

ORDINANCE NO. 95-14

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AMERICAN CANYON ADOPTING THE
PROPOSED PLANNED COMMUNITY ZONE**

The City Council of the City of American Canyon does ordain as follows:

Section 1. Purpose and Intent

The Planned Community Zone is created to:

- a. Provide a mechanism for implementing sub-area policies contained in the General Plan Land Use Element.
- b. Provide for a measured degree of flexibility in development standards to promote creative development concepts, including increased areas devoted to functional open space and a more thoughtful relationship between dwelling units and open space.
- c. Promote provision of additional amenities such as community facilities in conjunction with implementation of development standards that are generally more flexible than traditional residential zoning standards.
- d. Establish standards and parameters for contemporary development concepts such as attached or detached cluster single-family housing or a mix of similar use types.
- e. Encourage the use of cluster development opportunities to preserve significant environmental resources.
- f. Establish standards for variation of lot sizes to facilitate and ensure sufficient diversity in housing styles, types, sizes and costs.
- g. Establish parameters for project phasing that reflects the City's ability to provide services and infrastructure in a logical, orderly cost effective manner.

Section 2. Zone Change and Conceptual Master Plan

All proposals to utilize provisions of this chapter will require rezoning to the Planned Community Zone and approval of a Planned Community Conceptual Master Plan. The Planned Community Conceptual Master Plan shall be made a part of the City's official Zoning Map.

Section 3. Planned Community Development Permit

A Planned Community Development Permit is the implementing mechanism of the Conceptual Master Plan and may be processed either concurrent with or subsequent to the rezone and Conceptual Master Plan.

Section 4. Relationship of Conceptual Master Plan and Planned Community Development Permit to Related Entitlements

Related entitlements may be processed either subsequent *to* or concurrent with a Planned Community Development Permit. Notwithstanding the foregoing, a tentative subdivision map may be processed concurrently with a Conceptual Master Plan.

Section 5. Permitted Uses

There shall be no principally permitted uses other than those approved under a Conceptual Master Plan and approved Planned Community Development Permit or modification thereof.

Section 6. Neighborhood Commercial Uses in Areas Designated for Residential Land Uses

Neighborhood commercial uses may be permitted in areas designated for residential land uses on the General Plan Land Use Map if approved under a Conceptual Master Plan pursuant to the specifications and limitations contained in the Land Use and Sub-Area schedule within the General Plan Land Use Element.

Section 7. Permitted Densities

Permissible gross densities within a Planned Community Master Plan area shall be as specified in the General Plan and Land Use Map. Densities proposed for a portion of a Planned Community Master Plan area may exceed densities established under the General Plan if overall densities within the boundaries of the Master Plan area remain consistent with the established General Plan density range. Cluster single-family attached (including townhomes) or semi-attached housing may be considered in areas designated single-family residential on the General Plan Land Use Map if it can be clearly demonstrated that such clustering results in 1) greater protection of environmental resources including, but not limited to, steep hillsides or biological resources/sensitive habitats, or results in provision of an amenity or amenities of community wide importance; and 2) is consistent with specifications contained in the Land Use and Sub-Area Schedules contained in the General Plan Land Use Element.

Section 8. Minimum Site Area

10 Acres.

Section 9. Procedures and Submittal Requirements Pertaining to Establishment of a Planned Community Zone

- a. Conceptual Master Plan: Proposals to establish a Planned Community Zone shall be accompanied by a Conceptual Master Plan containing the information set forth below:

