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## Napa City EIR Excerpts

#### **4.6.1 Major Design Review**

Approval of a Major Design Review permit for the purpose of evaluating the proposed Project's design and quality with respect to the City's General Plan policies. The Napa City Council has Design Review permit authority over the proposed Project pursuant to City Zoning Code §17.62.050.

#### **4.6.2 Planned Development Overlay**

Approval of a Planned Development Overlay pursuant to §17.42 of the City's Zoning Code. The Planned Development Overlay will include the entire Project site and allow for shared parking for 441 parking spaces when 444 would be required if the Project were to be considered as individual components. An increase in height for the winery and office buildings to 38 feet and 32 feet, respectively, will also be allowed through the Planned Development Overlay.

#### **4.6.3 Conditional Use Permit**

The Napa City Council will review the proposed Project for the issuance of a Conditional Use Permit for a hotel in the Industrial Park (IP-A) zoning district and the issuance of a Conditional Use Permit for a winery in the Industrial Park zoning district pursuant to Zoning Code §17.14.020.

#### **4.6.4 ALUC Consistency Determination**

The County of Napa Airport Land Use Commission (ALUC) will review the proposed Project for a consistency determination for a hotel within the Airport Land Use Compatibility Plan Zone C. Pursuant to City Zoning Code §17.34.070, the proposed Project will be referred by the Planning Commission to ALUC for a consistency determination. ALUC review will occur prior to final action by Napa City Council.

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## **4.7 Project Objectives**

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CEQA Guidelines §15124 requires an EIR to include a statement of objectives sought by the proposed Project. This disclosure assists in developing the range of Project alternatives to be analyzed in the EIR, as well as providing a rationale for the adoption of a Statement of Overriding Considerations, if one must be adopted, because of one or more significant unavoidable Project-related impacts. Identified below are objectives related to the proposed Project.

- Implement the City's General Plan
- Provide a high quality mixed-use project consistent with the intent of the City of Napa Zoning Code
- Provide safe access at the Project site including adequate wayfinding information for vehicular access to and within the Project site
- Provide safe pedestrian and bicycle access within the Project site
- Design a project consistent with the Napa Valley Commons Design Guidelines

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## 4.8 Intended Uses of the EIR

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1. Agencies that are expected to use the EIR in their decision making:

- City of Napa as Lead Agency
- Napa County Airport Land Use Commission
- United States Fish and Wildlife Service
- Regional Water Quality Control Board

2. Permits or other approvals that may be required to implement the Project:

- United States Fish and Wildlife Service
- Regional Water Quality Control Board
- Caltrans

3. Subsequent use of the EIR:

This DEIR provides analysis for the proposed Project and may be relied upon for any subsequent permits related to the Project, including resource agency permits related to biological resources impacts and traffic impacts.

In accordance with CEQA Guidelines §15168(c), subsequent projects identified within the scope of the EIR may rely on this document without the preparation of a new environmental document or the preparation of new findings so long as the project was contemplated in the EIR. Subsequent projects include, but are not limited to, Master Plans, Site Development Permits, Tentative Tract Maps, and Final Maps. The City must examine each subsequent action requested to determine whether it was described in the EIR. No new environmental documentation would be required where the subsequent action/project is within the scope of the EIR so long as no new effects would occur and no additional mitigation measures would be required.

This EIR may be relied upon for all approval and permit actions related to development of the proposed Project.

### 3. Aircraft Hazards

The City's General Plan notes that the State Aeronautics Act requires that a County that has a public-use airport must establish an airport land use commission (ALUC) to protect public health, safety and welfare by ensuring the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards. The ALUC is responsible for adopting an Airport Land Use Compatibility Plan to address these safety issues. The ALUC adopted the Napa County Airport Land Use Compatibility Plan (ALUCP) in 1991 and revised the ALUCP in 1999. The ALUC is authorized to review general plans, specific plans, and implementing ordinances to determine consistency with the ALUCP. Once consistency is determined, the ALUC only reviews for consistency such actions as general plan or specific plan amendments.

The General Plan identifies four principal land use impacts and compatibility considerations associated with airport activities.

- Noise - usually perceived as the most significant adverse impact of airport activity. This impact is further discussed in Section 5.10, Noise herein.
- Hazards to Flight - requiring the protection of navigable airspace by preventing physical obstructions and other land use characteristics that could affect flight safety.
- Safety on the Ground - limiting people's exposure to risks of injury or damage to property in the event of an aircraft accident.
- Overflights - evidenced by the annoyance expressed by people who live near airports but who are outside of the defined noise and safety zones.

The Project is located approximately 4 miles from Napa Valley Airport and is not located within the airport's flight plan area. The Project site is located within the Napa County Airport Land Use Compatibility Plan (ALUCP), as shown on Exhibit 5.7-3, ALUCP Compatibility Plan Map. The ALUCP divides the compatibility area into Zones A through E, with Zone A being the most restrictive in terms of building height and noise constraints and Zone E the least restrictive. The majority of the Project site is located within Zone E. A portion of the parking lot on the southwest side of the site is located in Zone D. A small portion of the hotel will be located in Zone C. Because a portion of the hotel is located within Zone C, the Project will be referred to the Airport Land Use Commission for a determination of consistency with the ALUCP. Regulations for each Zone are identified below.

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## **5.9 Land Use and Planning**

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This section analyzes the potential land use and planning impacts associated with the proposed Project. Information and analysis in this section are based on goals and policies in the City of Napa General Plan and Zoning Code.

### **5.9.1 Existing Conditions**

#### **1. Regional Setting**

The Project site is located within the southern portion of the City of Napa within Napa Valley Commons corporate park, approximately 4 miles south of downtown Napa. The Napa County Airport and Airport Industrial Park are approximately 4 miles south of the Project site. The Project site is within the Napa County Airport Land Use Compatibility Plan (ALUCP) area. Immediately to the east is a winery surrounded by open space. The Napa Pipe development is located to the west with the Napa River beyond.

#### **2. On-Site Land Uses**

The proposed Project site consists of previously graded vacant land sparsely covered by shrubs and non-native grass. Multiple trees exist on the eastern and southern perimeter of the site. The site is frequently mowed for fire control. There are currently no on-site uses, as the property is undeveloped with no structures on the site.

#### **3. Surrounding Land Uses**

The Project site is located at the southern boundary of the City of Napa, near the junction of State Route 29 (SR 29) and State Route 221 (SR 221) within the Napa Valley Commons corporate park. The Meritage Resort and Meritage Commons are located approximately 0.2 mile to the south within the corporate park, with the Grape crusher look-out point located immediately beyond.

The immediate surrounding area is largely built-out with low-rise office and industrial development. The Kaiser Data Center is located northerly of the site across a vacant parcel. Vineyards are located easterly of the site across SR 221. The Napa Pipe redevelopment project is located westerly of the site within the County of Napa (County) and the City's sphere of influence. The Napa Pipe project is a mixed-use development with residential and commercial uses. Other land uses in the area include small wineries, tech companies, and County offices.

### **5.9.2 Regulatory Setting**

#### **1. City of Napa General Plan**

The City of Napa General Plan Envision 2020 (General Plan) document was adopted December 1, 1998. The General Plan formalizes a long-term vision for the physical evolution of Napa and outlines policies, standards, and programs to guide day-to-day decisions concerning Napa's development through the year 2020.

