

## **ORDINANCE NO. 2025-02**

### **AN ORDINANCE AMENDING THE ZONING CODE, AMERICAN CANYON TITLE 19 TO BE CONSISTENT WITH THE GENERAL PLAN OF THE CITY OF AMERICAN CANYON AND THE NAPA COUNTY AIRPORT LAND USE COMPATIBILITY PLAN**

**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**, amendments to the General Plan land use necessitate changes to the Zoning Map to provide land use consistency pursuant to Gov. Code § 65860; and

**WHEREAS**, Zoning Map amendments needed to provide consistency with the General Plan include the effective parcels, and Zoning Map amendments; and

**WHEREAS**, the City prepared a Draft Environmental Impact Report (Draft EIR) (SCH No. 2022070038) for the 2040 General Plan; and

**WHEREAS**, prior to recommending adoption of the 2040 General Plan, the Planning Commission reviewed and considered the analysis contained in the Final EIR. By separate resolution, the Planning Commission recommended that the City Council: (1) certify the Final EIR, (2) adopt CEQA Findings for Significant Environmental Impacts and a Statement of Overriding Considerations, and (3) adopt the Mitigation Monitoring and Reporting Program for the 2040 General Plan; and

**WHEREAS**, the proposed Zoning Code Amendments are a contemplated "Project Approval" under the Program EIR; and

**WHEREAS**, on March 27, 2025, the Planning Commission conducted a duly-noticed public hearing to evaluate the zoning code amendments and determined that based on all the evidence presented, including, but not limited to, written and oral testimony given at meetings, it is appropriate to recommend that the City Council approve the zoning code amendments to ensure consistency with the Comprehensive Technical General Plan Update and the 2024 Napa County Airport Land Use Compatibility Plan; and

**WHEREAS**, on April 15, 2025, the City Council conducted a workshop to evaluate the Comprehensive Technical General Plan Update, Final EIR, and Zoning Code Amendments; and

**WHEREAS**, on May 7, 2025, the Napa County Airport Land Use Commission determined that the proposed General Plan Update is consistent with the Napa County Airport Land Use Compatibility Plan; and

**WHEREAS**, on May 20, 2025, the City Council conducted a duly-noticed public hearing to evaluate the Zoning Code Amendments and determined that based on all the evidence presented, including, but not limited to, written and oral testimony given at meetings, it is appropriate to recommend that the City Council approve the Zoning Code Amendments to ensure consistency with the Comprehensive Technical General Plan Update and the 2024 Napa County Airport Land Use Compatibility Plan.

**NOW, THEREFORE, BE IT ORDAINED** that the foregoing recitals are true and correct and are included herein by reference as findings.

**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 amends specific parcels on the Official Zoning Map (American Canyon Municipal Code (ACMC) Chapter 19.03) to provide consistency between the General Plan Land Use Map and the Zoning Ordinance in accordance with the following table:

No.	APN	Acres	General Plan 2040 Designation	Current Zoning District	Proposed Zoning District	Property Description
a.	058-030-067	15.11	Public	Recreation	Public	Napa Junction School
b.	058-270-001	3.55	Public	RE	Public	City Water Tank
c.	058-613-009	2.01	Public	RS8000	Public	Gadwall Park
d.	058-040-036	11.88	Open Space	RS8000	Open Space	Bay Trail
e.	058-040-043	0.51	Public	RS8000	Public	AC Middle School
f.	058-040-032	9.12	Public	RS8000	Public	AC Middle School
g.	058-571-014	5.39	Open Space	RS6500	Open Space	PGE Easement
h.	058-511-004	0.93	Open Space	RS6500	Open Space	PGE Easement
i.	058-562-020	7.24	Open Space	RS6500	Open Space	AC Creek
j.	058-515-023	1.66	Open Space	RS6500	Open Space	AC Creek
k.	058-562-021	4.71	Public	RS6500	Public	Kimberly Park Phase 2
l.	059-412-001	1.07	Public	SPI:SF	Public	Fire/Police Station
m.	059-401-001	1.01	Public	SPI:SF	Public	Fire/Police Station
n.	059-412-002	1.0	Public	SPI:SF	Public	Shenandoah Park
o.	059-401-002	3.81	Public	SPI:SF	Public	Shenandoah Park
p.	059-040,064	4.85	Open Space	SPI:SF	Open Space	Newell Creek
q.	059-040-060	5.54	Open Space	SPI:SF	Open Space	Newell Creek
r.	059-040-061	2.94	Open Space	SPI:SF	Open Space	Newell Creek
s.	059-040-058	10.0	Public	SPI:SF	Public	Canyon Oaks Elementary
t.	059-040-059	14.0	Public	SPI:SF	Public	Canyon Oaks Park
u.	059-080-024	4.05	Open Space	SPI:SF	Open Space	AC Creek
v.	059-302-009	5.58	Open Space	SPI:SF	Open Space	AC Creek
w.	059-302-010	1.63	Open Space	SPI:SF	Open Space	Newell Drive Rotunda

