

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING AN AMENDMENT TO THE WATSON RANCH SPECIFIC PLAN AS REGULATING DOCUMENT FOR THE APPROXIMATELY 309 ACRE PROPERTY OWNED BY AC-1 AND THE NEWELL FAMILY APN'S 059-020-039, 059-020-040, 059-020-031 AND 059-030-005 (FILE NO. PL14-0009 AND PL 16-0019)

WHEREAS, pursuant to Section 65450 of the State Planning and Zoning Law (Gov. Code § 65000 *et seq.*) and the City's General Plan, the City of American Canyon has adopted the Watson Ranch Specific Plan as the regulating document for approximately 309 acres that specifies the distribution of types and intensities of land uses, parks, open space, the roadway network and supporting infrastructure; and

WHEREAS, Section 65453 of the State Planning and Zoning Law provides that the City Council may amend all or part of the Specific Plan if it deems the amendment to be in the public interest; and

WHEREAS, pursuant to Section 65454 of the State Planning and Zoning Law an amendment to the Specific Plan must be consistent with the General Plan; and

WHEREAS, the City Council of the City of American Canyon, on October 16, 2018 amended the General Plan to recognize and ensure consistency with and between the City of American Canyon General Plan and the Watson Ranch Specific Plan; and

WHEREAS, the City Council, on October 16, 2018 also certified the Watson Ranch Specific Plan Draft and Final Environmental Impact Report (collectively, the "WRSP Final EIR") pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000 *et seq.*, ("CEQA")); and

WHEREAS, the City Council of the City of American Canyon, on November 6, 2018 adopted the Watson Ranch Specific Plan by Ordinance pursuant to Municipal Code Chapter 19.12.020, establishing it as the regulating document for the development of the Watson Ranch Specific Plan site; and

WHEREAS AC-1, LLC has submitted an application for a Development Agreement pursuant to Section 65864 *et seq.* of the Government Code of the State of California and Chapter 19.47 of the City of American Canyon Municipal Code; and

WHEREAS, the negotiations on the terms of the Development Agreement have led to the consideration of minor adjustments to the approved Specific Plan which require a Specific Plan Amendment; and

WHEREAS, said amendment would involve the relocation of High Density Residential and Medium Density Residential land use designations without changing the total number of acres of each or the total number of units already established by the Specific Plan and include a series of clarifying text amendments; and

WHEREAS, the City Council of the City of American Canyon, on June 4, 2019 amended the General Plan to recognize and ensure consistency with and between the City of American Canyon General Plan and the Watson Ranch Specific Plan; and

WHEREAS, the City Council of the City of American Canyon, on June 4, 2019 held a duly noticed public hearing to consider amending the Watson Ranch Specific Plan to recognize and ensure consistency with and between the City of American Canyon General Plan and the Watson Ranch Specific Plan.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN THAT THE WATSON RANCH SPECIFIC PLAN IS APPROVED AS FOLLOWS:

SECTION 1: This Ordinance incorporates by this reference, the Amendment to the Watson Ranch Specific Plan attached hereto as Exhibits A through J.

SECTION 2: This Ordinance is adopted under the authority of the Specific Plan Statutes (Gov. Code §§ 65450-65457) of the Planning and Zoning Law (Gov. Code § 65000 *et seq.*) and the City Specific Plan District Standards (American Canyon Municipal Code Title 19, Chapter 19.17).

SECTION 3: Findings Regarding Environmental Review pursuant to the California Environmental Quality Act (CEQA)

1. This Amendment does not change the specified acres, or the total number of units established by the WRSP. Therefore, the environmental impacts of the WRSP Project which included the Specific Plan were adequately considered in the certified Final EIR for the Watson Ranch Specific Plan Project (SCN. 2015022030) which includes findings, a Statement of Overriding Considerations for the Project, and a Mitigation Monitoring and Reporting Program.
2. Approval of the Specific Plan Amendment based on the Final EIR, the Statement of Overriding Considerations for the Project, and the Mitigation Monitoring and Reporting Program complies with CEQA.