1. Background information on physical characteristics of the Concept Plan area, including a detailed topographic map; the location of all drainage courses, and a vicinity map showing all adjacent uses and physical features and any necessary environmental information, including special studies as may be required based on environmental sensitivity maps contained in the General Plan.
2. The proposed locations of various land uses and intensities of land use, including proposed street and lot layouts, street and infrastructure connections to adjacent properties, the location of off-street parking areas, preliminary grading information including heights and widths of proposed manufactured slopes and any other pertinent information contributing to the understanding of the overall development concept.
3. Areas proposed to be dedicated, reserved or developed for parks, parkways, school sites, public or quasi-public buildings or similar uses. Sufficient topographic and soil condition information shall be provided for these areas to establish that they would be functional for the intended uses.
4. A description of the proposed development concept shall be an attachment and part of the Conceptual Master Plan. The description should set forth proposed lot sizes and patterns, any unique architectural or site plan themes or elements that will be incorporated into the project, typical sketches for plotting of houses, criteria for addressing unique circumstances such as interface between differing land uses, any unique grading techniques that will be utilized, or similar information that will establish the parameters for exhibits, standards and conditions that will be necessary for submittal of a Planned Community Development Permit and related entitlement applications.
5. An Infrastructure Master Plan, evaluating sizing and extensions of infrastructure necessary to serve all phases of the development and any future planned development of adjacent areas. Included shall be a fiscal impact study analyzing costs of new demand for necessary infrastructure and services on both a short and long term basis, and how they will be funded, and potential funding shortfalls. These requirements may be reduced or waived for provided Master Plan areas containing 20 acres or less in area.
6. An engineering analysis of infrastructure capacities, including the ability of the City to provide water and treat wastewater during peak periods or under reduced allocation years. The analysis shall include projected water use and wastewater generation at project buildout, current City uses and capacities, and anticipated uses and capacities at buildout.
7. Tentative Subdivision Map (Optional; may be deferred until Planned Development Permit Phase at discretion of Planned Community Proponent).

8. A preliminary Phasing Plan indicating sequence of development and related subdivision of land. Maximum buildout rate may be established based on the fiscal analysis and infrastructure capacity analysis. A funding mechanism must be established to pay for all necessary infrastructure for each phase of development. Phasing plan requirements may be reduced or waived for proposed Master Plan areas containing 20 acres or less in area.
 9. Rate of anticipated development (Required at Conceptual Master Plan stage if a tentative map is processed concurrently).
 10. Preliminary information on anticipated home prices, rental rates and dwelling sizes.
 11. A statement from the Napa Unified School District indicating school capacities and facility needs in the vicinity of the proposed planned community.
 12. Any other information that may be deemed necessary by the City to properly assess the zone change request.
- b. Planning Commission Review: The Planning Commission shall review and make a recommendation to the City Council regarding the proposed Planned Community Zone and Conceptual Master Plan following a duly noticed public hearing based on standards and findings outlined herein.
- c. City Council Action: Upon receipt of the recommendations of the Planning Commission, the City Council shall conduct a duly noticed public hearing to consider the request to establish a Planned Community Zone and Conceptual Master Plan. In the event that the Planning Commission recommends against the zone change to a Planned Community Zone, the City Council need not take further action on the zone change unless an interested party files a request for a hearing with the City Clerk within five (5) days after the Planning Commission files its recommendations with the City Council (Government Code section 65856). The Council's action shall be based on conformity with the adopted General Plan and compliance with all applicable standards and findings set forth herein.

Section 10. Procedures and Submittal Requirements for Approval of a Planned Community Development Permit

- a. A Planned Community Development Permit application shall contain detailed development information either for a portion or all of the Conceptual Master Plan Area as set forth below. Additional information or clarification of submittal materials may be requested as deemed necessary by the City based on project specific issues or characteristics.