#### **4. Napa County Airport Master Plan**

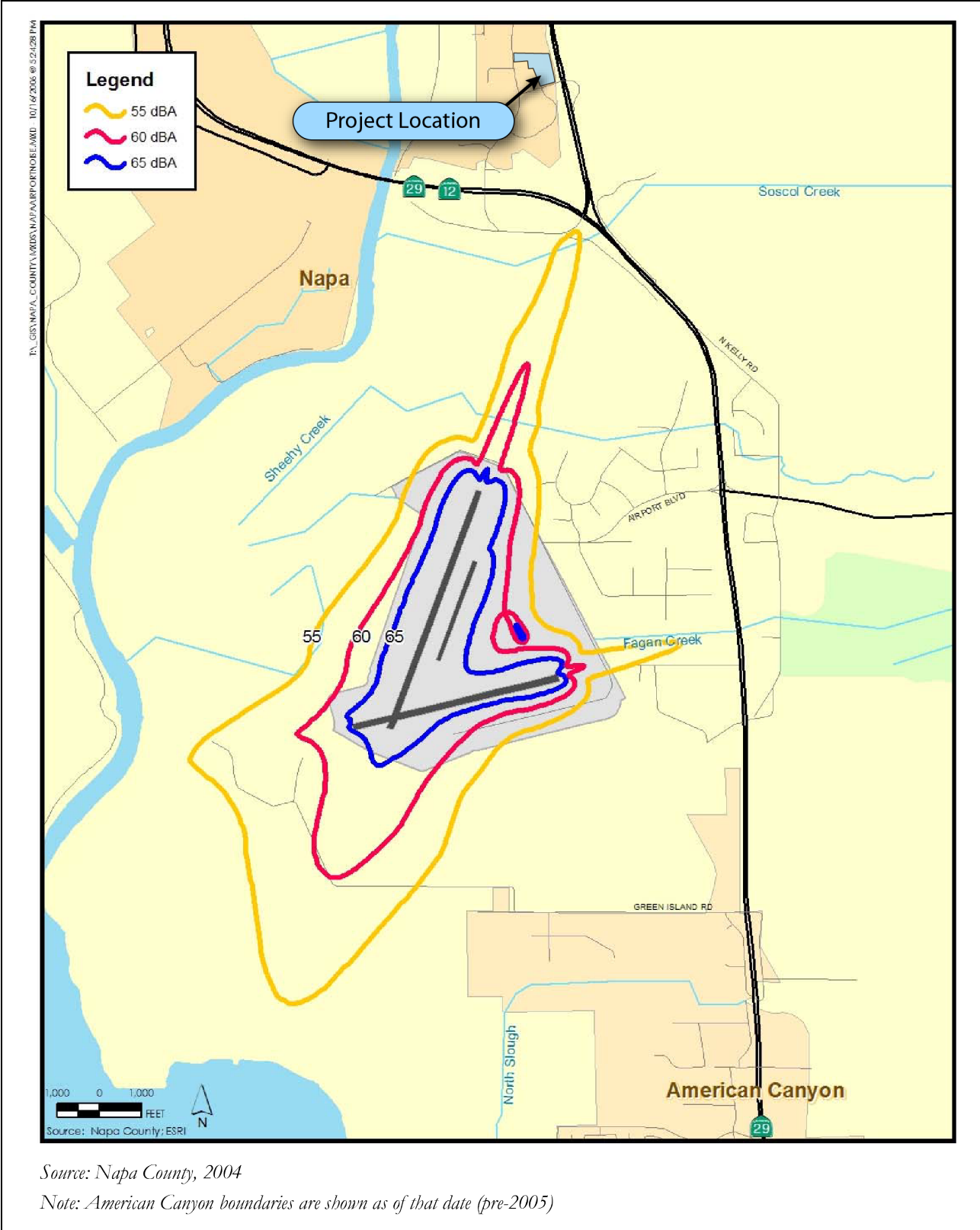
The Napa County Airport Master Plan dated January 2008 was reviewed to establish existing aircraft noise levels at the Project site and to determine whether the Project lies within the Noise contours of the airport. Exhibit 5.10-1, Napa County Airport Noise Contours, depicts the 55 dBA, 60 dBA and 65 dBA noise contours in relation to the location of the Project.

#### **5.10.3 Thresholds of Significance**

The State of California and the City of Napa have established regulatory criteria for the assessment of noise impacts. The California Environmental Quality Act (CEQA) Guidelines, Appendix G, has been used to assess the potential significance of impacts pursuant to local General Plan policies, municipal code standards or the applicable standards of other agencies.

As noted in the Noise Assessment, there are no state laws directly applicable to the assessment of noise associated with new projects. Appendix G of the CEQA Guidelines states that the proposed Project would have a potentially significant impact with respect to noise if the Project will result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of persons residing or working in the project area to excessive noise levels.
- f) For a project within the vicinity of a private airstrip, exposure of persons residing or working in the project area to excessive noise levels.



Source: Napa County, 2004

Note: American Canyon boundaries are shown as of that date (pre-2005)

**Exhibit 5.10-1 Napa County Airport Noise Contours**

Impacts may be significant if they create a substantial permanent or temporary increase in noise. The term “substantial” is not quantified in the CEQA Guidelines. Typically, project-generated noise level increases of +3 dBA  $L_{dn}$  /CNEL or greater would be considered significant where exterior noise levels would exceed the normally acceptable noise level standard (60 dBA for residential land uses). Where noise levels would remain at or below the normally acceptable noise level standard with the Project, noise level increases of 5 dBA or greater would be considered significant. In addition to the CEQA Guidelines impact criteria, the Noise Assessment identified the following specific significance criteria:

- A significant impact would be identified if traffic generated by the Project would substantially increase noise levels at sensitive receptors in the vicinity. A substantial increase would occur if: a) noise level increases are 5 dBA CNEL or greater, with a future noise level of less than 60 dBA CNEL, or b) the noise level increase is 3 dBA CNEL or greater, with a future noise level of 60 dBA CNEL or greater.
- A significant noise impact would be identified if construction-related noise would temporarily increase ambient noise levels at sensitive receptors. Hourly average noise levels exceeding 70 dBA  $L_{eq}$  and the ambient noise environment by at least 5 dBA  $L_{eq}$  at industrial land uses in the Project vicinity in the Project vicinity for a period exceeding one year would be considered significant.
- Groundborne vibration levels exceeding 0.5 in/sec PPV would have the potential to result in cosmetic damage to existing industrial buildings that are structurally sound and designed to modern engineering standards.

#### 5.10.4 Project Impacts Prior to Mitigation

Noise impacts are generally divided into short-term (temporary) and long term. Temporary impacts are associated with noise generated by construction activities. Long-term impacts are divided into impacts on surrounding land uses generated by the proposed Project and impacts that occur at the Project site. Off-site impacts from on-site activities are measured against the City’s standards as they relate to both short-term construction and long-term operation.

The City of Napa General Plan establishes acceptable exterior and interior noise level thresholds used in the siting of new noise-sensitive land uses. For transient lodging, such as the Project hotels, exterior noise levels up to 65 dBA CNEL are considered “normally acceptable.” The City also requires that new residential projects provide for an interior noise level of 45 dBA CNEL or less due to exterior noise sources.

For office buildings, the City of Napa considers exterior noise levels up to 70 dBA CNEL “normally acceptable.” Noise levels up to 75 dBA CNEL are “normally acceptable” for wineries (industrial, manufacturing, utilities and agriculture land uses category). The City of Napa does not establish acceptable interior noise levels for office or industrial land uses, but the State requires that noise levels within new non-residential buildings be maintained at 50 dBA  $L_{eq}$  (1 hour) or less during hours of operation when exterior noise levels exceed 65 dBA  $L_{dn}$ /CNEL.



The baseline levels for the proposed Project were established using the existing noise levels in the vicinity of the Project site. A noise monitoring survey was performed to quantify and characterize ambient noise levels at the site and in the Project vicinity between Tuesday, March 28, 2017 and Thursday, March 30, 2017. Industrial land uses bound the site to the north, west and south. The Hillside Christian Church is the nearest noise-sensitive receptor and is located approximately 750 feet to the east, opposite SR 221. The noise environment at the Project site and in the immediate vicinity is primarily from vehicular traffic along SR 221, local traffic on Napa Valley Corporate Way and Napa Valley Corporate Drive, and aircraft operations related to the Napa County Airport located south of the Project site.

