

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING AN AMENDMENT TO BROADWAY DISTRICT SPECIFIC PLAN TABLE 2-3 TO PERMIT LODGING AS A CONDITIONALLY PERMITTED USE IN THE LOCAL-SERVING MIXED-USE (LSMU) ZONING DISTRICT AND ADDING A NEW SPECIAL DEVELOPMENT REQUIREMENT NO. 3 TO REQUIRE LODGING USES IN THE LSMU ZONING DISTRICT QUALIFY FOR A THREE STAR OR HIGHER FORBES TRAVEL GUIDE RATING (FILE NO. PL20-0030)

WHEREAS, pursuant to Section 65300 of the State Planning and Zoning Law, the City of American Canyon (City) has adopted a General Plan to provide comprehensive long-range planning and a blueprint of the City's future form, including land use and circulation maps that specify the roadway network and the distribution of types and intensities of land; and

WHEREAS, on August 26, 2020, Anjani Management, LLC and AMS Associates submitted a Conditional Use Permit and Zone Change application to allow for the development of a 112-room Hampton Inn hotel at 3443 Broadway St (APN 058-312-010) (File No. PL20-0030); and

WHEREAS, the project site is located within the Local-Serving Mixed-Use zoning district in the Broadway District and lodging uses are not permitted in this zoning district; and

WHEREAS, on December 1, 2020, the City Council conducted a workshop to discuss issues regarding the Zone Change; and

WHEREAS, on October 5, 2021, the City Council and Planning Commission conducted a joint workshop to discuss the remaining issues regarding the Zone Change; and

WHEREAS, on July 29, 2021, the City Council reviewed a Marketing Study prepared by Economic and Planning Systems, Inc. that concludes the market for hotel rooms in American Canyon is favorable for the next five (5) years; and

WHEREAS, Visit Napa Valley reviewed the Marketing Study and agrees that the current South Napa County Hotel market has been more resilient to economic cycles and Covid restrictions than the northern neighboring Napa County jurisdictions; and

WHEREAS, on October 5, 2021, the City Council and Planning Commission conducted a workshop on the proposed LSMU zone change and hotel Conditional Use Permit; and

WHEREAS, the applicant provided assurance that the proposed Hampton Inn Hotel or equivalent quality hotel will be constructed at the 3443 Broadway site; and

WHEREAS, on June 4, 2019, the City Council certified the Broadway District Specific Plan (BDSP) Final Environmental Impact Report (SCH #2017042025) and made findings of overriding consideration for significant and unavoidable impacts (Ordinance No. 2019-07); and

WHEREAS, on August 23, 2021 an Addendum to the BDSP Program Environmental Impact Report (PEIR) was prepared to evaluate the proposed Zone Change and Hampton Inn Conditional Use Permit; and

WHEREAS, on October 28, 2021, the City of American Canyon Planning Commission conducted a duly-noticed public hearing and unanimously recommended City Council approval of the Hampton Inn Zone Change; and

WHEREAS, a duly-noticed public hearing was held by the City of American Canyon City Council on November 16, 2021 on the subject application, at which time all those in attendance were given the opportunity to speak on this proposal and to submit comments.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of American Canyon, having considered all the evidence, including any submitted by member of the public, hereby approves 1) an amendment to the Broadway District Specific Plan to permit lodging uses in the Local Serving Mixed Use Zoning District as depicted in Section 3 below:

SECTION 1: California Environmental Quality Act (CEQA)

The 2019 Broadway District Specific Plan (BDSP) Environmental Impact Report (EIR) evaluated the development of the 292-acre site area along the Broadway corridor. The City made findings of overriding consideration for significant and unavoidable impacts. Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), an Addendum to the BDSP PEIR was prepared to evaluate the proposed Zone Change and Development to evaluate the proposed project as only some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

On November 16, 2021, the City Council adopted Resolution 2021-XX approving the Hampton Inn Hotel Zone Change and Conditional Use Permit Addendum. This Addendum demonstrates that the BDSP PEIR contemplated impacts and mitigation measures sufficiently address the proposed zone change and Hampton Inn project. No new mitigation measures are required.

SECTION 2. Findings. Based on the following evidence and as required by Zoning Ordinance Section 19.48.040 C, the Planning Commission recommends the City Council finds that:

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

The intent of the Local-Serving Mixed-Use zoning district is to accommodate a range of commercial uses and related services that will serve the local community. Adding "lodging" to the LSMU zone will enable hotels in the zone, which can provide new jobs to the community. All new lodging uses will be required to obtain a Conditional Use Permit, which requires applicants to comply with development standards and operate in a manner that is compatible with its neighbors and the broader community. The CUP process enables the Planning Commission to approve these projects with reasonable "conditions" or deny the project if substantial evidence shows the use may cause harm to public health, safety, or welfare. All lodging projects are subject to the Municipal Code development standards, the General Plan Policies, and the Broadway District Specific Plan development standards.

- b. 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 amendment is consistent with the purpose of the Zoning Ordinance to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare as the zone change will add opportunities for hotel uses in the Local-Serving Mixed-Use zoning district of the Broadway District Specific Plan. The amendment meets the design and development guidelines and standards of the General Plan.

SECTION 3. Broadway District Specific Plan Amendments

The Planning Commission recommends the City Council approve the following amendments to the BDSP Local-Serving Mixed-Use (LSMU) Zoning district as follows:

A. Amendment to BDSP Table 2-3

TABLE 2-3: BROADWAY ZONING DISTRICT PERMITTED USES

Use Classification (Per ACMC Chapter 19.05)	Broadway District Specific Plan Zoning District				
	Broadway Residential	Business Park ¹	Downtown Core	Local Serving Mixed Use	Home Improvement
Commercial					
Lodging services	-	P	P	<u>C</u>	-

B. Addition of a new Special Development Requirement #3 as follows:

3) Prior to approval of any discretionary application for lodging uses in the LSMU Zoning District, the Applicant shall demonstrate that their proposed project shall meet the criteria to achieve a “Three Star” or higher rating on the Forbes Travel Guide Rating System.

SECTION 4. Community Development Department. The Community Development Director is directed to provide a written report to the City Council at least ten (10) days prior to the expiration of this ordinance, describing the study conducted of the local conditions that led to the adoption of this ordinance.

SECTION 5. Effective Date. This ordinance shall become effective immediately upon the date of its adoption pursuant to Government Code section 65858.

SECTION 6. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases 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.

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 16th day of November, 2021 by the following vote:

- AYES: Councilmembers Aboudamous, Oro, Washington, Vice Mayor Joseph, 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 7th day of December, 2021, by the following vote:

AYES: Councilmembers Aboudamous, Oro, Washington, Vice Mayor Joseph, and Mayor Garcia
NOES: None
ABSTAIN: None
ABSENT: None

DocuSigned by:

Leon Garcia

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Leon Garcia, Mayor

ATTEST:

DocuSigned by:

Taresa Geilfuss

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Taresa Geilfuss, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

William D. Ross

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William D. Ross, City Attorney