

**ORDINANCE NO. 2004-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON  
APPROVING ZONING ORDINANCE AND MAP AMENDMENT 03-01 TO AMEND ZONING  
ORDINANCE CHAPTER 19.11, TABLE 2 REGARDING DEVELOPMENT STANDARDS FOR  
HOTELS, AND AMEND THE OFFICIAL ZONING MAP TO RECLASSIFY  
NAPA JUNCTION PARCELS 3 AND A TO RESIDENTIAL HIGH 2 (RH-2)**

**WHEREAS**, pursuant to Section 65850 of the State Planning and Zoning Law, the City of American Canyon adopted a Zoning Ordinance in 1996 to regulate the use of buildings, structures, and land; the location, height, bulk, number of stories, and size of buildings and structure; the size and use of lots; and the intensity of land uses; and to establish requirements for off-street parking and loading and building setback lines; and,

**WHEREAS**, an application for an amendment to the American Canyon Zoning Ordinance has been submitted by Lake Street Ventures in conjunction with the Napa Junction Master Plan to increase the maximum number of stories to three, the maximum floor area ratio to .50, and the maximum height to 42 feet in the CC Zoning District for hotels; and,

**WHEREAS**, an application for an amendment to the American Canyon Official Zoning Map has been submitted by Lake Street Ventures in conjunction with the Napa Junction Master Plan to reclassify Napa Junction Parcels 3 and A from Community Commercial (CC) to Residential High 2 (RH-2) to allow the construction of three-story apartment buildings; and,

**WHEREAS**, Zoning Ordinance Chapter 19.48 provides that the City Council may amend the Zoning Ordinance and the Official Zoning Map after the amendment is referred to the Planning Commission for review and recommendations; and,

**WHEREAS**, the Planning Commission adopted PC Resolution 2003-15 recommending approval of the subject amendments; and

**WHEREAS**, the potential environmental impacts associated with the proposed amendments were evaluated by an Initial Study and addressed by the Mitigated Negative Declaration of Environmental Impact for Napa Junction; and,

**WHEREAS**, a duly-noticed public hearing was held by the City Council on December 18, 2003 for the amendments application, at which time all those in attendance were given the opportunity to speak; and,

**WHEREAS**, the City Council considered all of the written and oral testimony presented at the meeting in making its decision.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council does hereby find, based on the following evidence, that:

1. *The requested zoning map and ordinance amendments are consistent with the City of American Canyon General Plan.*

The proposed zoning map amendment to reclassify the multi-family site to RH-2 is consistent with the intent of the CC land use designation and the Subarea N policies, which is to allow 25 percent of a commercial site to be developed with RH-density residential uses.

The proposed zoning ordinance amendment modifying CC District development standards for hotels will be consistent with the General Plan when the requested general plan amendment is approved.

2. *The requested zoning map and ordinance amendments are consistent with the purposes of this [Zoning] Title, as set forth in Chapter 19.01, Authority, Purposes, and Effects of the Zoning Ordinance.*

There are no purposes of Chapter 10.01 that apply to the proposed zoning map and ordinance amendments.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of American Canyon does hereby adopt **Ordinance No. 2004-05**, based on the findings outlined herein, to:

1. Amend Zoning Ordinance Chapter 19.11, Table 2 (Development Standards for Commercial Districts) to increase the maximum number of stories to three, the maximum FAR to .50, and the maximum height to 42 feet in the CC Zoning District for hotels.
2. Amend the Official Zoning Map to reclassify Napa Junction Parcels 3 and A from Community Commercial (CC) to Residential High 2 (RH-2).

#### **SECTION I. Effective Date**

This ordinance shall take effect thirty (30) days after its adoption. A summary of this Ordinance shall be published once in the Vallejo Times Herald, a newspaper of general circulation serving the City of American Canyon, within fifteen (15) days after its passage.

#### **SECTION II. Severability**

The provisions of this Ordinance shall be severable. If any portion is found to be unconstitutional, illegal or invalid, the remainder shall survive and remain effective and enforceable.

The foregoing Zoning Ordinance and Official Zoning Map Amendments were introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 18<sup>th</sup> day of December 2003, and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 15<sup>th</sup> day of January, 2004, by the following vote:

**AYES:** Luporini, Shaver, Anderson, Colcleaser, Garcia

**NOES:** None

**ABSTAIN:** None


**ABSENT:** None

  
Lori Luporini, Mayor

**APPROVED AS TO FORM:**

  
William D. Ross, City Attorney

**ATTEST:**

  
Kay Woodson, City Clerk