

ORDINANCE NO. 2018-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING AN AMENDMENT TO THE AMERICAN CANYON MUNICIPAL CODE TO REVISE CHAPTER 19.15 FOR WINERY-RELATED DEVELOPMENT STANDARDS AND DEFINITIONS IN THE RECREATION ZONING DISTRICT

WHEREAS, Municipal Code Chapter 19.15 provides regulations for the Recreation zoning district in the City of American Canyon; and

WHEREAS, the zone change would clarify the definition of a winery in the Recreation zoning district; allow limited non-winery uses with a conditional use permit; revise the lot coverage standards from 10% to 50%; and add three footnotes that: 1) exempt outdoor winery related equipment from the lot coverage standard; 2) require a Class 1 (off-street) bicycle trail along Commerce Boulevard along the property frontage; and 3) screen winery related equipment from view of public streets, parks and trails with landscaping, opaque fence, or wall; and

WHEREAS, the City Council adopted a 2016-2017 Implementation Strategy to attract and expand diverse business and employment opportunities in American Canyon. To further this strategy, Recreation zoning district changes are proposed to make winery uses more feasible; and

WHEREAS, following a recommendation by the Planning Commission, the proposed zoning code amendment requires review by the Napa County Airport Land Use Commission (ALUC) because the Recreation zoning district is located within Zone D of the Napa Airport influence area; and

WHEREAS, on October 26, 2017, the Planning Commission conducted a public hearing on the proposed zone change and unanimously recommended its approval; and

WHEREAS, on December 6, 2017, the Napa Airport Land Use Commission reviewed the zone change and unanimously determined it was consistent with the Napa Airport Land Use Compatibility Plan; and

WHEREAS, the City Council considered all of the written and oral testimony presented at the public hearing on December 19, 2017 in making its decision.

NOW, THEREFORE THE PLANNING COMMISSION OF THE CITY OF AMERICAN CANYON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: A zone change to Municipal Code Chapter 19.15 to revise the Recreation zoning district development standards and clarify winery-related definitions is recommended to the City Council as follows:

Chapter 19.15 RECREATION AND OPEN SPACE

19.15.010 Purpose.

The purpose for establishing these recreation and open space districts and permitted uses is to:

A. Maintain adequate open spaces to protect environmental resources, provide recreational opportunities, and contribute "relief" from urban and suburban activities;

- B. Preserve the important environmental resources of the city;
- C. Accommodate passive recreation, hiking and equestrian activities;
- D. Preclude development or activities in wetlands and significant habitats.
- E. Support compatible commercial activities which capitalize on local and regional agricultural vineyard resources.

(Ord. 2009-15 § 3, 2009; Ord. 2001-02 § 1, 2001)

19.15.020 Permitted uses.

Table 19.15.020 of this chapter sets forth the permitted and conditionally permitted uses for each public district. A "P" designates a permitted use. A "C" indicates a conditionally permitted use subject to approval of a use permit by the planning commission. If no letter is found opposite a particular use, it is not permitted in that district.

Table 19.15.020				
PERMITTED AND CONDITIONALLY PERMITTED USES¹				
RECREATION AND OPEN SPACE DISTRICT				
Use Classifications	Zoning District			Related Provision
	OS	OS-CRW	REC	
Agriculture				
Animal husbandry	-	P	P	
Crop production	-	P	P	
Winery (Footnote #2)	-	-	C	
Commercial				
Boarding kennel	-	C	C	
Lodging services	-	-	-	
On-premises liquor consumption	-	-	-	
Restaurant	-	-	-	
Retail sales, incidental to primary use	-	C	C	
Recreational				
Campground	-	C	C	
Marina	-	-	-	
Recreational facilities, private	-	-	C	
Recreational facilities, public	C	C	C	
Recreation and sports, indoor	-	-	-	
Recreation and sports, outdoor	C	C	C	
Recreation, passive	P	P	P	
Recreational vehicle park	-	-	-	
Staging area	C	C	C	

**Table 19.15.020
PERMITTED AND CONDITIONALLY PERMITTED USES¹
RECREATION AND OPEN SPACE DISTRICT**

Use Classifications	Zoning District			Related Provision
	OS	OS-CRW	REC	
Residential				
Single-family residential—Detached	-	-	P	GP Goal 1N
Public and Quasi-Public				
Animal shelter	-	C	C	
Antenna	-	P	P	
Exceeding height limitations	-	C	C	
Cemetery	C	-	-	
Club, lodge	-	C	-	
Community center	-	C	-	
Conference center	-	-	-	
Cultural facility	P	P	-	
Maintenance and service facility	-	-	-	
Public information center	P	P	-	
Public parking	P	P	-	
Public safety facility	-	C	-	
Religious facility	-	-	-	GP Policy 1.23.4
Transportation terminal	-	-	-	
Utilities, major	C	-	-	
Utilities, minor	P	P	P	
Accessory				
Caretaker's quarters		P	P	
Horticulture	-	P	P	
Tent	-	C	C	
Temporary				
Commercial filming	C	P	C	
Mobile structure	C	C	C	Chapter 19.30
Seasonal sales	-	P	P	
Special event	-	P	P	Chapter 5.05