1. Specific lot and street layout fully dimensioned and to scale.
 2. Complete plot plans for all proposed dwellings, buildings and structures, fully dimensioned and to scale (may be submitted in phases based on development sequence).
 3. Detailed building elevations fully dimensioned and to scale (may be submitted in phases based on development sequence).
 4. Floor plans for each type of dwelling or structure being proposed (may be submitted in phases based on development sequence).
 5. Illustrative drawings showing the relationship between interior dwelling areas and usable private yards and interior spaces (may be submitted in phases based on development sequence).
 6. Detailed landscape and improvements plans for all open space, recreational, greenbelt, parkway, common space and slope areas.
 7. Detailed grading information including height and width of all manufactured slopes.
 8. A preliminary drainage plan.
 9. Proposed tentative subdivision or parcel map if not submitted under the Conceptual Master Plan.
 10. A final phasing plan.
 11. Rate of anticipated development which may be defined by the City under the terms of the Planned Community Development Permit.
- b. Planning Commission Action: The Planning Commission shall be the final decision making authority for a Planned Community Development Permit unless appealed pursuant to procedures established under Section 9.c.
- c. Establishment of Conditions: The Planning Commission or City Council may impose any and all conditions on the Planned Development Permit necessary to ensure implementation of the Planned Community Conceptual Master Plan in a manner consistent with the General Plan, the standards in the Planned Community Zone, and as may be required to protect the public health, safety and general welfare.
- d. Subsequent Entitlements within the Master Plan Area: Following approval of a Conceptual Master Plan and Planned Community Development Permit, applications

may be acted upon for subdivision or development of the property in accordance with the plans, terms and conditions of the Planned Development Permit. Concurrent processing of the Conceptual Master Plan, Planned Community Development Permit and related entitlement requests may be permissible if said entitlements are consistent with the Conceptual Master Plan and Development Permit and the Zone Change and Development Permit are approved prior to other entitlement requests. Said subsequent entitlement requests shall be processed in accordance with the applicable procedures established in the Zoning and Subdivision Ordinances.

Section 11. Development Standards - Single-Family Subdivisions Including Those Proposing Lot Sizes Smaller than the Baseline Lot Size

The following standards shall be applicable to all single-family residential subdivisions within areas designated single-family or multi-family residential on the General Plan Land Use Map unless otherwise noted. The intent of these standards is to provide a measured degree of increased flexibility over standard single-family zoning while establishing compensating or circumstances that would justify greater variation than what would normally be expected. Minimum standards are established to ensure that the basic integrity of the single-family General Plan designation is retained and that a range of lot sizes be provided to meet both current and future City housing needs for various home types and market ranges.

- a. **Baseline Lot Size/Mix of Lot Sizes:** The baseline lot size shall be 6500 s.f. A reasonable proportion of lots proposed within a Planned Community may be less than the baseline with a minimum lot size of 4500 s.f. All lot sizes within a Planned Community may be larger than 6500 s.f. although the reverse in which all lots are less than 6500 s.f. is not permitted. The distribution and ratio of lot sizes shall be based on the following factors:
1. Topographic and other physical constraints
 2. Lot sizes and intensities of surrounding land uses.
 3. Proximity to common or public open spaces.
 4. Preservation of significant environmental resources.

The above standards are not applicable to areas designated multi-family on the General Plan Land Use Map where the acceptable minimum lot sizes and mix of lot sizes shall be established under a Conceptual Master Plan and Planned Community Development Permit.

- b. **Exceptions for Extraordinary Features:** Exceptions to the lot size and mix limitations under may be considered for significant community facilities or amenities proposed under a Conceptual Master Plan. Significant community facilities include, but are not limited to, an improved public park encompassing an area equal to or larger than park

area per population requirement established in the Parks & Recreation Element of the General Plan, a recreational facility or daycare center serving the proposed community and the community at large, regional trail improvements, or significant contributions (land, facilities, or combination thereof) to school facilities. A determination of any exception pursuant to this section shall be made during review of the Conceptual Master Plan.

