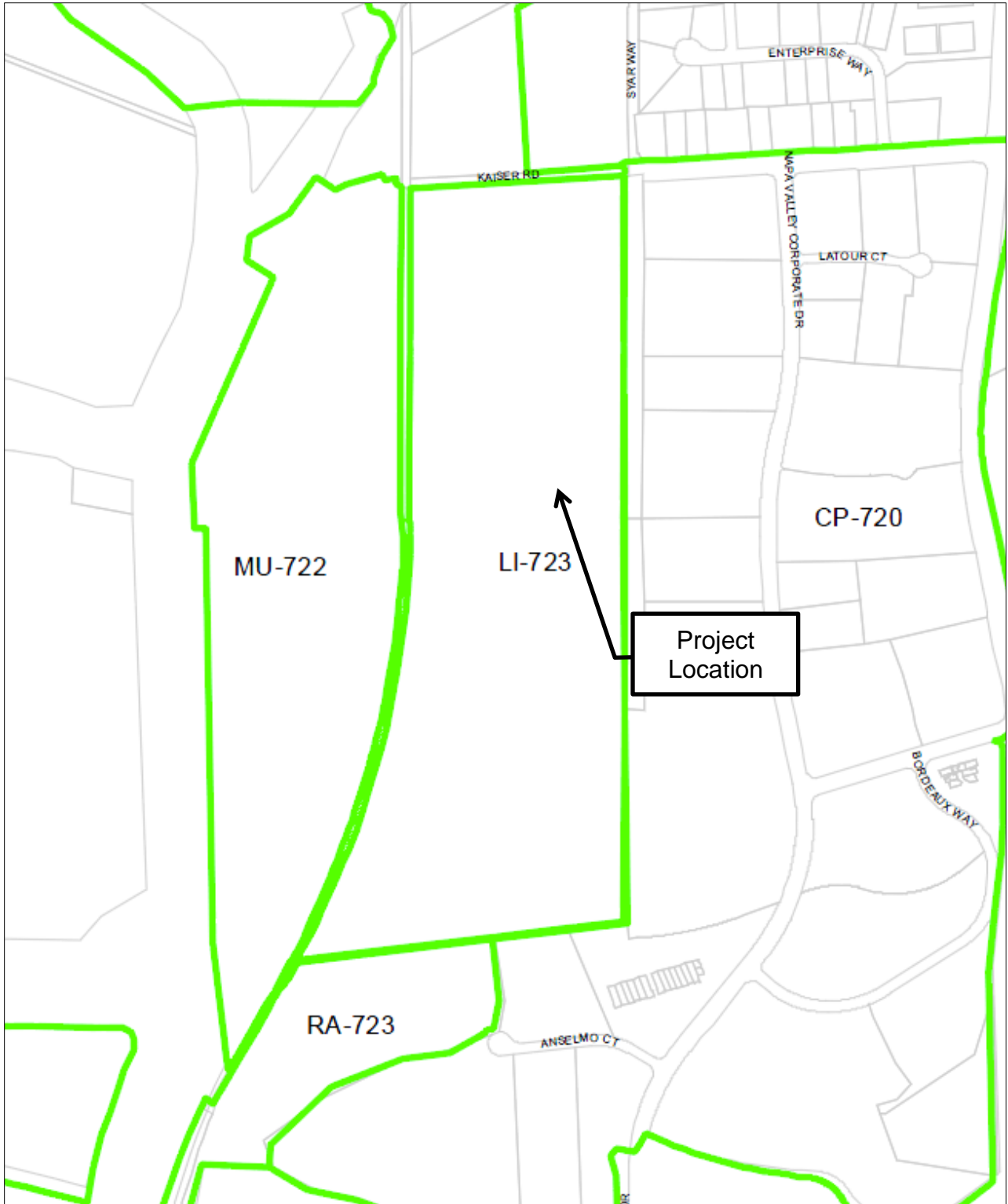