The monitoring survey included one long-term noise measurement (LT-1) and five short-term measurements (ST-1 through ST-5) as shown on Exhibit 5.10-2, Noise Measurement Locations. As detailed below, analysis has shown the existing exterior noise levels at the Project site exceed the “normally acceptable” standards for the proposed hotel uses, generally due to existing traffic along SR 221.

LT-1 was located near the southeast corner of the Project site approximately 115 feet from the centerline of SR 221. The short-term measurement locations are as follows:

- ST-1 Napa County South Campus, 175 feet west of the centerline of Napa Valley Corporate Drive
- ST-2 SW Corner of Project site, 135 feet north of the centerline of Napa Valley Corporate Way
- ST-3 Proposed hotel pool area, 250 feet west of the centerline of SR 221
- ST-4 Proposed winery function area, 540 feet east of the centerline of Napa Valley Corporate Drive
- ST-5 Proposed office, 180 feet east of the centerline of Napa Valley Corporate Drive

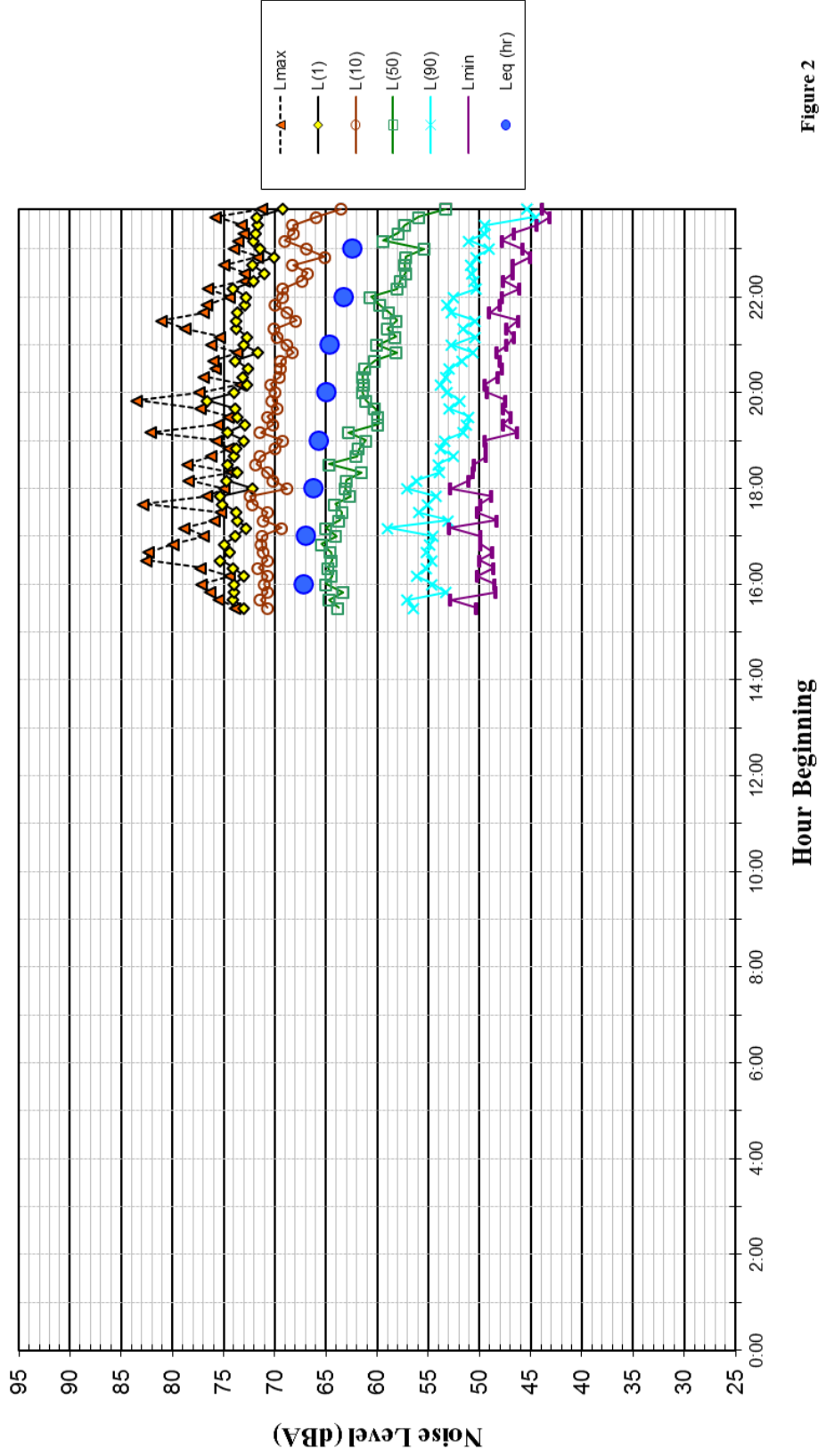
Hourly average noise levels at the LT-1 site ranged from 65 to 67 dBA  $L_{eq}$  during the day and from 56 to 66 dBA  $L_{eq}$  at night. The community noise equivalent level (CNEL) on Wednesday, March 29, 2017 was 70 dBA CNEL. The daily trend in noise levels at LT-1 is shown on the following Exhibit 5.10-3, Noise Levels at Noise Measurement Site LT-1.



Source: Figure 1, Illingworth & Rodkin, Inc., August 2, 2017 (Appendix M to this EIR)

**Exhibit 5.10-2 Noise Measurement Locations**

**Noise Levels at Noise Measurement Site LT-1  
 Southeast Corner of Site, ~115 feet from the Center of SR 221  
 Tuesday, March 28, 2017**



**Figure 2**

Source: Figure 2, Noise and Vibration Assessment, Illingworth & Rodkin, Inc., August 2, 2017 (Appendix M to this EIR)

**Exhibit 5.10-3 Noise Levels at Noise Measurement Site LT-1**

Short-term noise measurements ST-1 through ST-5 were conducted on Thursday, March 30, 2017 to document noise levels throughout the Project site and nearby industrial land uses. Aircraft produced maximum instantaneous noise levels ranging from approximately 67 to 73 dBA  $L_{max}$  throughout the Project area. At Site ST-3, trucks along SR 221 produced maximum instantaneous noise levels ranging from 68 to 71 dBA. Automobiles produced maximum instantaneous noise levels ranging from 56 to 58 dBA. As noted, ambient noise sources primarily included local and distant vehicular traffic punctuated by intermittent aircraft overflights. The results of the short-term measurements are detailed in Table 5.10-4 below.

**Table 5.10-4 Summary of Short-Term Noise Measurement Data (dBA)**

Noise Measurement Location	$L_{max}$	$L_{(1)}$	$L_{(10)}$	$L_{(50)}$	$L_{(90)}$	$L_{min}$	$L_{eq}$
ST-1: Napa County South Campus, 175 feet west of the centerline of Napa Valley Corporate Drive (3/30/2017, 10:10 a.m. - 10:20 p.m.)	68	64	54	48	46	45	53
ST-2: Southwest corner of Project Site, 135 feet north of the centerline of Napa Valley Corporate Way (3/30/2017, 10:40 a.m. - 10:50 a.m.)	61	60	57	54	50	47	55
ST-3: Proposed Hotel pool area, 250 feet west of the centerline of SR 221 (3/30/2017, 11:00 a.m. - 11:10 a.m.)	72	65	61	56	51	49	58
ST-4: Proposed Winery function area, 540 feet east of the centerline of Napa Valley Corporate Drive (3/30/2017, 11:20 a.m. - 11:30 a.m.)	72	69	60	56	51	48	58
ST-5: Proposed Office, 180 feet east of the centerline of Napa Valley Corporate Drive (3/30/2017, 11:40 a.m. - 11:50 a.m.)	73	72	61	54	50	48	59

The Napa County Airport Master Plan noise contours indicate that the Project is located more than a mile outside the airport’s 55 dBA CNEL noise contour. Aircraft flying over the Project site produce maximum instantaneous noise levels ranging from approximately 67 to 73 dBA  $L_{max}$ . The measured data confirmed that aircraft noise at the Project site is substantially below 55 dBA CNEL and noise from individual aircraft events is clearly audible but not excessive.