- c. Lot width: Lot widths shall be 50 feet or greater but may be less if it can be clearly demonstrated that a lesser lot width will not result in over concentration or minimal separation of structures, excessive garage door width in proportion to overall dwelling width, or reduced articulation of the front entry.
- d. Lot Depth: Lot depths shall be 90 feet or greater but may be less if it can be clearly demonstrated that adequate private area is being provided despite lesser lot depth or compensating common open space is provided adjacent to the lots.
- e. Lot Design: Lots shall generally be rectangular in shape and reasonably proportioned. The number of abutting lots shall be minimized.
- f. Dwelling/Garage Proportion: Garage door width shall not be the dominant architectural feature of the front dwelling elevation. Garage doors shall not occupy more than 50% of the width of the front of the dwelling unless it can be clearly established that the front entry is clearly defined through use of a porch or similar feature and prominence of the garage door is reduced through use of second story architectural elements above, multiple panel garage doors rather than a single panel or similar measures.
- g. Front setbacks: The minimum front setback from back of sidewalk to the main dwelling is 14'. The minimum setback from the back of sidewalk to face of garage (attached or detached) shall be 20' except for side entry garages which may be setback a minimum of 14'.
- h. Front setback variation: No more than three consecutive dwellings shall contain the same front setback. A minimum variation of 5' is required with the minimum front setback of 14'.
- i. Rear setback: The minimum rear setback is 20'. The minimum setback to the top or toe of a manufactured slope with a steepness greater than or equal to 3:1 shall be 15'. The minimum setback for a detached or attached garage (without a second story) is 5'. Reduced setback may be permitted for private yards abutting significant common open space. Reduced setbacks for patio covers, decks or other accessory structures may be established pursuant to special standards under the Planned Community Permit.

- j. Side yard setbacks: A "0" lot line may be permitted on one side if a 15' separation between dwellings is provided on the opposite side. In all other cases, the minimum side yard setback shall be 5' on one side with a minimum 10' setback on the opposite side. Alternatives may be considered if development plans clearly establish that dwelling separations and viewsheds are enhanced, privacy impacts are minimized, and grading impacts on the adjacent property are no greater than they would be with the standard setbacks.
- k. Shared driveways: Shall be encouraged whenever feasible.
- l. Maximum building height: 2 1/2 stories or 30' measured to the mid-point of a hip or gable type roof or the top of a flat roof.
- m. Private open space: A minimum of 500 s.f. of fenced private yard area is required for each single-family lot. Exceptions may be considered for dwellings abutting common open space areas that are functional for outdoor recreational activities. All dwellings shall have direct access to private yard areas. Private yard areas shall be oriented on the south or west sides of buildings to the greatest extent feasible to ensure penetration of low winter sun angles. Alternatively, the fenced yard area shall have adequate dimensions to reduce shading effects of a north building location.
- n. Building elevations: Similar architectural treatment shall be utilized on all sides of a building. Massing of second story elements shall be reduced through use of multiple roof lines, variation of wall planes and incorporation of architectural features such as dormers or multiple gable roof ends.
- o. Garage Doors: All garage doors shall be of equal or greater quality to that provided by the roll up variety. Swing up doors are not permitted.
- p. Defined dwelling entries: All dwelling units shall incorporate architectural elements that clearly define unit entries. All unit entries shall be highly visible and oriented to the street to minimize security problems.
- q. Passive solar design: All dwellings shall have sufficient roof overhangs to promote winter heating and summer shading. Main mass of dwellings shall be oriented so as to take advantage of southerly exposures wherever feasible with consideration also given to prevailing southwest wind flows. Attached garages on the south side of dwellings shall be avoided except where no reasonable alternative exists.
- r. Common open space/public facilities: All projects proposing single-family dwelling lots smaller than the baseline minimum lot size shall include additional amenities and open spaces accessible by all project residents to compensate for reduced private yard areas. Open space areas must be large enough to be usable for sports and other outdoor activities. Neighborhoods shall be planned around these features to create

areas. Open space areas must be large enough to be usable for sports and other outdoor activities. Neighborhoods shall be planned around these features to create community focal points. Size and type of facilities required will be based on project size and location. The open spaces and facilities may be public or private depending on the terms of the Planned Community Development Permit.

- s. Perimeter Walls: Every effort shall be made to reduce the need for perimeter walls. This may be accomplished through creative grading techniques, street and lot orientation, alternative land uses or residential densities at project perimeters or similar measures. If perimeter walls are unavoidable, a greenbelt of adequate width to minimize visual impacts of perimeter walls shall be provided adjacent to arterial or collector streets.
- t. Private streets: Private streets may be permitted if a Homeowners Association is established for ongoing maintenance. The minimum standard section for a private street shall include sidewalks on both sides of the street, two travel lanes, and space available on both street sides for parallel parking. More extensive roadway improvements may be required depending on anticipated traffic levels. Alternative sections for private driveways may be considered based on function and location. Parking on both sides of the street may not be required where rear garage access is provided and is deemed consistent with the Conceptual Master Plan.

