



**City of American Canyon  
CITY COUNCIL  
ORDINANCE 2009- 04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING THE ADDENDUM TO THE NAPA COUNTY AIRPORT SPECIFIC PLAN EIR AND ADOPTING ZONE CHANGE PRE08-0001 TO PREZONE THE PANATTONI, HEADWATERS AND ATKINS PROPERTIES IN ACCORDANCE WITH THE NAPA COUNTY AIRPORT INDUSTRIAL AREA SPECIFIC PLAN**

**WHEREAS**, In July 2008, the City of American Canyon and Napa County entered into an agreement whereby the City of American Canyon agreed to streamline its water service regulations in return for the County's agreement to amend the City's Rural-Urban Limit Line and support City annexation of the Panattoni, Headwaters, and Atkins properties; and

**WHEREAS**, In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the City must approve zoning regulations for the property before the property is annexed into the City; and

**WHEREAS**, the Panattoni, Headwaters and Atkins properties in the Napa County Airport Industrial Area Specific Plan ("subject properties") were zoned for industrial and airport uses by Napa County in 1986 through the Napa County Airport Industrial Specific Plan; and

**WHEREAS**, the proposed prezone would use the same zoning district regulations as the Napa County Airport Industrial Area Specific Plan; and

**WHEREAS**, an addendum to the EIR for the Napa County Airport Industrial Area Specific Plan project has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the CEQA Guidelines (California Administrative Code, Title 14, Section 15000, et seq.); and

**WHEREAS**, on December 18, 2008, the Planning Commission conducted a duly-noticed public hearing and unanimously recommended City Council approval of the project; and

**WHEREAS**, a duly-noticed public hearing was held by the City of American Canyon City Council on January 20, 2009, at which time all those in attendance were given the opportunity to speak on the proposal; and

**WHEREAS**, the City Council considered all of the written and oral testimony presented at the public hearing in making its decision; and

**WHEREAS**, on February 4, 2009, the Napa County Airport Land Use Commission unanimously determined the rezoning is in conformance with the Napa County Airport Environs Land Use Plan.

**NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY ORDAIN:**

### **SECTION 1. CEQA**

That the Specific Plan was previously approved through an Environmental Impact Report. The proposed rezoning of the properties with the same zoning designations and development standards does not result in any new environmental impacts. For this reason, an Addendum to the EIR for the Napa County Airport Industrial Area Specific Plan project has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) and the CEQA Guidelines (California Administrative Code, Title 14, Section 15000, et seq.).

### **SECTION 2. FINDINGS**

1. The amendment is consistent with the goals and policies of the general plan.

The General Plan of the City of American Canyon designates the properties as Industrial. The proposed Napa County Specific Plan land use designations are consistent with the City of American Canyon industrial land use category. Therefore, the proposed rezoning designations are consistent with the City of American Canyon General Plan.

2. The amendment is consistent with the purposes of this title, as set forth in Chapter 19.01, Authority, Purposes and Effects of the Zoning Ordinance.

The Napa County Airport Industrial Specific Plan provide land use designations that will guide appropriate and compatible land uses within the Airport Industrial Specific Plan. These regulations will ensure that the City of American Canyon Zoning Code purposes are met over the long term.

### **SECTION 3. PREZONING DESIGNATION**

The City Council of the City of American Canyon hereby approves the Addendum to the EIR for the Napa County Airport Industrial Area Specific Plan and the designation of the Panattoni, Headwaters, and the Atkins properties as "SP-2 Napa County Airport Industrial Area Specific Plan" on the City of American Canyon Zoning Map as depicted on Exhibit A and as described on Exhibit B.

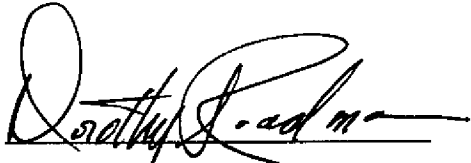
**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of American Canyon on February 17, 2009, by the following vote:

**AYES:** Garcia, Callison, Bennett, Coffey, West  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None



Leon Garcia, Mayor

**ATTEST:**

  
Dorothy Roadman, City Clerk

**APPROVED AS TO FORM:**

  
William D. Ross, City Attorney

Zoning Districts	
RE	Residential Estate
RR-20,000	Rural Residential
RR-10,000	Rural Residential
RS-8000	Suburban Residential
RS-6500	Suburban Residential
RM	Medium Residential
RH	High Residential
RH-1	12-16 Units Per Acre
RH-2	20 Units Per Acre
PC	Planned Community
SP	Specific Plan
SP-1	Southeast Area
CN	Neighborhood Commercial
CC	Community Commercial
TC	Town Center
P	Public
LI	Light Industrial
GI	General Industrial
OS	Open Space