No.	APN	Acres	General Plan 2040 Designation	Current Zoning District	Proposed Zoning District	Property Description
x.	059-331-004	3.54	Open Space	Public	Open Space	Iron Horse PGE Lines
y.	059-110-052	2.61	Open Space	SPI:SF	Open Space	AC Creek
z.	059-110-047	3.68	Open Space	RS6500	Open Space	Cartegena Creek
aa.	059-110-048	3.15	Open Space	RS6500	Open Space	Cartegena Creek
bb.	059-180-009	2.89	Open Space	RS8000	Open Space	City Slope
cc.	059-180-014	3.11	Open Space	RS8000	Open Space	City Slope
dd.	059-150-005	0.90	Open Space	RM	Open Space	Chesapeake Creek
ee.	059-100-007	1.42	Open Space	SPI:SF	Open Space	La Vigne Landscape
ff.	059-100-008	1.15	Open Space	SPI:SF	Open Space	La Vigne Landscape
gg.	059-100-010	8.76	Open Space	SPI:SF	Open Space	La Vigne Landscape
hh.	059-100-011	7.61	Open Space	SP1: SF	Open Space	La Vigne Landscape
ii.	059-202-023	1.07	Public	SP1:SF	Public	Bellagio Park
jj.	059-253-001	1.06	Public	SP1:SF	Public	Pelleria Park
kk.	058-504-019	0.36	Open Space	RS6500	Open Space	Napa Meadows OS.

**NOW, THEREFORE, BE IT FURTHER 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 provides consistency between the General Plan and the 2024 Napa County Airport Land Use Compatibility Plan (ALUCP) by amending the Official Zoning Map (American Canyon Municipal Code (ACMC) Chapter 19.03) to replace the former NALUCP Compatibility Policy Map (Zones A through E) with the current Map (ALUCP Exhibit 5-2) as depicted in Exhibit A to this Ordinance.

**NOW, THEREFORE, BE IT FURTHER 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 provides further consistency between the General Plan and the 2024 Napa County Airport Land Use Compatibility Plan (ALUCP) by adding a new Chapter 19.55 Airport Land Use Compatibility to the ACMC as depicted in Exhibit B to this Ordinance.

**SECTION 1.** Find, based on the following evidence as required by ACMC Section 19.48.040(C):

a. The proposed amendment is consistent with the goals and policies of the general plan.  
*The Rezoning is consistent with the goals and policies of the general plan because the changes will ensure consistency between the zoning map and the general plan. Zoning amendments will bring consistency with the Napa Airport Land Use Compatibility Plan.*

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 Rezoning is consistent with the purpose of the Zoning Ordinance to protect and promote public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare because the proposed zoning regulations are intended to ensure consistency between the General Plan and the Napa Airport Land Use Compatibility Plan.*

**SECTION 2. CEQA.** Compliance with California Environmental Quality Act. The City prepared an Environmental Impact Report (EIR) that evaluates the proposed Zoning Code amendments at a program level of analysis (SCH #2022070038) and includes required mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP). The Zoning Code Amendments are a contemplated "Project Approval" under the Program EIR.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall become effective effect 30 days after its final passage pursuant to Government Code section 36937.

