

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, ADDING CHAPTER 18.66 TO THE NAPA COUNTY CODE CREATING THE NAPA PIPE ZONING DISTRICT, REZONING ASSESSOR'S PARCEL NO. 046-412-005 AND A PORTION OF APN 046-400-030 WITHIN THE UNINCORPORATED AREA OF THE COUNTY OF NAPA FROM THE INDUSTRIAL: AIRPORT COMPATIBILITY (I:AC) TO THE NAPA PIPE ZONING DISTRICT: AIRPORT COMPATIBILITY (NP:AC), AND SPECIFYING CONDITIONS OF APPROVAL FOR FUTURE DEVELOPMENT IN THE NAPA PIPE ZONING DISTRICT

**WHEREAS**, the 154 acre former industrial site commonly referred to as Napa Pipe at 1025 Kaiser Road in unincorporated Napa County, commonly referred to as the Napa Pipe site, is currently designated as “Study Area” in the Napa County General Plan and zoned I:AC (Industrial-Airport Compatibility); and

**WHEREAS**, the site is comprised of two parcels, being APN 046-412-005 and APN 046-400-030; and

**WHEREAS**, the purpose of this ordinance is to effect the rezoning of all of APN 046-412-005 (+/- 63 acres) and a portion of APN 046-400-030 (+/- 17.5 acres); and

**WHEREAS**, the balance of APN 046-400-030 (73.5 acres) would not be rezoned at this time, and would retain its current I:AC zoning designation; and

**WHEREAS**, a development project has been proposed for 80.5 acres of the Napa Pipe site, encompassing the phased development of a high density residential neighborhood containing low-rise and mid-rise housing, public open space, neighborhood-serving retail and restaurants, a hotel, a continuing care retirement community, and office space and a membership warehouse club; and

**WHEREAS**, rezoning a portion of the Napa Pipe site and amending the Napa County General Plan would set the stage for other project-specific approvals; and

**WHEREAS**, under the Napa County 2008 General Plan Update, the Napa Pipe site was designated as “Study Area”, which required additional site specific planning and a General Plan amendment prior to reuse of the site for anything except uses allowed under the site’s industrial zoning; and

**WHEREAS**, under the Housing Element Update adopted in June 2009, the General Plan was amended to require rezoning of at least 20 acres of the site to allow up to 304 dwellings at densities of 20 dwelling units per acre, with between 152 and 202 of the dwelling units by right, plus open space and neighborhood supporting uses; and

**WHEREAS**, to the extent specific amendments to the General Plan are necessary for this zoning ordinance to be consistent therewith, in accordance with Chapter 4, Title 7 of the Government Code (commencing with Section 65800), such General Plan amendments are being made concurrently herewith by separate resolution; and

**WHEREAS**, the Board of Supervisors desires to rezone a portion of the Napa Pipe site to allow for the proposed uses as set forth in this zoning ordinance; and

**WHEREAS**, by an earlier and separate resolution, the Board has complied with the requirements of the California Environmental Quality Act by considering and certifying the Napa Pipe Final Environmental Impact Report and making required findings; and

**WHEREAS**, prior to the consideration and adoption of this ordinance, the noticing requirements of County Code Section 18.136.040 were complied with.

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

**SECTION 1.** Section 18.12.010 (Establishment of zoning districts) of Chapter 18.12

(Establishment of Zoning Districts) of the Napa County Code is amended to read in full as follows:

**18.12.010 Establishment of zoning districts.**

The unincorporated area of the county of Napa is divided into zoning districts, each of which is designated in this section, and each of which is identified for convenience by the letters indicated:

<b>Zoning District</b>	<b>Letters</b>
Agricultural Preserve	AP
Agricultural Watershed	AW
Airport	AV
Commercial Limited	CL
Commercial Neighborhood	CN
Marine Commercial	MC
Industrial	I
Industrial Park	IP
General Industrial	GI
Planned Development	PD
Public Lands	PL
Residential Single	RS
Residential Multiple	RM
Residential Country	RC
<a href="#">Napa Pipe Zoning District</a>	<a href="#">NP</a>
<a href="#">Napa Pipe – Mixed Use Residential Waterfront</a>	<a href="#">NP-MUR-W</a>

<a href="#">Napa Pipe – Industrial/Business Park Waterfront</a>	<a href="#">NP-IBP-W</a>
<a href="#">Napa Pipe – Industrial/Business Park</a>	<a href="#">NP-IBP</a>
Timber Preserve	TP
<b>Combination Zoning Districts:</b>	
Building Site	:B
Airport Compatibility	:AC
Historic Restaurant	:HR
Urban Reserve	:UR
Agricultural Produce Stand	:PS
Skyline Wilderness Park	:SWP
Affordable Housing	:AH