SECTION 4: Findings to Approve the Specific Plan Amendment in accordance with American Canyon Municipal Code Section 19.17.080

- A. *The distribution, location and extent of land uses, including open space, as depicted in the specific plan is consistent with the General Plan.***

The Watson Ranch Specific Plan sets forth the land uses, residential densities, non-residential intensities, permitted and conditional uses, development standards, and design guidelines for the WRSP Area and further implements the Policies set forth for the Town Center land use designation. The Watson Ranch Specific Plan is consistent with the General Plan. This Amendment has a corresponding amendment to the General Plan and is therefore consistent.

- B. *The specific plan provides for public infrastructure and services needed to support the land uses described in the plan, including adequate distribution, location, extent and intensity of transportation, sewage, water, drainage, solid waste disposal, energy, parks, community facilities and other essential facilities.***

The Specific Plan does set forth the design for roadways, water, wastewater, recycled water, storm drainage systems, parks and other community facilities necessary to support the land uses described in the plan. Specifically, Chapters 4, 5, 7 and 8 of the WRSP address these facilities. This Amendment is consistent with the provision of these facilities.

- C. *The standards and development criteria, including requirements for resource utilization, will ensure that development proceeds in an orderly fashion and maintains a high level of quality.***

Chapter 6 of the WRSP sets forth development standards which are supplemented by Design Guidelines in Appendix A. The development standards and design guidelines together promote efficient resource utilization, best practices, and sustainability to ensure a high level of quality. Further Chapter 9, Implementation, sets forth the phasing program to ensure the development proceeds in an orderly fashion. This Amendment does not alter the standards and development criteria set forth in the Specific Plan and is therefore consistent.

- D. *The specific plan contains implementation measures, including financing programs, to ensure that development is supported by adequate infrastructure as it occurs.***

WRSP Chapter 9, Implementation, sets forth the financing principles and policies, identifies different financing mechanisms, and sets forth phasing of supporting infrastructure. This Amendment supports the provisions of the Development Agreement which, consistent with the Specific plan, provides further clarity on financing and phasing of infrastructure. Therefore this Amendment does not materially alter the implementation plan set forth in the Specific Plan and is therefore consistent.

- E. *The site is suitable for the type and intensity of development proposed.***

As determined through the initial existing conditions analysis and the preparation of the WRSP Final EIR, the WRSP site is suitable for the type and intensity of the proposed development associated with this Amendment. The Amendment does not alter the type and intensity of development proposal and is therefore consistent.

- F. *The flexibility in development standards afforded by the specific plan process has resulted in a project providing more superior design and amenities than would occur under more traditional zoning practices, and the project provides clear and substantial benefit to the city.***

The WRSP Project implements the General Plan for the Town Center land use designation, consistent with Objective 1.19 of the General Plan: "Provide for the development of a Town Center that physically and functionally serves as the symbolic and identifiable focus of community activities and events for the City of American Canyon and which is a regional destination within Napa Valley." General Plan Policy 1.19.7 designated that the land uses in this area be developed pursuant to one or more specific plans. The WRSP includes Development Standards and Design Guidelines that promote diverse neighborhood design and integrated housing types. It further provides for the creation of a "Town Center" through the renovation of the cement factory ruins while preserving the unique character of this site feature. This Amendment does not alter the flexibility in development standards, the superior design or amenities of the Specific Plan and is therefore consistent.

SECTION 5. Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

SECTION 6. 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 7. 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 8. 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 4th day of June, 2019 by the following vote:

AYES: Council Members Leary, Joseph, Oro, Vice Mayor Aboudamous, 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 18th day of June, 2019, by the following vote:

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

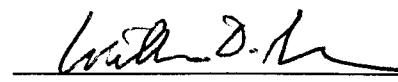


Leon Garcia, Mayor

ATTEST:


Suellen Johnston, CMC, City Clerk

APPROVED AS TO FORM:


William D. Ross, City Attorney

ATTACHMENT 1 - EXHIBIT A