Section 12. Development Standards - Multi-Family Residential Including Apartments, Townhouses and Condominiums

All Planned Community Conceptual Master Plan and Development Permit proposals containing the above development types within a portion or entire project area shall comply with the following standards set forth below.

- a. Required Setbacks: Minimum building setback for principal structures on all perimeter property lines shall be 20' except for arterial frontages where a minimum of 30' shall be provided. Side and rear yard setbacks for accessory structures shall be established under the Planned Community Development Permit. All parking areas shall be setback a minimum of 20' from arterial frontages. All setback areas shall be fully landscaped.
- b. Maximum Building Height: 2 1/2 stories or 30' measured to the mid-point of a hip or gable type roof or the top of a flat roof.
- c. Minimum Separation Between Buildings Containing Dwelling Units: 20'.
- d. Common Usable Open Space: A minimum 30% of the project area devoted to multi-family uses shall be devoted to usable common open space for passive or active recreational uses. For purposes of meeting this requirement, usable open space areas

shall not include public rights-of-way or private streets/driveways; vehicle parking areas; areas adjacent to or between any structures less than 15' apart; private patios or yards; or areas having slopes of 3:1 or steeper. Common open space and recreational amenities shall be centrally located to serve as neighborhood focal points. Wherever possible, open spaces shall be visible from living areas within individual dwelling units to allow convenient supervision of children.

- e. Private Open Spaces: Each dwelling unit shall have a defined private open space area (balcony or patio) with minimum dimensions of 10' x 10'. These areas shall be fenced or within an enclosed balcony. Private yards abutting a major common open space area shall utilize low (4 1/2' or less in height) fencing that is architecturally compatible with building design. Other fences shall be a maximum of 6' in height.
- f. Building Design: Multiple family residential structures, including townhouses and condominiums, shall be designed to break up long wall or roof planes by providing defined unit entries, multiple roof lines, offsets in wall planes or similar features. Architectural treatment shall be provided on all building sides. Structures containing multiple units shall incorporate architectural elements that define individuality of each dwelling within the structure. This can be accomplished through provision of secondary roof line features such as secondary gables or porches that accentuate unit individuality.
- g. Design of Carports, Garages, Trash Enclosures and Other Accessory Structures: Design of said structures shall reflect the architecture of the primary buildings with respect to style, colors and materials.
- h. Garage Doors: All garage doors shall be of equal or greater quality to that provided by the roll up variety. Swing up doors are not permitted.
- i. Climatic Conditions/Passive Solar Design: All dwellings shall incorporate adequate roof overhangs to provide shading of the high summer sun while allowing passive solar heating from the low winter sun. Main mass of dwellings shall be oriented to take advantage of southern exposures to the maximum extent feasible with consideration also given to prevailing southwest wind flows. Private yard areas shall be oriented on the south or west sides of buildings to ensure penetration of low winter sun angles. Alternatively, the fenced yard area shall have adequate dimensions to ensure adequate direct solar gain to a portion of the private yard.
- j. Driveway Approaches/Design Features: All primary driveway approaches serving a multi-family development shall be delineated with interlocking pavers, decorative concrete, landscape medians or similar features.