**SECTION 2.** A new Chapter 18.66 (Napa Pipe Zoning District) is added to Title 18

(Zoning) of the Napa County Code, reading in full as follows:

**Chapter 18.66  
NP Napa Pipe Zoning District**

**Sections:**

**Division 1    General**

- 18.66.010    Intent.**
- 18.66.020    Establishment and location of Napa Pipe principal zoning districts.**
- 18.66.030    Development plan and design guidelines required.**
- 18.66.040    Use limitations.**
- 18.66.050    Common use/open space.**

**Division II    Mixed Use Residential - Waterfront Zoning District (NP-MUR-W)**

- 18.66.060    Intent.**
- 18.66.070    Uses allowed without a use permit.**
- 18.66.080    Uses allowed upon approval of a development plan.**
- 18.66.090    Density.**
- 18.66.100    Lot size.**
- 18.66.110    Height.**
- 18.66.120    Building and parking setbacks, landscaping, and lot coverage.**
- 18.66.130    Uses within enclosed structures.**

**Division III    Industrial/Business Park - Waterfront Zoning District (NP-IBP-W)**

- 18.66.140    Intent.**
- 18.66.150    Uses allowed without a use permit.**
- 18.66.160    Uses allowed upon approval of a development plan.**
- 18.66.170    [Reserved.]**
- 18.66.180    Height.**
- 18.66.190    Lot coverage.**
- 18.66.200    Lot size.**
- 18.66.210    Landscaping, building and parking setbacks.**

**18.66.220** Uses within enclosed structures.

**Division IV Industrial/Business Park Zoning District (NP-IBP)**

**18.66.230** Intent.

**18.66.240** Uses allowed without a use permit.

**18.66.250** Uses allowed upon approval of a development plan.

**18.66.260** Height, lot coverage, lot size, landscaping, setbacks.

**18.66.270** Uses within enclosed structures.

**Division V General Standards**

**18.66.280** Parking.

**18.66.290** Bicycle parking.

**18.66.300** Off-street freight loading and service vehicle spaces.

**18.66.310** Signage.

**Division VI Reviews and Approvals**

**18.66.320** Process for review and approval of development plan and design guidelines.

**Division I. General**

**18.66.010** Intent.

A. The Napa Pipe and Napa Pipe principal district classifications are intended to apply in those areas of the county shown as “Napa Pipe” on the zoning map referenced in Section 18.12.020.

B. The Napa Pipe principal districts are intended to:

1. Implement the goals, objectives, and policies of the General Plan;
2. Establish the Napa Pipe district classifications to provide for development standards and specific project approvals, and to facilitate the economical, efficient, and coordinated development of large areas of residential, commercial, or other non-residential zoned lands;
3. Allow deviation from standard zoning district regulations such as setbacks, lot area, lot coverage, and building height, while remaining consistent with design guidelines for the Napa Pipe district classifications that encourage flexibility and creativity in building design and site planning, and promote a higher level of amenities beyond that expected in conventional developments;
4. Provide for orderly development of publicly accessible open space adjacent to and near the Napa River and build-out of required site improvements and infrastructure;
5. Encourage a mix of different dwelling types and a variety of land uses which complement each other and which are compatible with existing and future surrounding uses; and,
6. Encourage development of a “walkable” neighborhood with high density housing types, limited neighborhood-serving commercial uses and adjoining industrial/business park uses, in a desirable relationship to planned common use space, cultural, recreational and other uses.
7. Allow for the development of General Wholesale Sales Commercial Activities (e.g., the development of a Costco) on +/- seventeen and one-half acres designated “NP-IBP”

under this ordinance as a means of generating jobs, providing shopping opportunities not currently available to the region, and generating significant sales tax revenue.

C. The Napa Pipe principal districts are intended to build-out over time consistent with these development standards and specific project approvals, and to accommodate a limited list of possible interim uses prior to build-out.

**18.66.020 Establishment and location of Napa Pipe principal zoning districts.**

The following principal zoning districts (collectively, the “NP districts”) are established for the purpose of implementing the Napa Pipe Project: Napa Pipe – Mixed Use Residential Waterfront (NP-MUR-W), Napa Pipe – Industrial/Business Park Waterfront (NP-IBP-W), and Napa Pipe – Industrial/Business Park (NP-IBP). For purposes of this Chapter 18.66 only, the NP-MUR-W district is referred to herein as the “MUR district,” the NP-IBP-W district is referred to herein as the “IBP-W district,” and the NP-IBP district is referred to herein as the “IBP district.”