## 2. Short-Term Construction Noise Impacts

### Construction

Project construction is anticipated to commence in the fall of 2017 and continue for approximately 19 months. Demolition, site preparation, grading and trenching would occur over approximately three months. Paving would last approximately one month at the end of the Project construction. These phases would generate the highest levels of noise. Building construction architectural coating phases would last approximately 15 months.

Construction noise represents a short-term impact on ambient noise levels. High levels of noise can be generated by construction equipment, including trucks, graders, bulldozers, concrete mixers and portable generators. Construction activities would include site preparation including trenching for utilities/services, grading and

Napa residents, workers, and visitors from natural and manmade hazards; reduce the potential for flood-related hazards; and ensure safe levels of noise exposure. Section 5.7, Hazards and Hazardous Materials and Section 5.5, Geology and Soils, of this DEIR provides further discussion and analysis of Project consistency with applicable City community safety. Consistency with the City’s General Plan policies is detailed in the following table.

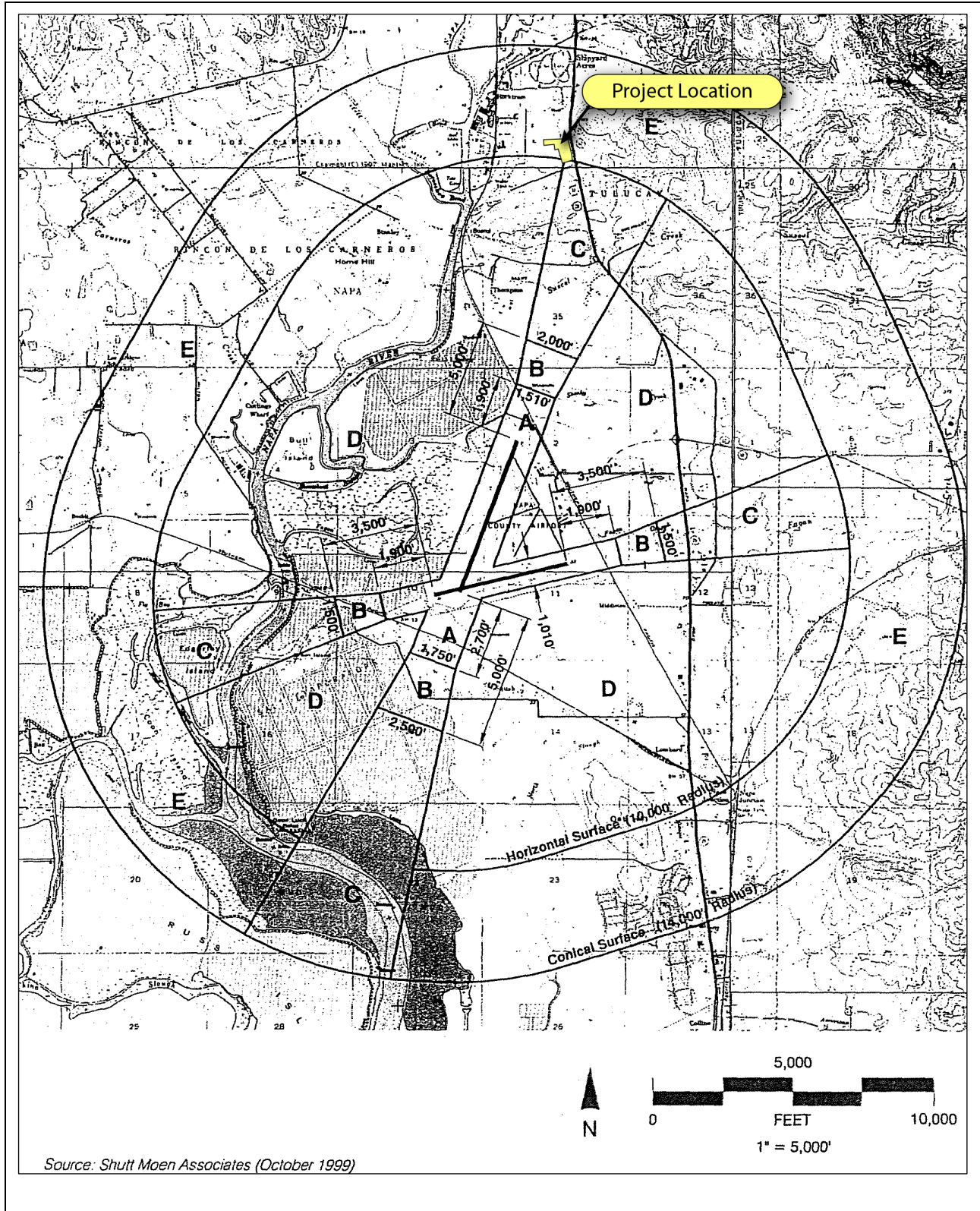
**Napa City General Plan Health and Safety Element Consistency**

Policy	Analysis
The City shall require that all new buildings be designed and constructed to resist stresses produced by earthquakes. To this end, the City shall require all new buildings to conform to the structural requirements of the most recently adopted edition of the Uniform Building Code.	The proposed Project has been designed to conform to the structural requirements of the 2016 Uniform Building Code. Discussion and analysis regarding the building design to withstand earthquakes can be found in Section 5.5, Geology and Soils.
The City shall require soils and geologic studies for proposed development with large client populations (such as schools and convalescent centers) within areas subject to very strong, violent, or very violent ground shaking, as indicated in the ABAG Shaking Intensity Map. Such studies should determine the actual extent of the seismic hazards, optimum location for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location. Mitigation measures shall be incorporated as conditions of any project approval.	The proposed Project has been analyzed in a geology and soils report. Discussion and analysis regarding the findings of the geology and soils report, including recommendations and mitigation measures, can be found in Section 5.5, Geology and Soils.
The City shall amend the Zoning Ordinance to provide implementation regulations consistent with criteria in the ALUCP, and shall apply such regulations to properties within the planning area boundary of the ALUCP.	The proposed Project is located within the ALUCP and is required to be referred to ALUC for a consistency determination. Discussion and analysis regarding the City’s zoning ordinance requirement for referrals to ALUC can be found in Section 5.7, Hazards and Hazardous Materials.
The City shall use CEQA and the development review processes to ensure that new development does not exceed City standards.	The proposed Project is subject to CEQA analysis as evidenced in the technical information and details provided in this DEIR. Discussion and analysis regarding the development consistency with City’s zoning ordinance is included in this section of the DEIR under Consistency with Napa Zoning Code.

**City of Napa Zoning Code**

The proposed Project is the development of 11.55 acres of vacant land for hotel, winery, and office use. The Project development includes a total of 211,649 square feet, consisting of a 155,557-square-foot hotel, a 29,878-square-foot office building, and a 26,214-square-foot winery.

A Planned Development Overlay Zoning designation (Municipal Code, Title 17, §17.42) is required to address over-height architectural features related to the winery and office buildings and to allow for shared parking between the project components. Section 17.42.030A – Land use and property development regulations – states:



Source: Napa County Airport Land Use Commission, Airport Land Use Compatibility Plan

**Exhibit 5.7-3 ALUCP Compatibility Plan Map**

## **ALUCP Zone C**

Zone C Regulations include the following Use Review Criteria from the Napa Zoning Code:

### **17.34.050 ALUCP Zone C regulations**

Within ALUCP Zone C, which is the extended approach/departure zone, most lower intensity nonresidential uses are acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district.

- C. Uses Not Normally Acceptable
  - ...
  - 2. Hotels and motels;
  - 3. Health clubs;
  - 4. Restaurants or bars seating more than 80 persons;
  - 5. Multistory buildings;
  - 6. Theaters, assembly halls, and conference centers;
  - 7. New ponds.
  