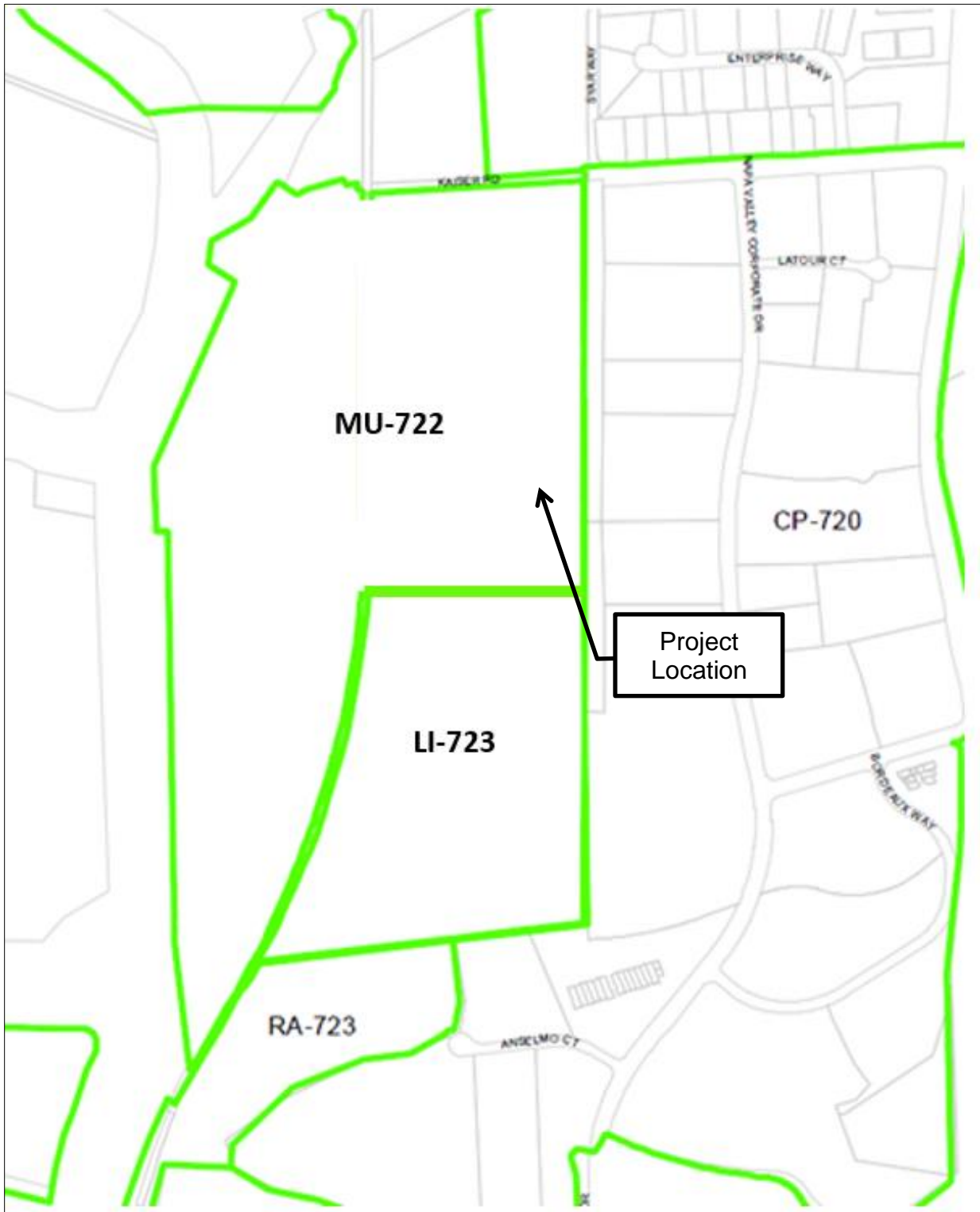