**18.66.030 Development plan and design guidelines required.**

All development and uses within the NP districts shall be in accordance with approved design guidelines adopted in accordance with Section 18.66.320.

Except for the uses specified in Sections 18.66.070, 18.66.150 and 18.66.240, all development and uses within the NP districts shall also be in accordance with an approved development plan adopted in accordance with Section 18.66.320.

A. The design guidelines shall govern landscaping of streets, parks and open spaces, architectural design, signage, lighting, habitat protection measures, and any other requirements necessary to ensure an aesthetically pleasing and livable neighborhood consistent with the development plan.

B. The development plan shall ensure that adequate public facilities, including water, sewer, parks, schools, and other facilities are or will be available to serve the proposed development, without materially adversely affecting the existing public facilities serving surrounding developments.

C. The development plan shall specify the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, phasing of the development, and provisions for reservation or dedication of land for public purposes.

D. The development plan can be used similar to a specific plan by outlining individualized development standards which provide for the planning of generally large scale projects. The development plan shall include a site plan depicting such elements as topographical features and the general location of structures, land uses, and public and private-rights-of-way. The development plan must include sufficient information, including architectural design, size of facilities, traffic impacts, a circulation plan, and site improvements at a level of detail which allows for the thorough analysis of project impacts and compliance with county standards.

**18.66.040 Use limitations.**

A. As applied to the NP districts, the provisions of this Chapter 18.66 shall supersede any conflicting provisions of the Napa County zoning code, except as otherwise required by local, State, or Federal law.

B. There shall be a maximum of seven hundred residential dwelling units within the MUR district exclusive of units allowed by density bonuses pursuant to Section 18.107.150 and State law.

C. There shall be a maximum one hundred-fifty unit continuing care retirement complex within the MUR district with an average of one and one-half beds per unit, for a maximum of two hundred twenty-five beds, that provides independent living for seniors with common dining, recreational activities, housekeeping and transportation, as well as assisted care to seniors with mental and physical limitations.

D. There shall be a maximum of forty thousand square feet of gross floor area for all neighborhood services uses, as defined in subsection (E) of Section 18.66.080, within the MUR District.

E. There shall be a maximum of ten thousand square feet of gross floor area for office uses, as defined in subsection (B) of Section 18.66.160, as the primary use within the IBP-W District.

F. There shall be a maximum of one hotel with a maximum of one hundred-fifty rooms within the IBP-W district, with accessory uses for guests and the general public, including such facilities as meeting rooms, spa and fitness center, provided that the entirety of the use shall not exceed the one hundred person per acre average intensity specified in the Airport Land Use Compatibility Plan.

G. There shall be a maximum of twenty thousand square feet of community facilities within the MUR or IBP-W districts which may include: transit center, interpretive nature center, boat house, café/visitor pavilion, child care center, and drydock theatre.

H. There shall be a maximum of one hundred fifty-four thousand square feet of General Wholesale Sales Commercial Activities as defined in subsection (A) of Section 18.66.250 within the IBP district.

I. Temporary events and uses may be conducted pursuant to Chapter 5.36 and shall not conflict with Chapter 18.80 or with the Napa County Airport Land Use Compatibility Plan.

J. Interim uses and floor area intended to remain in place for five years or less are subject to separate review and approval by the zoning administrator.

**18.66.050 Common use/open space.**

A. Not less than fifteen percent of the total area of all NP districts, collectively, shall be devoted to common use/open space that is accessible to the public.

B. The locations of common use/open space shall be specified in the development plan and shall include:

1. Land area not covered by buildings, parking structures or accessory structures except community facilities, including without limitation parks, wetlands, community gardens, yards, planting, walkways, paths, trails, and bridges devoted to pedestrian and bicycle use;

2. Community facilities, defined as indoor or outdoor facilities, not publicly owned but open for public use, in which the chief activity is not a gainful business and whose chief function is the gathering of persons for recreational (including public swimming pool uses), cultural, entertainment, athletic, group assembly, social interaction, or educational purposes (including storage of related materials and equipment), and may also include within such a community facility compatible accessory uses such as restaurants, cafes, sports rental equipment and similar uses;

3. Water bodies and water features, including boat docks, piers, and landings that contribute to the quality, livability and amenity of the NP districts.
- C. Common use/open space shall not include:
  1. Streets, lanes, and similar roadways;
  2. Open parking areas, driveways, and loading facilities;
  3. School sites, except that publicly accessible green space and play areas shall be considered common use/open space;
  4. Open-air rooftop facilities such as rooftop decks and gardens not available for public use.
- D. If common use/open space is deeded to a homeowner's association, such legal instrument may take the form of a declaration of covenants and restrictions.

