

ORDINANCE NO. 2018-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AMENDING THE AMERICAN CANYON MUNICIPAL CODE TO INCREASE THE ALLOWABLE BUILDING HEIGHT OF OVERNIGHT ACCOMMODATIONS, LODGING SERVICES IN THE COMMUNITY COMMERCIAL ZONING DISTRICT TO 54 FEET AND 4 STORIES ON THE EAST SIDE OF BROADWAY

WHEREAS, Municipal Code Chapter 19.11 provides regulations for the Community Commercial zoning district in the City of American Canyon; and

WHEREAS, the zoning land use of "Overnight Accommodations, Lodging Services" is synonymous with "hotels"; and

WHEREAS, the zone change would clarify that the 54-foot building height and 4-story development standards for residential and mixed use buildings in the Community Commercial Zoning District on the east side of Broadway may apply to hotels; and

WHEREAS, the City Council adopted an Implementation Strategy to attract and expand diverse business and employment opportunities in American Canyon. To further this strategy, the proposed zoning amendments are proposed to make hotel uses more feasible in the City; and

WHEREAS, the proposed zoning code amendment to the building height would affect very few parcels because few vacant and underutilized parcels are large enough to support a hotel; and

WHEREAS, the Planning Commission conducted a public hearing on July 17, 2018 and voted by a vote of 3-1 in favor of the Ordinance with Chair Goff absent; and

WHEREAS, the City Council has considered all of the written and oral testimony presented at the public hearing on September 4, 2018 and September 18, 2018 in making its decision; and

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. An amendment to Municipal Code Chapter 19.11, Section 19.11.050, Table 2 to revise the Community Commercial zoning district development standards to add Overnight Accommodations, Lodging Services to the list of buildings that may be 54 feet tall and 4 stories east of Broadway.

Section 19.11.050, Table 2

Table 2	
Zoning District	CC
Maximum number of stories:	
All Buildings	2 stories
Exceptions:	
Residential or Mixed-Use structures	3 stories west of Broadway
Residential, Overnight Accommodations and Lodging Services, or Mixed-Use structures	4 stories east of Broadway
Maximum building height:	
All Buildings	35 feet
Exceptions:	
Residential or Mixed-Use structures	42 feet west of Broadway
Residential, Overnight Accommodations and Lodging Services, or Mixed-Use structures	54 feet east of Broadway

SECTION 2. Compliance with California Environmental Quality Act. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15305 – Minor Alteration in Land Use Limitations because the Community Commercial zoning district 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 clarify that hotels constructed on the east side of Broadway may be subject to the same allowable height as residential and mixed-use buildings. This zone change does not result in any change to population density as residential structures in the Community Commercial Zoning District on the east side of Broadway may already be constructed 54 feet tall and 4 stories. Furthermore, amending the building height to allow hotels up to 54 feet tall and 4 stories on the east side of Broadway would affect very few parcels. In addition to any other property east of Broadway that may be redeveloped in the future, the proposed Home2Suites site (Assessor’s Parcel No. 059-072-002) and the Holy Family Parish church site (Assessor’s Parcel No. 059-072-005) are the only vacant parcels on the east side of Broadway that appears large enough to support a hotel on its own. In addition, increasing the height limit standards to equal residential and mixed-use structures makes hotel land uses more feasible in this zoning district than the current development standard.

SECTION 3. Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

SECTION 4. 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 5. 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 6. Restatement of Existing Law. Neither the adoption of this Ordinance nor the repeal of any other Ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this Ordinance, insofar as they are substantially the same as Ordinance provisions previously adopted by the City related to the same subject matter or relating to the enumeration of permitted uses under the zoning code, shall be construed as restatements and continuations, and not as new enactments.

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 18th day of September, 2018 by the following vote:

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

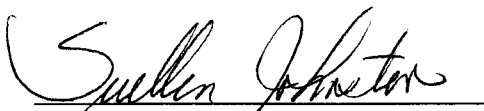
The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 2nd day of October, 2018, by the following vote:

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

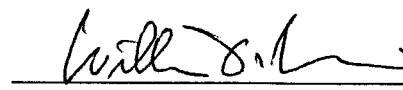


Leon Garcia, Mayor

ATTEST:


Suellen Johnston, CMC, City Clerk

APPROVED AS TO FORM:


William D. Ross, City Attorney