- D. Use Review Criteria. In determining whether proposed uses in subsection C have been appropriately designed, the decision-making body shall consider the following criteria:
  - 1. Density. Density of use averaged over the entire site (excluding streets) should not exceed 50 persons per acre in structures, or 75 persons in and out of structures; however, density on any one acre should not exceed twice the indicated number of people per acre.
  - 2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas for emergency landing (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.).
  - 3. Noise. Applicable noise reduction measures have been incorporated for noise sensitive uses (such as hotels, motels and offices) consistent with ALUCP and city General Plan standards.
  - 4. Location. Structures have been set back as far as possible from the extended centerline of the runway.

## **ALUCP Zone D**

Zone D Regulations allow hotel use with the following Use Review Criteria from the Napa Zoning Code.

### **17.34.040 ALUCP Zone D regulations**

Within ALUCP Zone D, most non-residential uses are normally acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district:

...

- D. Use Review Criteria. In determining whether proposed uses in subsection C have been appropriately designed, the decision-making body shall consider the following criteria.
  - 1. Density. Density of use averaged over the entire site (excluding streets) should not exceed 100 persons per acre in structures, or 150 persons in and out of structures.
  - 2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas for emergency landing (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.).
  - 3. Noise. Applicable noise reduction measures have been incorporated for noise sensitive uses (such as hotels, motels and offices) consistent with ALUCP and city General Plan standards.

### **17.34.030 ALUCP Zone E regulations**

Within ALUCP Zone E most land uses are normally acceptable, however, the following standards shall apply in addition to the standards of the principal zoning district:

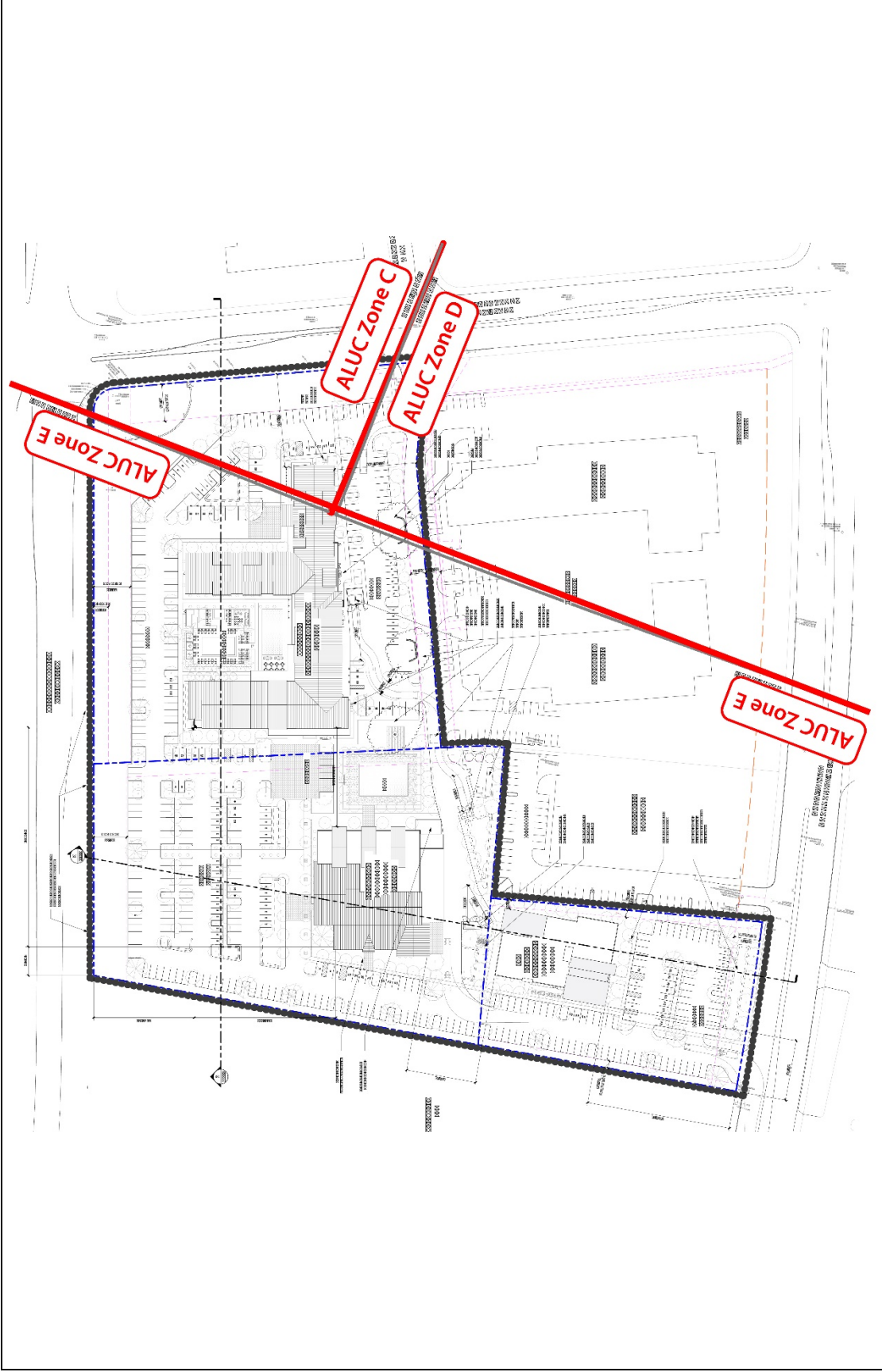
- A. Over flight easements acceptable to the city in consultation with the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, including expansions greater than 5,000 square feet in size. Such easements shall be prepared prior to issuance of a building permit and granted to the airport proprietor.
- B. Prohibited Uses. Highly noise sensitive outdoor uses referenced in the ALUCP, such as meditative retreats.
- C. Uses Not Normally Acceptable. The following uses raise concerns related to size, noise sensitivity or their propensity to attract birds that must be addressed if the use is to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval.
  - 1. Landfills;
  - 2. New ponds greater than one-half acre in size;
  - 3. Amphitheaters;



4. Residential Uses—All. Any proposed residential use shall consider the proximity of flight patterns, frequency of over flights, terrain conditions and type of aircraft in determining acceptable use locations.
- D. General Design Requirements.
1. Lights, Glare, Electronic Interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights, or electronic interference. All exterior lighting shall be directed downward or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. The Community Development Director may require the applicant to consult with Airport Land Use Commission (ALUC) staff, the airport manager or a qualified airport land use planning consultant regarding whether a use or structure would create such a hazard. If the use or structure cannot be designed to prevent such hazard, it may be denied.
  2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, or, if height limits are not specifically assigned by the underlying district, the height limit shall be 35 feet. Any project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.
  3. Lot Coverage. Lot coverage is governed by density and/or FAR limits assigned by the General Plan. If such limits are not identified for a particular site due to “Study Area” designations, the building lot coverage limit shall be 20%. Any project proposing a change in the General Plan FAR, density, or, for an unassigned site, building lot coverage over 20%, shall be referred to the ALUC prior to final approval.

### **Use Review Criteria**

As identified above, the ALUC has established Use Review Criteria to determine whether a use included in subsection C of §17.34.050 (Zone C regulations). has been appropriately designed. As shown on Exhibit 5.7-4, ALUCP Zones, a majority of the Project lies within Zone E, and would not require ALUC referral. However, small areas on the southern portion of the site are located within Zones C and D. The portion of the Project site within Zone D is comprised of parking lot, drive aisles and landscaping. The portion of the proposed Project within Zone C is approximately 1.07 acres, and a density calculation is required because a portion of the hotel building is located within Zone C. The portion of the Project within Zone C consists of approximately 12,430 square feet and is made up of first floor lobby areas, 21 hotel rooms on floors 2 through 4, 40 surface parking spaces, and landscaping.