**Division II Mixed Use Residential - Waterfront Zoning District**  
**(NP-MUR-W)**

**18.66.060 Intent.**

The MUR district is characterized by a mix of housing types, neighborhood services such as retail and restaurants, common use/open space including open space, parks, and community facilities.

**18.66.070 Uses allowed without a use permit.**

The following uses shall be allowed in the NP-MUR-W district without a use permit:

- A. Family day care homes (small).
- B. Residential care facilities (small).
- C. Home occupations subject to the provisions of Section 18.104.090.
- D. Homeless and emergency shelters subject to the provisions of Section 18.104.065.
- E. Minor antennas meeting the requirements of Sections 18.119.240 through 18.119.260.
- F. Telecommunication facilities, other than satellite earth stations, which consist solely of wall-mounted antenna and related interior equipment and meet the performance standards specified in Section 18.119.200, provided that prior to issuance of any building permit, or the commencement of the use if no building permit is required, the director or the director's designee has issued a site plan approval pursuant to Chapter 18.140.
- G. Up to a maximum of two hundred-two dwelling units provided for sale or rental in multi-unit buildings constructed at densities of at least twenty dwelling units per acre, provided that the housing is consistent with approved design guidelines and adopted mitigation measures.
- H. Any use specified in Section 18.66.080 and which is allowed by an approved development plan.
- I. Farmworker housing providing accommodations for six or fewer employees and otherwise consistent with Health and Safety Code Section 17021.5 or successor provisions, subject to the conditions set forth in Sections 18.104.300 and 18.104.310, as applicable.

**18.66.080 Uses allowed upon approval of a development plan.**

The following uses shall be allowed in the NP-MUR-W district upon approval of a development plan:

A. Attached and detached single-family dwelling units and multiple family dwelling units as defined in Section 18.08.380, provided that at least three hundred four units, including units built pursuant to subsection (G) of Section 18.66.070, are developed at a density of at least twenty units per acre. For purposes of this Chapter 18.66 only, cohousing and dormitory or other student housing are deemed to be included in the definition of multiple family dwelling units. Cohousing and dormitory or other student housing may include, without limit, a common house with a common kitchen, dining area, children's play area, laundry, workshop, library, exercise room, crafts room, guest rooms, and/or other common areas. Timeshare units are not included in the definition of multiple family housing.

B. Child day care center as defined in Section 18.08.130.

C. Common use/open space as defined in Section 18.66.050.

D. Family day care homes as defined in Section 18.08.290, subject to Section 18.104.070.

E. Neighborhood services. Neighborhood services includes neighborhood-serving commercial uses, such as retail sales establishments, pharmacies, personal services establishments (e.g., dry cleaners, hair salons, nail salons, shoe or watch repair stores), physical fitness studios, and any other neighborhood serving non-residential use not expressly prohibited, limited to a maximum floor area of two thousand five hundred square feet. Neighborhood services also includes grocery markets limited to not more than twenty thousand square feet; restaurants and eating establishments, bars, lounges, and nightclubs; and office uses, as defined in subsection (B) of Section 18.66.160, that are located on the second floor and limited to a maximum of one thousand five hundred square feet per office. Allowed neighborhood services do not include businesses with drive-through facilities or any use with an on-site dry cleaning plant. Common use/open space, and commercial recreation facilities shall not be considered neighborhood services uses and are not subject to the use limitations set forth in subsection (D) of Section 18.66.040.

F. Outdoor and indoor commercial recreation.

G. Parking as provided in Sections 18.66.280 et seq.

H. Public safety facilities.

I. Public utility and public service buildings and facilities.

J. Other public facilities, such as post offices, public libraries, museums, and art galleries.

K. Residential care facilities as defined in Section 18.08.540.

L. 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 18.66.040.

M. Transit stations and terminals.

### **18.66.090 Density.**

Densities in the MUR district shall not exceed twenty dwelling units per acre, except where a density bonus is obtained pursuant to Section 18.107.150. Regardless of permitted densities, the total number of residential units shall not exceed the limitations in Section 18.66.040. Senior housing, as defined in subsection (L) of Section 18.66.080, shall not be included in the calculation of total dwelling units.



**18.66.100 Lot size.**

Buildable lots in the MUR district shall be a maximum of 2.7 acres. Minimum lot sizes shall be determined as set forth in the development plan.