Section 13. Findings

In order to issue a Planned Community Development Permit, the following findings shall be made:

- a. That the land use and development plan proposed is consistent with the General Plan and any adopted Specific Plan or Conceptual Master Plan applicable to the area of the proposed project.
- b. That the proposed Planned Community contains a development concept and standards that ensure a residential environment of sustained desirability and stability that is in harmony with the character of the surrounding neighborhood.
- c. That the proposed Planned Community contains adequate sites for any necessary public facilities and incorporates useable common and private open space or public park space that in combination result in open space levels and amenities equal to or greater than what can be achieved under traditional zoning standards.
- d. That plan details have been provided indicating that unit design and orientation to open space and vehicular traffic ways will facilitate cohesive neighborhood patterns, and an attractive living environment.
- e. That the automobile, bicycle and pedestrian traffic systems are adequately designed to meet anticipated needs and to minimize potential conflicts with each other.
- f. That a phased development plan has been established that is consistent with the City's ability to provide infrastructure and services to the proposed Planned Community.
- g. That a mix of lot sizes and unit types is provided that is appropriate to project scale and consistent with Housing Element Policies for diversity in the City's housing stock.
- h. That any exception to the baseline lot size and mix requirements is compensated for by provision of public facilities and amenities of community wide importance.

Section 14. Master Plan Modifications

No substantial change from an approved Planned Community Conceptual Master Plan and Development Permit may be permitted unless approved by the original final decision making authority. Minor revisions consistent with the final approved Planned Community Development Permit may be approved by the Planning Director.

For the purposes of this section, "substantial change" shall mean any change in land use, change in the number of permitted dwelling units, reduction in open space amenities, modification of overall

design concepts, elimination, addition or rerouting of streets, or similar changes materially affecting the approved Master Plan concept. All such changes will require review by the Planning Commission and formal approval by the City Council subject to procedures contained in Section 9 (b)(c) or 10 (b), whichever is applicable.

Section 15. Modifications - Review Procedures

All substantial changes shall require public hearings in accordance with procedures established in Section 9 (b)(c) or 10 (b), whichever is applicable. All minor changes may be approved by the Planning Director without notice or hearing unless deemed appropriate by unique circumstances. Minor changes may be referred at the discretion of the Planning Director to the Planning Commission or may be appealed to the Planning Commission whose decision may be appealed to the City Council.

Section 16. Revocation

In the event of a violation of any of the terms, conditions, or approved plans pertaining to an approved Planned Community Conceptual Master Plan and Development Permit, the City Council, after public notice and hearing, may revoke or modify a previously approved Planned Community Conceptual Master Plan and Development Permit and initiate rezoning to an appropriate standard zone district consistent with the General Plan designation applicable to the property.

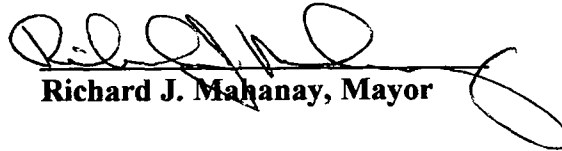
Section 17. Expiration of Planned Community Development Permit

A Planned Community Development Permit issued in conjunction with a tentative subdivision map shall expire no sooner than the approved tentative subdivision map, or any extension thereof, whichever occurs later.

A Planned Community Development Permit not issued in conjunction with a tentative subdivision map shall expire two (2) years after the date of approval or an alternate date specified as a condition of approval, unless the permit has been initiated through commencement of substantial construction in good faith reliance on the permit or an extension has been granted. Upon application prior to the expiration of the Planned Community Development Permit, the time at which the permit expires may be extended for a period or periods not exceeding a total of three (3) years. Prior to the expiration of a Planned Community Development Permit, upon an application to extend the permit, the permit shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved or denied, whichever occurs first. If the application for extension is denied, the decision may be appealed to the City Council within fifteen (15) days after the Planning Commission has denied the extension. Should a Planned Community Development Permit expire, a rezoning of the property shall be initiated to an appropriate standard Zoning District consistent with the applicable General Plan designation.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of American Canyon held on the 8th day of June, 1995, by the following vote:

AYES: Councilmember Winters and Mayor Mahanay
NOES: Councilmember Cypher
ABSTAIN: None
ABSENT: Councilmember Orlando and Mayor Pro Tem Anderson


Richard J. Mahanay, Mayor

ATTEST:

APPROVED AS TO FORM:


Ralph Freedman, City Clerk


William D. Ross, City Attorney