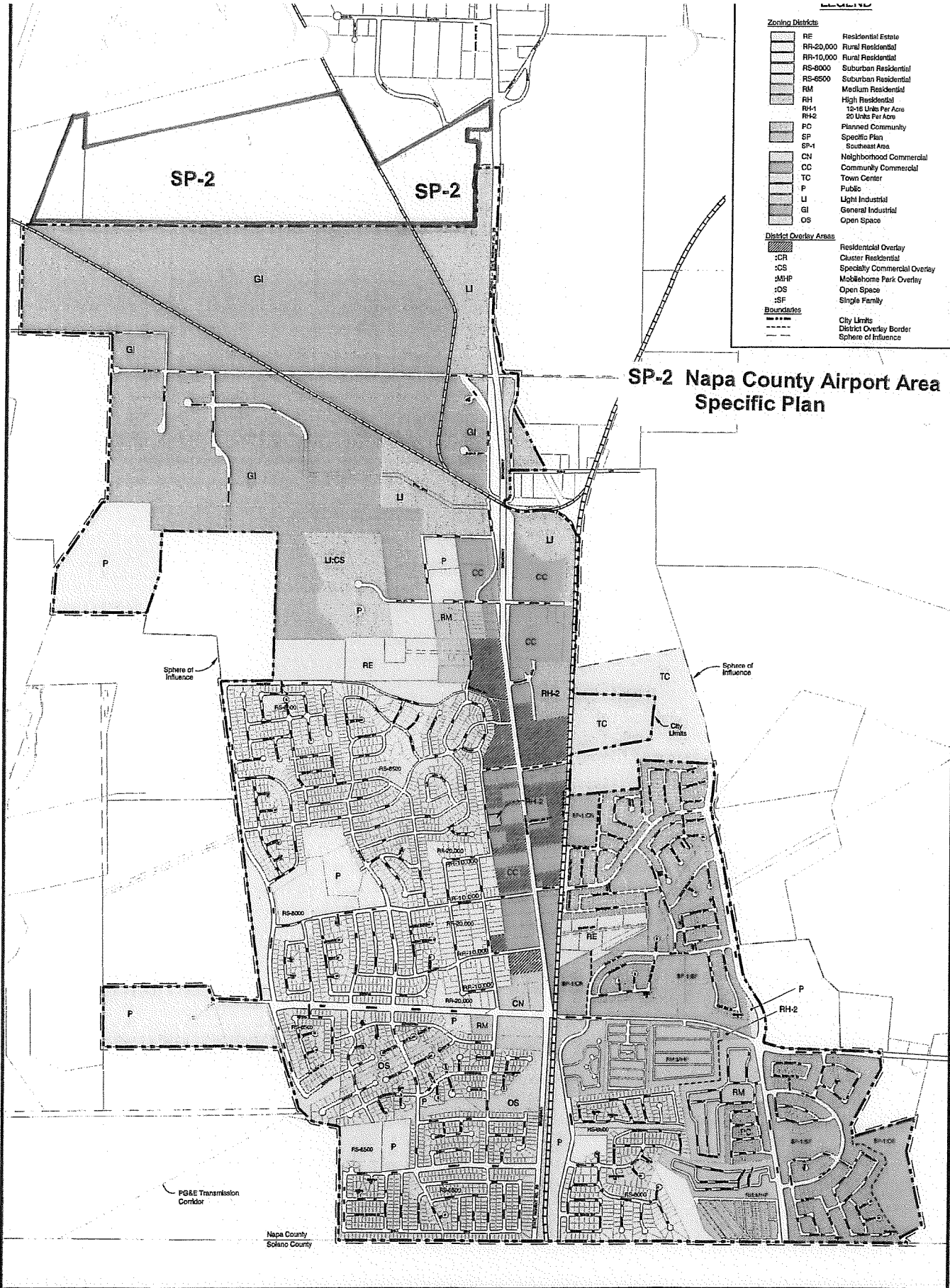
  

District Overlay Areas	
:CR	Residential Overlay
:CS	Cluster Residential
:MHP	Mobilehome Park Overlay
:OS	Open Space
:SF	Single Family