**18.66.110 Height.**

- A. The maximum height in the NP-MUR-W district shall be fifty-five feet.
- B. The height of a structure shall be measured by the vertical distance from grade plane to the average height of the highest roof surface.
- C. Exemptions from height limits. The following features shall be exempt from the height limits established by this chapter, subject to limitations indicated:
  - 1. Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself.
  - 2. Additional building volume used to enclose or screen from view the features listed under subsection (C)(1) above and to provide additional visual interest to the roof of the structure.
  - 3. Railings, parapets and catwalks, with a maximum height of four feet and open railings, catwalks and fire escapes required by law, wherever situated.
  - 4. Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of ten feet.
  - 5. Unenclosed seating areas limited to tables, chairs and benches, and related wind screens, lattices and sunshades with a maximum height of ten feet.
  - 6. Landscaping, with a maximum height of four feet for all features other than plant materials.
  - 7. Flag poles and flags, and weather vanes.
  - 8. Cranes, scaffolding and batch plants erected temporarily at active construction sites.
  - 9. Cranes that exist in any of the NP districts at the time of approval of the development plan.
  - 10. Headhouses and/or enclosed roof access.
  - 11. Such other exemptions as are deemed reasonable, necessary, and appropriate by the director.

**18.66.120 Building and parking setbacks, landscaping, and lot coverage.**

Maximum lot coverage, landscaping, and building setbacks shall be determined as set forth in the development plan and design guidelines.

**18.66.130 Uses within enclosed structures.**

All operations shall be conducted completely within an enclosed structure, except as follows:

- A. Bus stops and transit stations.
- B. Common use/open space.
- C. Outdoor dining accessory to an approved use.
- D. Outdoor recreation uses.
- E. Parking and loading.
- F. Play areas for child day care centers.

- G. Temporary events and uses in accordance with subsection (I) of Section 18.66.040.
- H. Other similar uses or activities as determined by the zoning administrator.

**Division III Industrial/Business Park-Waterfront Zoning District**  
**(NP-IBP-W)**

**18.66.140 Intent.**

The purpose of the IBP-W district is to provide for office, hotel, and similar uses. Allowed uses in the IBP district are intended to be compatible with each other and with the adjoining nonindustrial areas. Land uses in the IBP district are subject to special performance standards to ensure harmonious, unified and cohesive development.

**18.66.150 Uses allowed without a use permit.**

The following uses shall be allowed in the IBP-W district without a use permit:

- A. Minor antennas meeting the requirements of Sections 18.119.240 through 18.119.260.
- B. Telecommunication facilities that meet the performance standards specified in Section 18.119.200, provided that prior to issuance of any building permit or the commencement of the use if no building permit is required, the director or director's designee has issued a site plan approval pursuant to Chapter 18.140.
- C. Homeless and emergency shelters subject to the provisions of Section 18.104.065.
- D. Any use specified in Section 18.66.160 and which is allowed by an approved development plan.

**18.66.160 Uses allowed upon approval of a development plan.**

The following uses shall be allowed in the IBP-W district upon approval of a development plan, subject to the limitations of Section 18.66.040:

- A. Hotel. One hotel is allowed within the IBP-W district with a maximum of one hundred fifty 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 18.66.050.

**18.66.170 [Reserved]**

**18.66.180 Height.**

- A. The maximum height in the IBP-W district shall be forty-eight feet.
- B. The height of a structure shall be measured by the vertical distance from grade plane to the average height of the highest roof surface.
- C. Exemptions from height limits. The following features shall be exempt from the height limits established by this Chapter 18.66, subject to limitations indicated:

1. Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself.
2. Additional building volume used to enclose or screen from view the features listed under subsection (C)(1) above and to provide additional visual interest to the roof of the structure.
3. Railings, parapets and catwalks, with a maximum height of four feet and open railings, catwalks and fire escapes required by law, wherever situated.
4. Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of ten feet.
5. Unenclosed seating areas limited to tables, chairs and benches, and related wind screens, lattices and sunshades with a maximum height of ten feet.
6. Landscaping, with a maximum height of four feet for all features other than plant materials.
7. Flag poles and flags, and weather vanes.
8. Cranes, scaffolding and batch plants erected temporarily at active construction sites.
9. Cranes that exist in any of the NP districts at the time of approval of the development plan.
10. Such other exemptions as are deemed reasonable, necessary, and appropriate by the director.

**18.66.190 Lot coverage.**

Site coverage in the IBP-W district shall be governed by the design guidelines, but in no case shall be more than fifty percent, except as otherwise provided in an approved development plan or use permit.

**18.66.200 Lot size.**

Buildable lots in the IBP-W district shall be a maximum of twenty acres. Minimum lot sizes shall be determined as set forth in the development plan, provided that the number of curb cuts per block for access to parking shall be limited as specified in the design guidelines.

**18.66.210 Landscaping, building and parking setbacks.**

Landscaping, building and parking setbacks in the IBP-W district shall be determined as set forth in the development plan and design guidelines.