Note:

"OS" denotes Open Space District

“OS-CRW” denotes Open Space—Clarke Ranch West District
 “REC” denotes Recreation District

Footnotes:

1. Permitted and conditionally permitted uses on parcels located within a designated Napa County Airport compatibility zone may be restricted or prohibited subject to the requirements of the policies related to airport compatibility in the American Canyon general plan and the Napa County Airport land use compatibility plan. Restrictions may include the requirement for recordation of overflight or avigation easements.
2. For purposes of Table 19.15.020, “Winery” shall include the uses defined in Section 19.05.090 in conjunction with viticulture related activities such as bottling, storage, logistics, distribution, wine packing, and wine-related services.
3. Subject to a conditional use permit approval, a maximum of 25% of the floor area within one building or 25% of the collective square footage of two or more buildings in the Recreation Zoning District may be allocated to non-wine related uses.
 (Ord. 2010-05 § 1, 2010; Ord. 2010-03 § 3, 2010; Ord. 2009-15 § 3, 2009; Ord. 2001-02 § 1, 2001)

19.15.030 Development standards.

Table 19.15.030 of this chapter sets forth the development standards for each recreation and open space district.

Table 19.15.030		
DEVELOPMENT STANDARDS RECREATION AND OPEN SPACE DISTRICT		
Development Standard	Zoning District	
	Recreation	OS, OS-CRW
Minimum site size	10 acres	10 acres
Maximum site coverage	50% (Footnote #1,2 and 3)	10%
Maximum residential intensity (recreation district only)	1 dwelling unit	
Maximum building height	35 feet	35 feet
Building setbacks from:		
Major highways	50 feet	50 feet
Primary highways	42 feet	42 feet
Secondary highways:		
In nonresidential areas	35 feet	35 feet
In residential areas	25 feet	25 feet
Commuter highways and local streets	15 feet	15 feet

Table 19.15.030 DEVELOPMENT STANDARDS RECREATION AND OPEN SPACE DISTRICT		
Interior boundary if adjacent to residential uses:		
Side	35 feet	35 feet
Rear	20 feet	20 feet
Interior boundary if adjacent to nonresidential uses:		
Side	35 feet	35 feet
Rear	35 feet	35 feet
Building to building	10 feet	10 feet

Footnotes:

1. Outdoor winery related equipment such as tanks and crushing equipment customarily located outside of buildings are not included within the lot coverage standards.
2. Site design must accommodate onsite trail connectivity with adjacent properties.
3. Outdoor winery related equipment shall be screened from view of public streets, parks and trails with landscaping, opaque fence, or wall. Landscape screening shall include sufficient quantities, types, heights and densities of materials to provide at least 50 percent opacity within five years of planting, and shall be maintained by the property owner at 50 percent or greater opacity thereafter.

(Ord. 2009-15 § 3, 2009)

SECTION 2: Compliance with California Environmental Quality Act. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15305 – Minor Alteration in Land Use Limitations because the Recreation zoning district property has an average slope less than 20% and the zone change does not result in any changes in land use or density from the perspective that the new zoning standards allow an increase in lot coverage, but does not result in any change to population density. Furthermore, the lot coverage change makes a winery land use more feasible in this zoning district than the current 10% lot coverage standard where most of the property would remain open space and not put to economic use.

SECTION 3: Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4: Custodian of Records

The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 4831 Broadway, Suite 201, American Canyon, CA 94503. The custodian of these records is the City Clerk.

SECTION 5: Effective Date. This ordinance shall become effective 30 days after final adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 19th day of December, 2017, by the following vote:

AYES: Council Members Aboudamous, Leary, Oro, Mayor Garcia
NOES: Vice Mayor Joseph
ABSTAIN: NONE
ABSENT: NONE

The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 16th day of January, 2018, by the following vote:

AYES: Council Members Aboudamous, Oro, Vice Mayor Leary, Mayor Garcia
NOES: Council Member Joseph
ABSTAIN: None
ABSENT: None




Leon Garcia, Mayor

ATTEST:



Suellen Johnston, CMC, City Clerk

APPROVED AS TO FORM:



William D. Ross, City Attorney