Boundaries	
---	City Limits
- - - -	District Overlay Border
.....	Sphere of Influence

## SP-2 Napa County Airport Area Specific Plan



# CITY OF AMERICAN CANYON ZONING MAP

EXHIBIT A

### Legal Description of Panattoni Parcel

Commencing at the southwest corner of the 0.504 acre parcel of land described in the Deed to the State of California, recorded January 27, 1949 in Book 301 at page 69 of Official Records of Napa County; thence along the western line of the lands of said State of California; northerly along a curve to the left, from a tangent that bears N 0°12'55.6"W having a radius of 9910 feet, through a central angle of 2°16'39.4" an arc distance of 393.94 feet; thence N02°29'35"W 16.21 feet to a point on the south line of a 0.16 acre parcel of land described in Exhibit "B" of the Grant Deed recorded at series number 1993-037831 in the office of the Napa County Recorder; thence N63°49'30"W along the south line of said parcel 31.32 feet; thence N84°18'26"W along said south line 35.36 feet; thence N02°26'14"W to the centerline of Kelly Road South as shown on Exhibit "B" as shown on the Grant Deed recorded at series number 1993-037831 in the office of the Napa County Recorder; thence S87°25'31"W along said centerline 28.33 feet to a curve concave to the south, having a radius of 250 feet; thence westerly and southerly along said curve through a central angle of 33°41'24" an arc length of 147.00 feet; thence S53°44'07"W 376.66 feet to the beginning of a curve concave to the northwest, having a radius of 1000.00 feet; thence southerly and westerly along said curve through a central angle of 12°48'50" an arc length of 223.64 feet; thence S66°32'57"W 117.18 feet to the eastern line of a 35.29 acre parcel of land described in Exhibit "A" of the Grant Deed recorded at series number 1993-037831 in the Office of the Napa County Recorder; thence S08°41'22"E along said eastern line 65.93 feet to the southeast corner of said parcel; thence S61°04'46"W along the southern line of said parcel, 36.24 feet; thence S8°35'53"E 115.44 feet to the beginning of a curve concave to the west having a radius of 1000.00 feet; thence southerly along said curve through a central angle of 13°38'08" an arc length of 237.99 feet; thence S05°02'15"W 494.58 feet to the beginning of a curve concave to the northwest having a radius of 475.00 feet; thence southerly along said curve through a central angle of 51°02'54" an arc length of 423.21 feet; thence S56°05'09"W 312.76 feet to the northeastern line of the Napa Valley Branch of the Southern Pacific Railroad and/or the San Francisco, Napa and Calistoga Railway; thence S27°45'25"E along the northeastern line of said railway 282.16 feet to the south line of the 397.75 acre tract of land described as Parcel One in the Deed to Louis Gonsalves, et ux, recorded July 13, 1944 in Book 211 at Page 476 of Official Records of Napa County; thence east along the south line of said 397.75 acre parcel of land to the southwestern corner of the parcel of land described in the Deed to Ray L. Welch, et ux, recorded December 7, 1953 in Book 428 at page 398 of Official Records of Napa County; thence along the western line of the land of said Welch, N00°36'30"E 582.14 feet to the southwestern corner of the 2.5 acre parcel of land described in the Deed to Arthur C. Pollard, et ux, recorded June 23, 1947 in Book 271 at page 168 of Official Records of Napa County; thence along the western line of the Land of Pollard, N28°36'W 124.4 feet and N17°04'E 302.3 feet to the southwestern corner of the 3.54 acre parcel of land described in the Deed to James K. Pendery, et ux, recorded November 13, 1947 in Book 278 at page 403 of Official Records of Napa County; thence along the western line of the lands of said Pendery N00°36'E 468.30 feet, more or less, to the southeastern corner of the 1 acre parcel of land described in the Deed to William Gonsalves, et ux, recorded November 13, 1961 in Book 640 at page 583 of Official Records of Napa County; thence along the southern line of the land of said Gonsalves, N89°24'W 208 feet to the southwestern corner thereof; thence along the western line of said land N00°36'E, 208 feet to the northwestern corner thereof; thence along the northern line of said land S89°24'E 208 feet to the northeastern corner thereof, said corner also being the northwestern corner of the land of James K. Pendery, above referred to; thence along the northern line of the land of said Pendery S89°24'E, 203.76 feet, more or less, to the point of beginning.

