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Recommended Ordinance for Rezone
(Exhibit B)

ORDINANCE NO. 2024-____

AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA REZONING APN'S 057-090-065 AND 057-090-066 FROM AGRICULTURAL WATERSHED:AIRPORT COMPATIBILITY (AW:AC) TO INDUSTRIAL PARK:AIRPORT COMPATIBILITY (IP:AC)

WHEREAS, Hess Collection Winery holds legal title to an approximately 239.83 acre parcel of real property in Napa County located at 5750 South Kelly Road, American Canyon, California, designated by Assessor's Parcel Number (APN) 057-090-065; and Kenneth E. and Gail Laird, TR, (collectively the "Landowners") hold legal title to an approximately 40.26 acre parcel of real property in Napa County, designated by Assessor's Parcel Number (APN) 057-090-066 (collectively the "Property"), and is more particularly described in the maps shown on Exhibit A; and

WHEREAS, Landowners have proposed rezoning Property from Agricultural Watershed:Airport Compatibility (AW:AC) to Industrial Park:Airport Compatibility (IP:AC) (Rezone); and

WHEREAS, after conducting a duly noticed public hearing, the Planning Commission by a vote of __, on October 2, 2024, recommended that the Napa County Board of Supervisors ("Board") adopt the Addendum to the 2008 General Plan Environmental Impact Report (Addendum) and adopt the proposed Ordinance rezoning the Property to Industrial Park:Airport Compatibility (IP:AC); and

WHEREAS, thereafter on _____ 2024, the Board held a duly noticed public hearing on the rezoning application pursuant to California Government Code Section 65856.

NOW, THEREFORE, the Napa County Board of Supervisors, State of California, ordains as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The Board has received and reviewed the Addendum to the 2008 General Plan EIR together with the EIR pursuant to the provisions of CEQA and of Napa County's Local Procedures for Implementing CEQA. Review of the proposed project has concluded that it would not result in new significant impacts or an increase in the severity of any impacts previously identified in the GPU FEIR certified in 2008, as further explained CEQA memorandum. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Mitigated Negative Declaration (MND) have occurred, and thus an Addendum to the GPU FEIR is appropriate to satisfy CEQA requirements for the proposed project. The Board finds that:

1. Prior to taking action on the Addendum and the Rezone, the Board read and considered said Addendum; and
2. The Addendum is based on independent judgment exercised by the Board; and
3. The Addendum was prepared and considered in accordance with the requirements of CEQA; and
4. Considering the record as whole, there is no substantial evidence that the Rezone will have a significant effect on the environment; and
5. The Clerk of the Board of Supervisors is the custodian of the records of the proceedings on which this decision is based. Records are located at the Napa County Clerk of the Board, 1195 Third Street, Third Floor, Napa, CA.

Therefore, the Board hereby adopts the Addendum for the Rezone and finds according to the Addendum that the Rezone does not result in potentially significant effects to the environment. The Property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

SECTION 3. The Board finds that pursuant to Chapter 4, Title 7, commencing with Section 65800, of the California Government Code, this Ordinance and Rezone are mostly consistent with the County's Zoning Ordinance and the following goals, policies, action items and objectives and programs of the County's General Plan:

Goals: AG/LU-2, AG/LU-5.

Policies: AG/LU-37, AG/LU-39, AG/LU-40, AG/LU-49, AG/LU-93, AG/LU-95.

SECTION 4. That the subject Property which is zoned Agricultural Watershed:Airport Compatibility (AW:AC) is hereby rezoned to Industrial Park:Airport Compatibility (IP:AC). The official zoning map shall be amended to reflect this change consistent with the requirements of Chapter 18.12. The rezoning of APN's 027-090-065 and 057-090-066 from Agricultural Watershed:Airport Compatibility (AW:AC) to Industrial Park:Airport Compatibility (IP:AC) is consistent with the Napa County General Plan (2008) in that General Plan Policy AG/LU-114 and implementing Table AG/LU-B identify IP as an appropriate zoning district for lands designated Industrial by the General Plan Land Use Map where rezoning is proposed, and the parcel is so designated.

SECTION 5. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 6. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors of the County of Napa hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 7. A summary of this ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

The foregoing Ordinance was recommended for adoption and public hearing held thereon before the Napa County Planning Commission on the 2nd day of October, 2024. The Planning Commission's recommendation was considered by the Board of Supervisors and this Ordinance was introduced, read, and passed at a regular meeting of the Napa County Board of Supervisors ("the Board"), State of California, held on _____, 2024, by the following vote:

AYES: SUPERVISORS _____

 NOES: SUPERVISORS _____

 ABSTAIN: SUPERVISORS _____

 ABSENT: SUPERVISORS _____

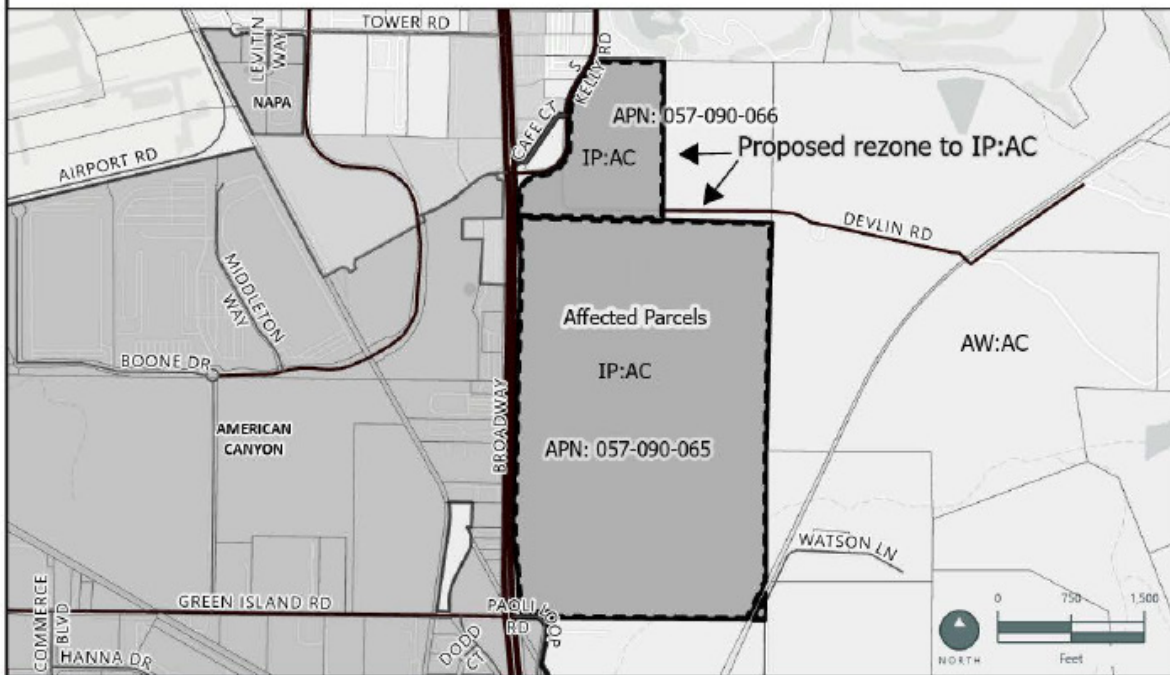
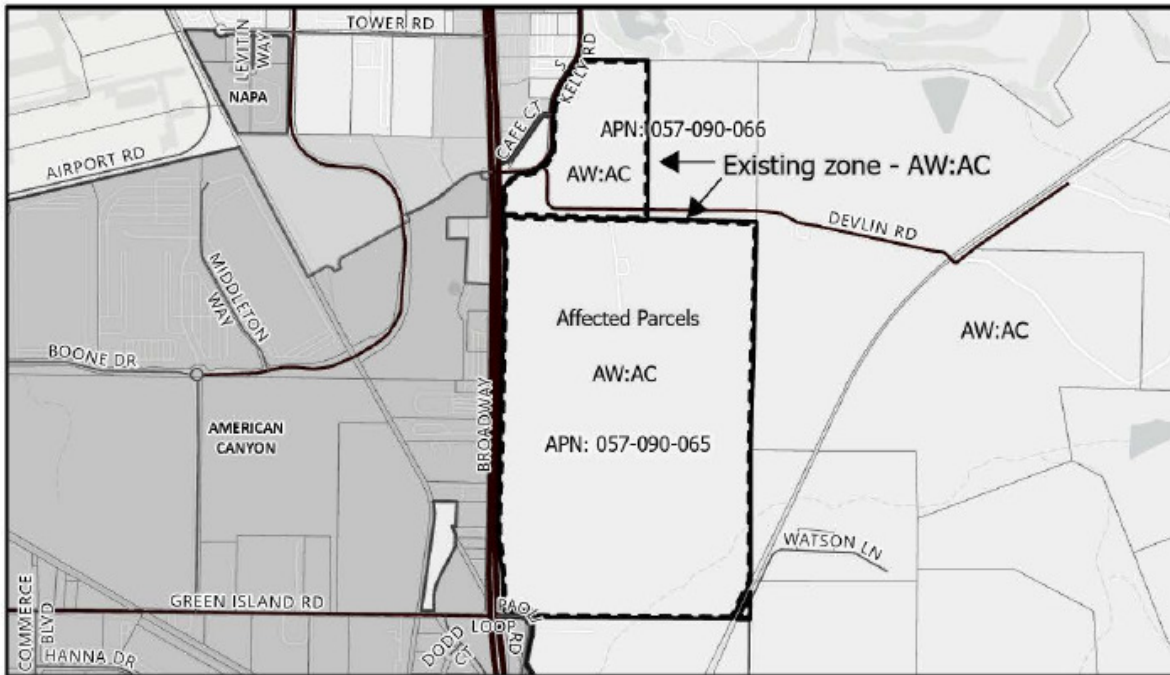
NAPA COUNTY, a political subdivision of the State of California

 JOELLE GALLAGHER, Chair of the Board of Supervisors

EXHIBIT A - Existing/Proposed Zoning Map

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: _____ Deputy County Counsel</p> <p>By: <u>/s/ Erin Cossen</u> Code Services</p> <p>Date: <u>9/6/24</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____ Processed By: _____ Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors</p> <p>By: _____</p>
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EXHIBIT A



Rezoning | P21-00055 Hess Collection - Laird

PLANNING, BUILDING & ENVIRONMENTAL SERVICES
1195 THIRD STREET, SUITE 210
NAPA, CA 94950
(707) 253-4417



Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data displayed hereon.
by PBES staff member\Tripp\2024-04-15\ P21-00055 Hess Collection\2024-04-15\ P21-00055 Hess Collection.aprx

DATE PUBLISHED: 4/16/2024
DATE REVISED:
AUTHOR: SC
MAP SCALE: 1:18,000