Source: WATG

**Exhibit 5.7-4 ALUCP Zones**

## Density

ALUCP Zone D has an allowable density of 100 persons per acre in structures or 150 people inside and out of structures. The proposed Project does not contain structures or areas of outdoor congregation within Zone D. Therefore, a density calculation is not provided for Zone D.

ALUCP Zone C has a maximum density recommendation established at 50 persons per acre in structures and 75 persons in and out of structures. Site density for the Project has been analyzed using the parking ordinance to determine the maximum number of people utilizing each area of the hotel and amenities. This method of calculation is an accepted method of calculation for ALUC, per ALUCP Appendix D – Methods for Determining Concentrations of People.

### ALUCP Appendix D – Methods for determining concentrations of people

ALUCP Appendix D recommends developing an assumption regarding the number of persons per The Uniform Building Code to calculate the number of persons on-site. Because the proposed Project is an 11.55-acre development of a hotel, a winery, and an office, and only a minimal portion of the Project site (1.07 acres) is located within Zone C, maximum occupancy of the portion of the hotel within Zone C (12,430 square feet) will be analyzed using the Uniform Building Code for density consistency.

### Maximum Occupancy using the Uniform Building Code

As detailed above, the Uniform Building Code can be used as a standard for determining the maximum occupancy of certain uses. The ALUCP Appendix D includes Exhibit A, which specifies the number of square feet per occupant. Exhibit A contains an assumption for hotel and apartment uses, which is 200 square feet per occupant. The density is calculated by dividing the total floor area of a proposed use by the minimum square foot per occupant requirement listed in the table. The maximum occupancy can then be divided by the size of the parcel in acres to determine the persons per acre.

The ALUCP Appendix D provides guidance for incorporating occupancy levels into calculations for maximum density. The proposed hotel is anticipated to have an 80% occupancy rate. The maximum occupancy rate calculation is shown below:

Hotel within Zone C – 1 person per 200 square feet

$$\begin{array}{r} 12,430 \text{ sf (hotel area within Zone C)} \\ \div 200 \text{ sf} \\ \hline 62.15 \text{ occupants maximum} \\ \div 1.07 \text{ acres (Project site)} \\ \hline 58.08 \text{ occupants per acre} \\ \times 80\% \text{ occupancy} \\ \hline 46.47 \text{ occupants per acre} \end{array}$$

### **Density Analysis for Hotel Portion within Zone C**

Based on the Uniform Building Code maximum occupancy method for determining concentrations of people, the density of the proposed Project within Zone C is 46.5 persons per acre. The Project would be considered consistent with the ALUCP use review criteria for Zone C requiring that site density remain fewer than 50 persons per acre in structures. Additionally, the use review criteria requires that the concentration of people using outdoor space not exceed 75 persons per acre. There is no outdoor gathering space in Zone C; therefore, this calculation is not necessary.

The allowable density in Zone C of 50 persons per acre will not be exceeded, because the calculated site density is 46.5 persons per acre.

### **Clustering**

The ALUCP Design Review Criteria recommends clustering. The shape of the Project site is roughly L-shaped, with the hotel building and winery facing Highway 221 to the east of the Project site and the office building within the parcel extending towards Napa Valley Corporate Drive to the west. The hotel is bordered by a parking lot and landscaping. The buildings are centered on the Project site and oriented outside of Zone C as much as possible with parking and extensive landscape on the perimeters.

### **Noise**

The proposed Project is located within a small portion of Zones C and D, where airport noise is not an issue due primarily to the fact that the Project is not located within the immediate approach zone and its distance to the airport. The Noise Study (Appendix M) analyzed the proposed Project's compliance with noise standards and determined that the Project is in compliance with the City's noise standards and ALUC Noise Compatibility Guidelines, as discussed in Section 5.10, Noise. No noise reduction measures are proposed for the Project related to airport noise. The Project site is located outside the Napa County Airport Master Plan 55 dBA CNEL noise contour.

### **Location**

The ALUCP recommends structures are set back as far as possible from the extended centerline of the runway. The centerline of the runway travels from the runway through the centers of Zone B and Zone C. As shown on Exhibit 5.7-4 (page 5.7-21), the Project lies Zones C, D and E.

In addition to density, clustering, noise, and centerline, the ALUCP Design Review Criteria establishes recommendations on building height limits in the airport compatibility zone by deferring to limits established by the zoning code. Height regulations for the proposed Project are set forth by Zoning Code §17.14.030. Development regulations for the Project site restrict building heights to 50 feet, with exception for development up to 60 feet with Planning Commission design review, and additional projections beyond the height limit via use permit.

The Project has been designed within the height limits established by the zoning code of 60 feet with Planning Commission Design Review. The ALUCP Design Review Criteria defers height limits to the zoning code. The proposed Project will remain consistent with the City's height restrictions and the airport compatibility overlay.

The proposed Project has been designed to incorporate all of the regulations from the ALUCP zone regulations. Use Review Requirements, such as a clustered orientation of buildings, ALUCP zone density requirements, and general design requirements will be analyzed and submitted to ALUC for consistency. While consistency is desirable, the governing body of a local jurisdiction may overrule the Airport Land Use Commission's determination by taking the following actions:

- Hold a public hearing to reconsider the proposed action
- Make a finding that the proposed action is consistent with the intent of the State Aeronautics Act
- The motion to override must be passed by a two-thirds vote

### **5.7.5 Mitigation Measures**

No mitigation measures were presented in the Phase I ESA based on the conclusion that no hazardous materials are known or suspected on the Project site. In addition, Policy Resolution No. 27 containing City of Napa Standard Mitigation Measures, does not identify the requirement for standard mitigation measures for hazards or hazardous materials.

### **5.7.6 Level of Significance after Mitigation**

Thresholds of significance identified in the CEQA Guidelines, Appendix G, state the Project would have a significant impact if it would:

- a) Create a significant hazard to the public or environment through routine transport, use or disposal of hazardous materials,
- b) Create a significant hazard through reasonably foreseeable upset and accident conditions,
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials,
- d) Be located on a site which is included on a list of hazardous materials sites
- e) For a project located within an airport land use plan or within two miles of a public airport or public use airport result in a safety hazard for people residing or working in the project area,
- f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area,
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan
- h) Expose people or structures to a significant risk or loss, injury or death involving wildland fires.

The Phase I ESA did not recommend additional environmental studies for the site based on the findings that no known or suspected on-site conditions warrant regulatory involvement. No actions requiring environmental soil sampling, soil remediation, groundwater sampling

and/or groundwater remediation are required. No on-site RECs, off-site RECs, CRECs or HRECs with the potential to adversely impact the Project site were identified during the assessment. In addition, no de minimis environmental conditions were identified in connection with the Project site, no off-site RECs were identified in the vapor migration screening and no other environmental issues of concern were identified.

Two nearby developments (NOVA Group, Inc. and Napa Pipe) that are listed as CERCLIS-equivalent facilities were assessed. The Phase I ESA concluded that neither facility is a concern to the Project due to their down gradient locations, the suburban nature of the surrounding area and the fact that the responsible party is identified. Therefore, based on the conclusions in the Phase I ESA assessment, NDDS recommends no further investigations of the Project site at this time.

The Phase I analysis responds to CEQA Guidelines, Appendix G Checklist as follows:

The proposed Project will not create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials

The proposed Project will not create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The proposed Project will not emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.

The site is not located on list of hazardous materials sites compiled pursuant to *California Government Code* §65962.5 and, therefore, would not create a significant hazard to the public or the environment.

The Project is located within an airport land use plan as the Napa Valley Airport is approximately 4 miles south of the Project. However, the Project is not located within the airport's flight plan and will not create a safety hazard for people working or residing in the Project area. The Project site is located outside of the 55 CNEL and is consistent with the required density limitations for development within Zone C of the ALUCP. The Project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. There will be no exposure of people or structures to a significant risk or loss, injury or death involving wildland fires as the Project site is in an urbanized area and not within the City's Wildland Urban Interface Fire Hazard Areas as depicted in the City of Napa General Plan.