APN 057-090-076

**EXHIBIT B**

Commencing at the southeasterly corner of the lands of the South Napa Waste Management Authority (S.N.W.M.A.) Exhibit "A" recorded November 19, 1993 as Instrument Number 1993-037831 in the office of the Napa County Recorder and shown on the Record of Survey of a portion of the lands of South Napa Waste Management Authority (S.N.W.M.A.) recorded February 25, 1997 in Book 31 of Surveys at Pages 8-10 in the office of the Napa County Recorder; thence South  $61^{\circ} 04' 46''$ , 36.24 feet to the TRUE POINT OF BEGINNING; thence from said true point of beginning South  $08^{\circ} 35' 53''$  East 115.44 feet to the beginning of a curve concave to the west having a radius of 1000.00 feet; thence southerly along said curve through a central angle of  $13^{\circ} 38' 08''$  an arc length of 237.99 feet; thence South  $05^{\circ} 02' 15''$  West 494.58 feet to the beginning of a curve concave to the northwest having a radius of 475.00 feet; thence southerly along said curve through a central angle of South  $51^{\circ} 02' 54''$  an arch length of 423.21 feet; thence South  $56^{\circ} 05' 09''$  West to the northeastern line of the Napa Valley Branch of the Southern Pacific Railroad and/or the San Francisco, Napa and Calistoga Railway; thence northwest along the northeastern line of the Napa Valley Branch of the Southern Pacific Railroad and/or the San Francisco, Napa and Calistoga Railway to the southerly corner of the said South Napa Waste Management Authority parcel; thence northeasterly along the southeasterly boundary of the South Napa Waste Management Authority to the TRUE POINT OF BEGINNING.

APN 057-090-075

Legal Description of Headwaters Parcel

Beginning at the intersection of the south line of the land described in the Deed to the County of Napa recorded December 31, 1986 in Book 1489 at page 213 in the office of the Napa County Recorder and the southwest line of the Napa Valley Branch of the Southern Pacific Railroad and/or the San Francisco, Napa, and, Calistoga Railway; thence South 75°30'04" West along the south line of the said lands of Napa County 4509.24 feet to the southwest corner of said lands of Napa County, said corner also being a point on the western line of the Lands of Louis Gonsalves described as Parcel One in the deed to Louis Gonsalves, et ux, recorded July 13, 1944 in Book 211 at page 476 of official records of Napa County; thence southerly along the western line of said land to the southwestern corner thereof, thence east along the south line of said 397.75 acre parcel of land to the southwestern line said Railway; thence northwesterly along the southwestern line of said Railway to the Point of Beginning.

APN 057-090-069

Legal Description of Atkins Parcel

Commencing at the Southeastern corner of the 140.04 acre tract of land described in the Deed to Steve O. Atkins, et al, recorded January 4, 1954, in book 430, Page 186 Official Records of Napa County, running thence South 87 degrees 54 minutes 30 seconds West, along the Southern line of said tract, 859.82 feet to the Northeastern Right of Way line of the Santa Rosa Branch of the Southern Pacific Railroad; thence North 68 degrees 44 minutes 48 seconds West, along said Northeastern line, 90.77 feet to the most Southerly corner of that certain 52.95 acre tract of land described in the Deed to County of Napa recorded August 16, 1956, in book 521 of Official Records at page 292; thence along the Easterly line of said 52.95 acre tract of land, North 21 degrees 38 minutes East 1919.15 feet to the most Northerly corner of said 52.95 acre tract; being a point in the Southern line of the Napa County Airport as described in the Judgment of Condemnation recorded April 12, 1944 in book 208, page 364, Official Records of Napa County; thence North 76 degrees 08 minutes 23 seconds East along said Southern line, 281.89 feet to the Northeastern corner of the 140.04 acre tract above referred to; thence South 1 degree 03 minutes 57 seconds West, along the Eastern line of said tract, 1859.55 feet to the point of commencement.

Excepting from said Parcel One an undivided 1/2 interest in and to all of the oil, gas and other minerals and mineral rights of whatsoever nature, as granted to Charles I. Joens, et ux, in Deed recorded March 17, 1967, in book 762 of Official Records, at page 759, Napa County Records.

APN 057-040-007