**18.66.220 Uses within enclosed structures.**

All operations shall be conducted completely within an enclosed structure, except as follows:

- A. Bus stops and transit stations.
- B. Common use/open space.
- C. Outdoor dining accessory to an approved use.
- D. Outdoor recreation uses.
- E. Parking and loading.
- F. Play areas for child care facilities.

- G. Temporary events and uses in accordance with subsection (I) of Section 18.66.040.
- H. Vehicle storage yards.
- I. (Reserved.)
- J. Other similar uses or activities as determined by the director where a use permit is required.

**Division IV Industrial/Business Park Zoning District**  
**(NP-IBP)**

**18.66.230 Intent.**

The purpose of the IBP district is to provide for general wholesale sales commercial activities and similar uses. Allowed uses in the IBP district are intended to be compatible with each other and with adjoining areas. Land uses in the IBP district are subject to special performance standards to ensure harmonious, unified and cohesive development.

**18.66.240 Uses allowed without a use permit.**

The following uses shall be allowed in the IBP district without a use permit: those uses allowed without a use permit in the IBD-W district.

**18.66.250 Uses allowed upon approval of a development plan.**

The following uses shall be allowed in the IBP district upon approval of a development plan, subject to the limitations of Section 18.66.040:

A. General Wholesale Sales Commercial Activities. General Wholesale Sales Commercial Activities include the storage and sale, from the premises, of bulk goods, as well as the storage of such goods on the premises and their transfer therefrom to other firms or individuals; but exclude sale or storage of motor vehicles, except for parts and accessories, and sale or storage of materials used in construction of buildings or other structures. This classification does not include hardware or paint stores. This classification also excludes the retail sale from the premises of goods and merchandise, primarily for personal or household use, from stores whose total sales floor area exceeds one hundred thousand square feet, and which devote more than ten percent of sales floor area to the sale of non-taxable merchandise, except at stores classified as wholesale clubs, membership warehouse stores, or other similar establishments selling primarily bulk merchandise and charging membership dues or otherwise restricting merchandise sales to customers paying a periodic access fee. Such uses shall not exceed 154,000 square feet.

**18.66.260 Height, lot coverage, lot size, landscaping, setbacks.**

In the IBP district, standards governing height, lot coverage, landscaping and setbacks shall be the same as for the IBD-W district as established under sections 18.66.180 through 18.66.210.

**18.66.270 Uses within enclosed structures.**

All operations shall be conducted completely within an enclosed structure, except as follows:

- A. Those uses listed under section 18.66.220.

B. Uses appurtenant to General Wholesale Sales Commercial Activities (e.g., garden centers and gas stations).

**Division V General Standards**

**18.66.280 Parking.**

A. The number of off-street parking spaces required in the MUR, IBP-W and IBP districts shall be as set forth in Table 18.66.280 or in an approved development plan.

**Table 18.66.280**  
**Number of parking spaces required.**

<u>Use</u>	<u>Parking Spaces required</u>
Residential	
- Studio	1.25/unit
- 1-bedroom	1.5/unit
- 2-bedroom	2.0/unit
- 3-bedroom	2.0/unit
- Senior Housing	1.0 for each unit (includes employees)
- Residential (Guest parking)	1.0 per 4 units
Commercial-Retail	1 per 250 sq. ft.
Restaurants	1 per 120 sq. ft.
Hotel	1 per room (includes employees)
- Conference center	20 per 1,000 sq. ft. of gross floor area
- Food service facilities	included in above
- Retail	included in above
Light Industrial	
- Warehousing/Storage	1 per 1,000 sq. ft. for the first 20,000 sq. ft. and 1 per 2,000 sq. ft. for area exceeding 20,000 sq. ft.
- Office	1 per 250 sq. ft.
- Manufacturing	1 per 500 sq. ft.
- General Wholesale Sales Commercial Activities	1 per 200 sq. ft.

Notes:

- All required parking shall be provided off-street except for residential guest parking which may be provided on-street.
- Parking shall be based on gross floor area where indicated.
- Where the computation of required parking spaces produces a fractional result, fractions of one-third or greater shall require one full parking space.

B. Shared parking arrangements shall be allowed only in accordance with an approved development plan establishing standards for the distance between uses and parking spaces and establishing a maximum number of off-street parking spaces.

C. The location of off-street parking spaces shall be as set forth in an approved development plan. For uses in subsection (D) of Section 18.66.150 or in Section 18.66.240, the location and number of off-street parking spaces shall comply with Section 18.104.065.

**18.66.290 Bicycle parking.**

Section 18.110.040 shall apply to all non-residential uses in the NP districts.