EXHIBIT "A2"
PROPOSED GENERAL PLAN MAP



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) 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; 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) 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 for Napa Pipe Project Modifications 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

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

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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 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; 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:

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 under the Project Approvals. 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.

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- 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 (MP:NP-MUR-W:AC) Master Plan: Napa Pipe-Light Industrial: Airport Compatibility Zoning District 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 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

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

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to Form:

Michael W. Barrett
City Attorney

EXHIBIT "A1"
EXISTING ZONING MAP

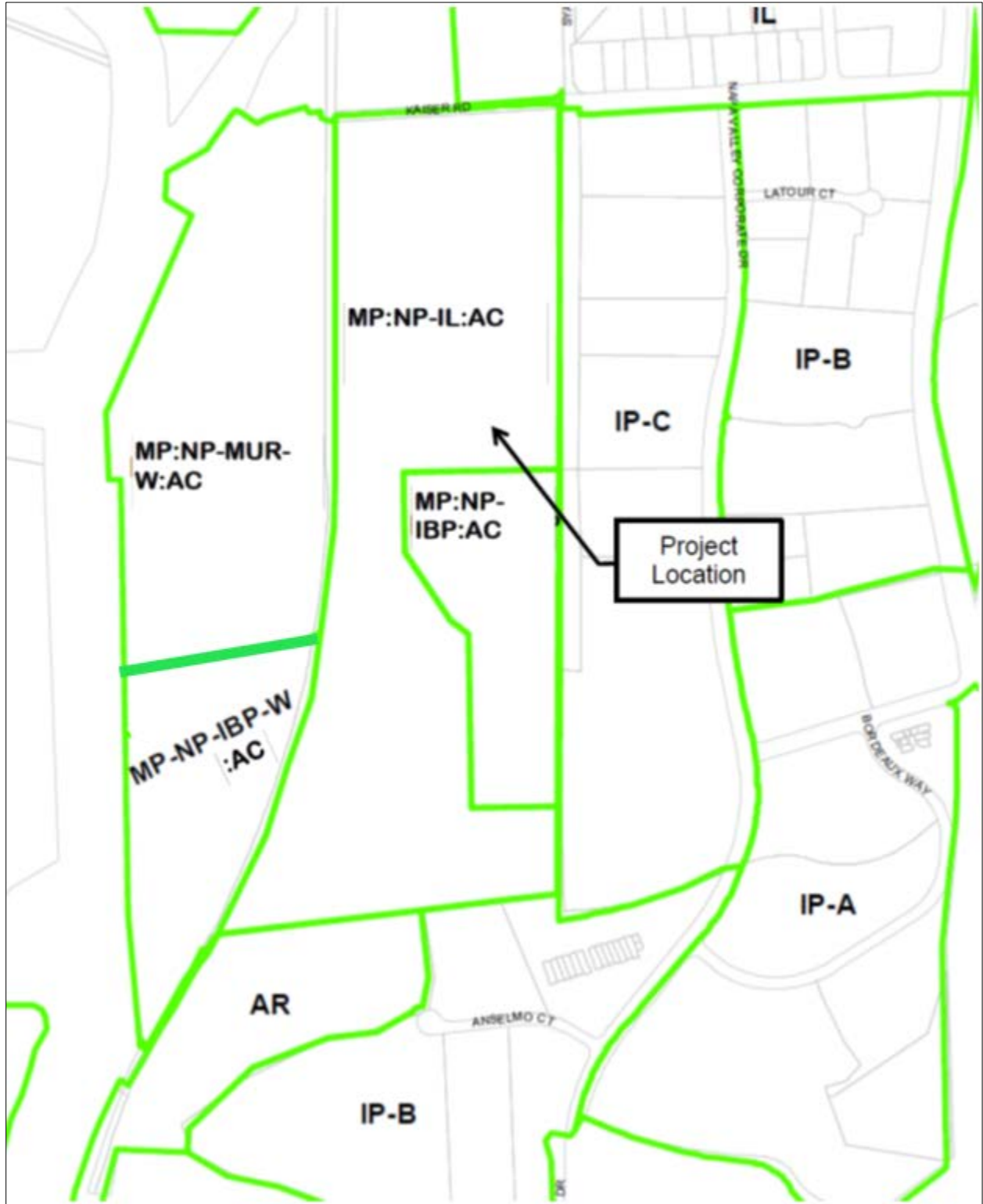


EXHIBIT "A2"
AMENDED ZONING MAP

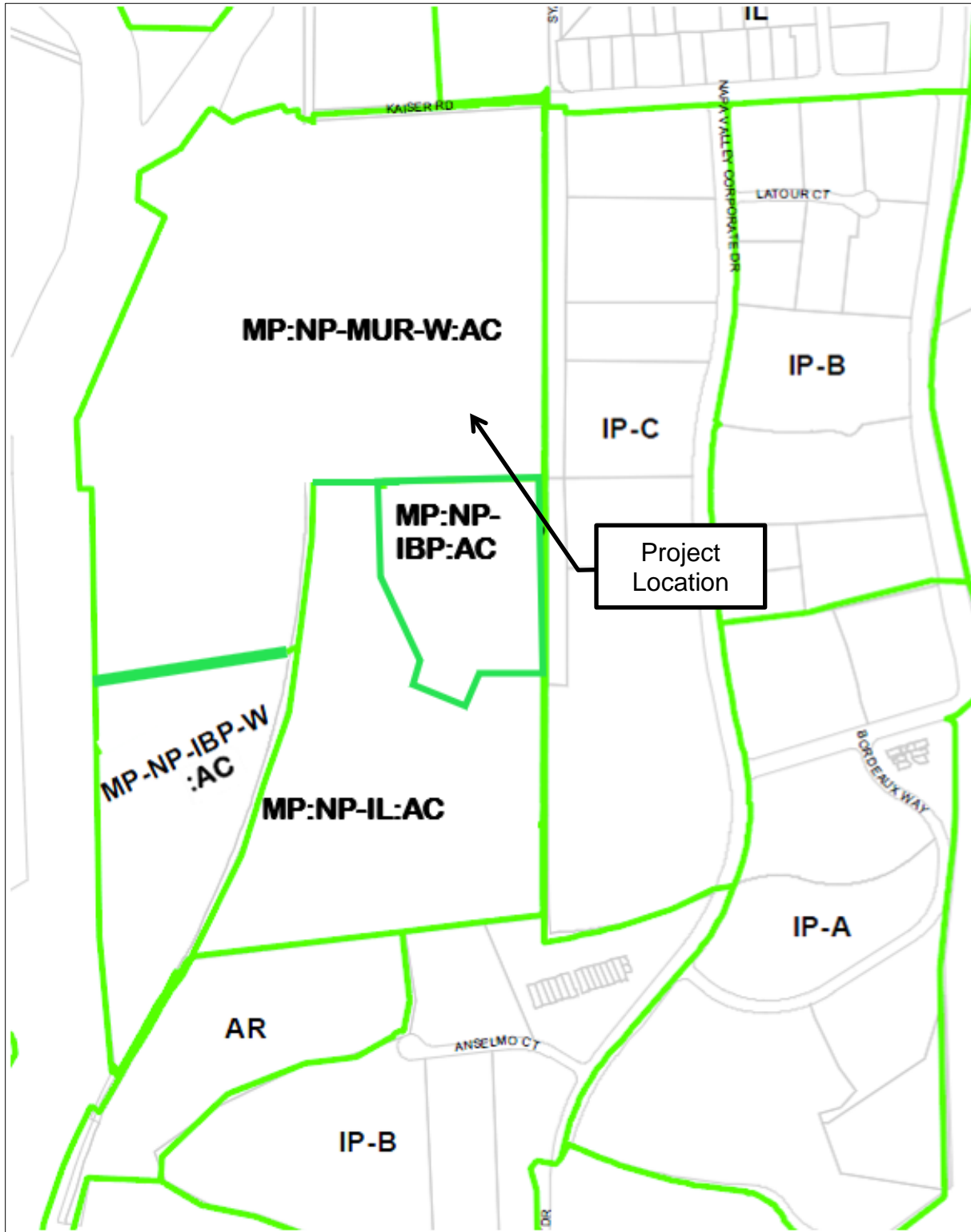


EXHIBIT "A3"

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.

E. Senior Housing, defined as any residential facility designed to meet the housing and medical needs of senior citizens, including continuum of care facilities, independent living facilities, assisted living facilities, skilled nursing facilities, and similar or related facilities and services subject to the limitations in subsection (C) of Section 17.32.040.

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 Plan), may be submitted to the Community Development Director for review and approval.*