As noted, NDDS recommended, based on the conclusions in the Phase I ESA, that no further investigations of the Project site were necessary at this time.

### **5.7.7 Cumulative Impacts**

The proposed Project, when combined with other projects in the vicinity, will not result in significant cumulative impacts. Individually, all hazards and hazardous materials impacts due to Project implementation are less than significant as no hazardous materials were observed on the site and none will be generated by any uses associated with Project development. The site

Nesting Surveys in California’s Central Valley” and begin early in the nesting season (late March to early April).

**Page 5.3-50 – Mitigation Measure MM Bio-8 shall read:**

MM Bio-8 Prior to issuance of a grading permit, the Applicant shall ensure the completion of a formal wetland determination for Features A and C demonstrating whether or not the potential seasonal wetlands features meet the minimum threshold for wetlands. If the wetland determination does not meet the minimum threshold for wetlands no additional mitigation would be required. If the wetland determination meets the minimum threshold for wetlands, the Applicant shall be required to mitigate at a 2:1 ratio for any freshwater wetlands dominated by pale spikerush. The mitigation may be satisfied through purchase of credits in an approved mitigation bank with a service area that covers the Project site, or in an acceptable manner to the City, so long as the 2:1 ratio is met.

**Page 5.3-50 – Mitigation Measure Bio-9 shall be added:**

MM Bio-9 Preconstruction focused surveys for pallid bat will be conducted by a biologist qualified to conduct focused bat surveys for trees onsite and immediately adjacent to the site. Surveys will be conducted in spring prior to birth which typically occurs in May or June. If a maternity roost is detected, appropriate buffers will be established during the maternity season to ensure that maternity roosts are not disturbed by construction.

**Page 5.6-13 – Paragraph 1 – The first sentence is revised:**

~~Thresholds of significance identified in the CEQA Guidelines, Appendix G, state that the Project would have a significant impact if it:~~ The following Project Design Features (PDFs) will further reduce operational greenhouse gas impacts as analyzed in the Air Quality and Greenhouse Gas Assessment:

**DEIR page 5.7-20 – The last sentence is revised:**

The portion of the Project within Zone C consists of approximately 12,430 square feet and is made up of 24 hotel rooms on floors 1 through 4, first floor lobby areas, 21 hotel rooms on floors 2 through 4, 40 surface parking spaces, and landscaping.

**DEIR page 5.7-22 – The text is revised as follows:**

**ALUCP Appendix D – Methods for determining concentrations of people**

ALUCP Appendix D recommends developing an assumption regarding the number of persons per The Uniform Building Code to calculate the number of persons on-site. Because the proposed Project is an 11.55-acre development of a hotel, a winery, and an office, and only a minimal portion of the Project site (1.07 acres) is located within Zone C, maximum occupancy of the portion of the hotel within Zone C (12,430 square feet) will be analyzed using the Uniform Building Code for density consistency. ALUCP Appendix D specifies:

Maximum Occupancy - The Uniform Building Code can be used as a standard for determining the maximum occupancy of certain uses. The chart provided as Exhibit A is

taken from the 1976 edition of the UBC (table 33-A) and indicates the required number of square feet per occupant. The number of persons on the site can be calculated by dividing the total floor area of a proposed use by the minimum square foot per occupant requirement listed in the table. The maximum occupancy can then be divided by the size of the parcel in acres to determine the persons per acre.

Surveys of actual occupancy levels conducted by the City of Sacramento have indicated that many retail and office uses are generally occupied at 50% of their maximum occupancy levels, even at the busiest times of day. Therefore, the number of persons calculated for office and retail uses should be adjusted (50%) to reflect the actual occupancy levels before making the final persons-per-acre determination.

Some uses will have short peaks in occupancy levels, but otherwise remain relatively low during the majority of the time. In these cases, it is appropriate to use an average occupancy level over an 8-hour period for making the determination. The reasoning behind this approach is to allow for short peaks in occupancy that may exceed the limit, but overall occupancy levels are below the maximum indicated by the Compatibility Plan.

Application of the Uniform Building Code allows for adjustment of occupancy rates using the percentage of general occupancy and does not require calculations to be done at worst case scenario for occupancy, which would be 100% for any project. The proposed Project has an anticipated occupancy of 80%, meaning that once all guests are checked in for any given day, and assuming all guests are present on the property at the same time, the hotel will be 80% full. Additionally, it should be noted that only 12,430 square feet of the 155,557 square feet of the proposed hotel is located within Zone C. The remaining 143,127 square feet of the hotel is not located within a ALUCP Zone that restricts or requires a density analysis.

**DEIR page 5.7-22, Maximum Occupancy using the Uniform Building Code** – The second paragraph is revised as follows:

The ALUCP Appendix D provides guidance for incorporating occupancy levels into calculations for maximum density. The proposed hotel is anticipated to have an 80% occupancy rate and should be calculated at this rate per ALUCP Appendix D. The maximum occupancy rate calculation is shown below:

Hotel within Zone C – 1 person per 200 square feet

$$\begin{array}{r} 12,430 \text{ sf (hotel area within Zone C)} \\ \underline{\div 200} \text{ sf} \\ 62.15 \text{ occupants maximum} \\ \underline{\div 1.07} \text{ acres (Project site)} \\ 58.08 \text{ occupants per acre} \\ \underline{\times 80\%} \text{ occupancy} \\ 46.47 \text{ occupants per acre} \end{array}$$

**DEIR page 5.7-23, Density Analysis for Hotel Portion within Zone C** – The text is revised as follows:

The concentration of people within Zone C was determined using the Maximum Occupancy criteria as provided by the ALUCP Appendix D - Methods for Determining Concentrations of



People. Based on the recommended Uniform Building Code method for determining concentrations of people ~~maximum occupancy method for determining concentrations of people~~, the proposed Project area within Zone C would have a density of 46.5 persons per acre. The proposed Project would be considered consistent with the ALUCP use review criteria for Zone C requiring that site density remain fewer than 50 persons per acre in structures.

As specified by the ALUCP Appendix D – Methods for Determining Concentrations of People, a general occupancy rate of 80% was applied to the proposed Project based on historical and projected occupancy rates for select service hotels. There may be short peaks where the occupancy levels could exceed 80% and could surpass the ALUCP maximum of 50 persons per acre for the area within Zone C; however, the ALUCP allows for these short peaks, and the overall occupancy would remain below the maximum density as established by the ALUCP.

This density analysis should acknowledge that the Napa County Airport operates between the hours of 7:00 a.m. and 8:00 p.m. and does not operate overnight, which is when most hotel guests would be on-site and in their hotel rooms. In addition to the fact that the Napa County Airport does not operate during the nighttime hours and the hotel will generally not operate above 80% occupancy, the inherent nature of a select service hotel means that guests will mostly be off-site for meals and entertainment, as these will not be provided on-site other than the pool and the European-style breakfast served by the AC Hotel. The pool and the breakfast service area are not within Zone C.

~~Additionally, the~~ The use review criteria requires that the concentration of people using outdoor space not exceed 75 persons per acre. There is no outdoor gathering space in Zone C; therefore, this calculation is not necessary. The maximum number of persons present per acre will not exceed the maximum allowable density of 50 persons per acre in Zone C, because the calculated site density is 46.5 persons per acre. The proposed Project is considered consistent with this ALUC policy. ~~The allowable density in Zone C of 50 persons per acre will not be exceeded, because the calculated site density is 46.5 persons per acre.~~

**DEIR page 5.7-23** – A second paragraph is added to the Location section:

#### **Location**

The proposed Project is not located within Zone B and has been designed cognizant of its proximity to Zone C, which encompasses approximately 1.07 acres of the 11.55-acre Project site. A relatively small portion of the proposed hotel (12,430 square feet of the 155,557-square-foot hotel) is positioned within Zone C. The proposed hotel was designed to maximize function of the hotel and minimize impacts due to project constraints for setbacks, zoning districts, hydrology, parking, biological resources, parking, and including the proximity of proposed uses to and within Zone C.