**SECTION 4. 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.

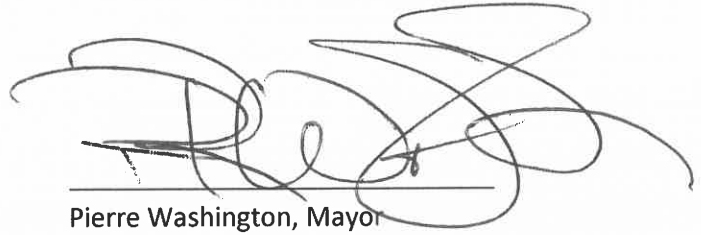
**SECTION 5. CUSTODIAN OF RECORDS.** The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 4831 Broadway, Suite 201, American Canyon, CA 94503. The custodian of these records is the City Clerk.

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 20<sup>th</sup> day of May, 2025, by the following vote:

AYES: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington  
NOES: None  
ABSTAIN: None  
ABSENT: Councilmember David Oro

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 3<sup>rd</sup> day of June 2025, by the following vote:

AYES: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Councilmember David Oro, Vice Mayor Mark Joseph, Mayor Pierre Washington  
NOES: None  
ABSTAIN: None  
ABSENT: None



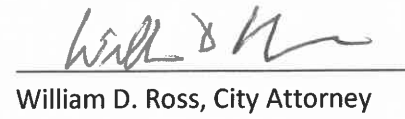
Pierre Washington, Mayor

ATTEST:

APPROVED AS TO FORM:



Taresa Geilfuss, CMC, City Clerk



William D. Ross, City Attorney

**EXHIBITS**

A. Chapter 19.55 Airport Land Use Compatibility

## **Exhibit A**

### **Chapter 19.55 Airport Land Use Compatibility**

#### **19.55.010 Purpose and Applicability**

This chapter establishes procedures to ensure development within American Canyon is compatible with the Napa County Airport Land Use Compatibility Plan (NALUCP) (General Plan Goal LU-9). The NALUCP, which is incorporated into the General Plan as a standalone document, provides policy direction for subsequent development in American Canyon that is subject to the NALUCP.

#### **19.55.020 Projects Subject to Napa Airport Land Use Commission Review.**

Consistent with Public Utilities Code Section 21676(b), the City shall refer the following actions to the Napa Airport Land Use Commission (ALUC) for determination of consistency with the NALUCP.

- (1) Adoption or approval of any new general plan, specific plan, or facility master plan, or any amendment thereto, that affects lands within an Airport Influence Area. This includes actions that are applicable throughout a land use jurisdiction as well as for development proposals for an individual site.
- (2) Adoption of a zoning ordinance or building regulation, including any proposed change or variance to any ordinance or regulation, that (1) affects land within an Airport Influence Area depicted in Figure 19.55.060 and (2) involves any one of the following airport impact concerns:
  - i. Noise: Locations exposed to potentially disruptive aircraft noise levels.
  - ii. Safety: Areas where the risk of an aircraft accident poses heightened safety concerns for people and property on the ground.
  - iii. Airspace Protection: Places where height and various other land use characteristics need to be restricted in order to prevent physical, visual, or electronic hazards to flight within the airspace required for aircraft operation to and from the Airport.
  - iv. Overflight: Locations where aircraft overflights can be intrusive and annoying to many people.
- (3) Land Use Actions for which a Special Conditions Exception is being sought under NALUCP Policy 3.2.4.

#### **19.55.030 Projects Exempt from NALUCP**

The NALUCP does not apply to Existing Land Uses as described in California Public Utilities Code 21670(a) and 21674(a).

#### **19.55.040 Projects Subject to City Review**

Except for projects identified in ACMC Section 19.55.020 and 19.55.030, all new development within the City that is subject to the NALUCP shall be evaluated consistent with the procedures in NALUCP Section 5.1.

#### **19.55.050 Existing Nonconforming Uses that do not Conform to the NALUCP**

Existing uses that do not conform to the NALUCP shall be subject to nonconforming policies in ACMC Chapter 19.49.