**18.66.300 Off-street freight loading and service vehicle spaces.**

Off-street loading and service vehicle requirements shall be in accordance with Sections 18.110.040 through 18.110.060.

**18.66.310 Signage.**

A. In the MUR district, one monument and one wall-mounted building identification sign is permitted per building. The size, placement, maintenance, and design of the sign shall be consistent with the approved design guidelines.

B. In the IBP-W and IBP districts, signage shall be consistent with Sections 18.116.035 and 18.116.036 and the approved design guidelines.

C. Illumination. No sign shall be illuminated in a manner that would create aviation hazards of any kind, including but not limited to direct skyward projection, glare or mimicry of airport lights. Sign illumination will also be consistent with the approved design guidelines.

D. Street signage shall be consistent with Napa County standards and the approved design guidelines.

**Division VI Reviews and Approvals**

**18.66. 320 Process for review and approval of development plan and design guidelines.**

Within the NP districts, the application and review procedures described in Chapter 18.136 (Zoning Amendment) shall apply to the approval of the development plan and design guidelines.

**SECTION 3.** In addition to conforming with applicable requirements of the Napa County Code, all development plan approvals submitted under Chapter 18.66 and all subdivision map approvals affecting the Napa Pipe site shall be conditioned to implement mitigation measures as described in the Napa Pipe Developers Revised Proposal Project Mitigation Monitoring and Reporting Program adopted by resolution of the Board of Supervisors in Resolution No.       . In addition, such approvals shall be conditioned to require the following project components, which were described as features of the project upon which the analysis under CEQA was based:

1. Grading Assessor's Parcel Numbers 046-412-005 and 046-400-030, and filling all of APN 046-412-005 and a portion of APN 046-400-030 (+/- 16 acres) to a typical minimum elevation of 12 feet NGVD29 (National Geodetic Datum of 1929);
2. Construction of the access roads Assessor's Parcel Number 046-400-030 that are shown on the site plan attached as Exhibit B, including the bridge to Anselmo Court, and Anselmo Court/Corporate Drive improvements (roundabout or signalization) such that all access roads are also at flood elevation of 12 feet NGVD29;
3. "Will serve" approval from the Napa Sanitation District prior to building construction;
4. "Will serve" approval from a mutual water company or investor owned utility prior to building construction and evidence that potable surface water is being purchased from the City of Napa or an alternate source, to be used with groundwater as part of a conjunctive use program.
5. Obtaining any necessary Public Utilities Commission approvals, constructing three at grade railroad crossings with floodgates for use in flood events, and approval by the Director of Public Works of a mechanism to provide for flood gate implementation;
6. Phased construction of on-site roadways to the satisfaction of the Department of Public Works, as shown on the Site Plan attached as Exhibit B.
7. Wetland restoration and phased construction of the public trail along the Napa River, the riverfront park, the railroad park and the community subscription farm as shown on the Site Plan attached as Exhibit B, and approval by the Director of Public Works of a mechanism to provide for the maintenance of those facilities.

8. Construction of an at grade trail from the site to Kennedy Park, provided that the fee owner of the land necessary for access provides an easement for that purpose.

9. Concurrence of the Napa County Mosquito Abatement District that adequate access is provided to the site for vehicular access associated with District abatement activities, and the establishment of a funding mechanism sufficient to cover on-site vector control and necessary District abatement activities.

10. Evidence of an agreement with the Napa Valley Unified School District (“NVUSD”) regarding the acquisition of a site for a school located on +/- 10 acres located on APN 046-400-030.

**SECTION 4.** Approximately 80.5 acres located off 1025 Kaiser Road, approximately 1/3 mile west of Highway 221/Soscol Avenue and 1/4 mile north of Highway 29, on Assessor’s Parcel Numbers 046-400-030 and 046-412-005 as identified on the on the Official Maps of the Napa County Assessor in effect at the time this ordinance takes effect, and as shown on Exhibit “A” attached hereto and incorporated herein by reference, is hereby rezoned from I:AC (Industrial: Airport Compatibility District) to NP:AC (Napa Pipe Zoning District: Airport Compatibility District) and associated Napa Pipe principal districts, as shown on Exhibit “A.” The official zoning map shall be amended to reflect this change consistent with the requirements of Chapter 18.12.

**SECTION 5.** The +/- 73.5-acre portion of Assessor’s Parcel Number 046-400-030 that is not rezoned NP-IBP, as shown on Attachment “A,” shall retain its I:AC (Industrial: Airport Compatibility District) zoning designation.