**DEIR Page 5.9-6** – The following General Plan Economic Development Element analysis is added to Section 5.9 – Land Use and Planning.

#### **Economic Development Element**

The Economic Element of the Napa City General Plan contains goals and policies that focus on building and maintaining a thriving community with an outstanding quality of life. The City's Economic Strategic Plan seeks to achieve a diverse blend of economic activity that benefits

local residents while serving markets and visitors from around the world. Major economic development objectives include:

- An economic base that includes a broad mix of businesses that provides a range of employment types, career opportunities and wage scales.
- A balanced economic base that minimizes the impact of a cyclical downturn in one or more of the major sectors of the economy.
- An economic base that improves the quality of life for Napa residents.

**Napa City General Plan Economic Development Consistency**

<b><u>Policy ED-4.4</u></b>	<b><u>Analysis</u></b>
<p><u>The City shall promote and facilitate hotel development within the city limits, particularly in Downtown. The City’s hotel development strategy shall encompass a variety of lodging types to meet the needs of the diverse visitor market attracted to the Napa Valley. The City should specifically promote hotel development that includes meeting facilities for small conferences.</u></p>	<p><u>The proposed Project is located in a corporate park. Market analyses demonstrate that the hotel economic segment is desirous of more, select service hotels such as the AC Hotel and the Residence Inn given that such brands are not currently in the Napa market. This project will increase the types of lodging options available to Napa Valley visitors. These brands may be distinguished from existing higher-end resorts and hotels which typically offer more internal amenities at a higher price point. As select-service hotels, no restaurant service or recreational amenities will be available on-site. The proposed AC Hotel and Residence Inn will focus on transient guests who require a more affordable price point. The AC Hotel is generally geared towards a visitor seeking a modern hotel room while the Residence Inn will provide opportunities to guests seeking a longer length of stay. The Project hotels will jointly provide 780 square feet of meeting room space and two media rooms with 285 total square feet for small business group meetings. The project site is located in close proximity to The Meritage Resort, which offers meeting facilities for small and large conferences; the proposed project will increase the overall number of hotel rooms able to serve conferences, allowing for opportunities to attract larger or more diverse conferences to the City of Napa. The Project hotels will offer a free shuttle service which will encourage guests to visit Downtown Napa for shopping and dining experiences. Therefore, the Project is consistent with the stated goal of the Economic Development Element.</u></p>

**DEIR Page 5.9-11** – The following policies and analysis are added to the Section 5.9 – Land Use and Planning, Napa City General Plan Health and Safety Element Consistency table.

<b><u>Policy</u></b>	<b><u>Analysis</u></b>
<u>HS-6.1 – The City shall coordinate with the ALUC the review of development proposals on lands within the RUL to determine consistency with the Napa County Airport Land Use Compatibility Plan.</u>	<u>The Project will be submitted to ALUC for a consistency determination prior to a City Council hearing.</u>
<u>HS-6.2 – The City shall limit building heights for airspace protection in accordance with Federal Aviation Regulations Part 77.</u>	<u>The ALUCP height limit is 35 feet in Zones C, D and E if not otherwise assigned by the underlying district. The zoning district for the Project site allows 60 feet for the hotel (IP-A) with Design Review. The proposed roof height is 58½ feet, which is consistent with the City requirements. The winery and the office building (IP-B) height maximum is 30 feet. The winery roof height is 28 feet with portions of the roof up to 38 feet. The office building height is 24 feet with portions of the roof up to 32 feet. The winery and the office building will require a Planned Development Overlay for the increased height.</u>
<u>HS-6.3 – The City shall restrict land uses within ALUCP Zones C, D and E that would create increased hazard risks (e.g., low mobility, highly sensitive to noise) in accordance with the use, density, and design criteria provided in the ALUCP.</u>	<u>The Project site is designated IP-A/IP-B zoning district and Corporate Park in the General Plan. Hotels require a Use Permit in the IP district. The hotel is in the IP-A zoning district. The winery and the office building are in the IP-B zoning district. The proposed uses are all consistent with the zoning districts in which they are located, contingent on approval of a Use Permit for the hotel. Height and noise issues have been analyzed and mitigation has been provided. Density was analyzed in Section 5.7 – Hazards and Hazardous Materials (page 5.7-22), and is consistent with density and design criteria in the ALUCP.</u>
<u>HS-6.4 – The City shall give consideration to the proximity of flight patterns, frequency of overflight, terrain conditions, and type of aircraft in determining the acceptable locations for residential uses in Zone E.</u>	<u>No residential uses are proposed in the Project. The winery and the office building are permitted uses in the General Plan and the Zoning Code, with the hotel requiring a Use Permit.</u>
<u>HS-6.5 – The City shall require airport aircraft approach surfaces in ALUCP Zone C to be shown on all new development plans in Zone C and in Zone D within 100 feet of Zone C.</u>	<u>Section 5.7 – Hazards and Hazardous Materials - includes the ALUCP Compatibility Plan Map (Exhibit 5.7-3), which shows the approach surfaces for all zones. The ALUCP Zones are also shown on the Project site plan (Exhibit 5.7-4). Exhibit 5.10-12 depicts the Airport Noise Contours. The Project location is shown on each exhibit for reference.</u>

<b><u>Policy</u></b>	<b><u>Analysis</u></b>
<u>HS-6.6 – The City should cluster development, to the extent feasible, to preserve open land for safety purposes in Zones C and D of the ALUCP.</u>	<u>Project buildings are centered on the site and oriented outside of Zone C as much as possible. Of the 11.55-acre site, only 1.07 acres is within Zone C. The 1.07 acres consists of approximately 12,430 square feet and is made up of 24 hotel rooms on floors 1 through 4, 40 surface parking spaces, and landscaping. Shared areas where guests congregate such as the breakfast room, the shared meeting space, the gym, and the lobby areas are outside Zone C. Outdoor congregation areas are located in Zone E.</u>
<u>HS-6.7 – The City shall require the dedication of overflight easements and/or deed notices when subdivisions or new construction are proposed on property within the jurisdiction of the ALUC.</u>	<u>The City requires over flight easements as a condition of subdivision approval and/or discretionary permits for new construction prior to issuance of a building permit. The Project will comply with this requirement. In addition, ALUC requires an easement or a deed notice as a condition for new development within all zones.</u>
<u>HS-6.8 – The City shall refer helipad proposals anywhere within the City’s Planning Area to the ALUCP for a consistency determination.</u>	<u>Not applicable, as helipads are not included in the proposed Project.</u>
<b><u>Implementation Programs:</u></b>	
<u>HS-6.A – The City shall refer all General Plan, specific plan, and implementing ordinance amendments for lands within the City’s RUL that are also within the ALUCP’s planning area to the County ALUC for a determination of consistency with the ALUCP.</u>	<u>The Project is required to submit an application to the ALUC for a consistency determination with the ALUCP.</u>
<u>HS-6.B – The City shall amend the Zoning Ordinance to provide implementation regulations consistent with criteria in the ALUCP, and shall apply such regulations to properties within the planning area boundary of the ALUCP.</u>	<u>The City’s Zoning Ordinance provides regulations consistent with ALUCP criteria, and the Project will be required to submit an application to the ALUC for a consistency determination. The Project will also be required to obtain a Planned Development Overlay due to the height of the winery and the office building. The Project is also consistent with the City General Plan. While the hotel is identified as “normally not an allowed use” in Zone C, the calculated occupancy meets the thresholds to be permitted in Zone C.</u>

**Page 6-1 – Bullet Point 1** – The following text is corrected:

Implement ~~Comply with~~ the City’s General Plan