**SECTION 6.** The Board further finds that, pursuant Chapter 4, Title 7, commencing with Section 65800, of the California Government Code, this Ordinance is consistent with the



following goals, policies and action items of the 2008 General Plan Update and as amended by Resolution concurrent with the adoption of this Ordinance: Goals AG/LU – 2, 3, 5; CIR-1; CC-8; CON-11; H-1; ROS-2; and Policies AG/LU-28, 30, 42, 52, 93, 94, 95, 119; CIR-1, 3, 4, 38; CC-36, 44, 45; E-5, 8; H-2b, 2c, 4a, 4d; ROS-14, 22, 23, 24; and Action Items AG/LU-94.1; and CC-45.1.

**SECTION 7.** 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 8.** This Ordinance shall be effective thirty (30) days from and after the date of its passage.

**SECTION 9.** 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 the County of Napa, together with the names of members voting for and against the same.

The foregoing Ordinance was introduced and public hearing held thereon before the Napa County Conservation, Development and Planning Commission at a special meeting of the Commission on the 3rd day of October, 2012, and was passed at a meeting of the Board of Supervisors of the County of Napa, State of California, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the following vote:

AYES:            SUPERVISORS            \_\_\_\_\_

NOES: SUPERVISORS

ABSTAIN: SUPERVISORS

ABSENT: SUPERVISORS

\_\_\_\_\_  
KEITH CALDWELL, Chairman  
Napa County Board of Supervisors

ATTEST: GLADYS I. COIL  
Clerk of the Board of Supervisors

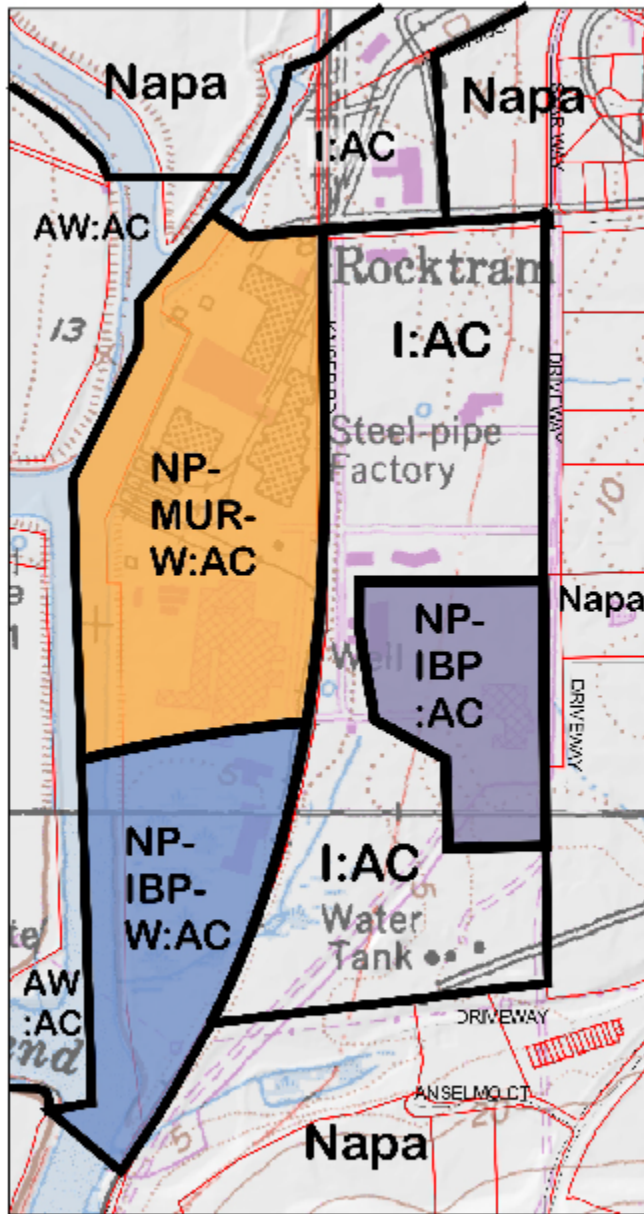
By: \_\_\_\_\_

<b>APPROVED AS TO FORM Office of County Counsel</b>	<b>Approved by the Napa County Board of Supervisors</b>
By: _____ (by e-signature) Deputy County Counsel	Date: _____
By: _____ (by e-signature) County Code Services	Processed by: _____
Date: _____	Deputy Clerk of the Board

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON \_\_\_\_\_.

\_\_\_\_\_, DEPUTY  
GLADYS I. COIL, CLERK OF THE BOARD

**NAPA PIPE (Exhibit - A)**



09-17-2012

Napa County Commission  
Development and Planning Department

### NAPA PIPE (Exhibit - B)



09-17-2012

Napa County Conservation  
Development and Planning Department