



REGULAR PLANNING COMMISSION MEETING AGENDA

City Hall - Council Chambers
4381 Broadway, Ste. 201, American Canyon
April 24, 2025
6:30 PM

Chair: Davet Mohammed
Vice Chair: Charles Plummer
Commissioners: Eric Altman, Marilyn Abelon, Shelby Goss,
Youth Commissioner: Ramandeep Jawanda

Tonight's meeting is a limited public forum. American Canyon promotes respectful and responsible behavior among its meeting participants, whether they are present in person or remotely. Using offensive language or remarks that promote, foster, or perpetuate discrimination based on race, creed, color, age, religion, gender marital status, status regarding public assistance, national origin, physical or mental disability or sexual orientation/gender identification, as well as any other category protected by federal, state or local laws will not be tolerated. In the case of an occurrence, the speaker will be immediately disconnected from the microphone.

Planning Commission and other public meetings will be conducted in person at City Hall, 4381 Broadway, Suite 201, American Canyon, CA 94503. This meeting is also available via Zoom Teleconferencing as a convenience for public participation. This meeting will be broadcast live to residents on Napa Valley TV, on our website [here](#) and on YouTube [here](#). Should technical issues with Zoom occur, please select another viewing option.

PUBLIC PARTICIPATION

Oral comments, during the meeting: Oral comments can be made in person or via Zoom. To give your public comment via zoom, connect via the below Zoom link and use the "raise your hand" tool, or call into the zoom meeting at 408-638-0968 and press *9 to "raise your hand" when the item is called. To avoid confusion, all hands raised outside of Public Comment periods will be lowered.

Written comments, via eComments: Please submit written comments through the eComments link, located on the Meetings & Agendas page of our website [here](#). Comments will be available to Planning Commissioners in real time. To allow for review of comments, eComments will close at 3:00 pm on the day of the meeting. All comments received will be posted online and become part of the meeting record.

Zoom Meeting Link: [Click here](#).

Webinar ID: 870 8025 1647 Passcode: 123456

The above-identified measures exceed all legal requirements for participation in public comment, including those imposed by the Ralph M. Brown Act. For more information, please call the Office of the City Clerk at (707) 647-4369 or email cityclerk@americancanyon.gov.

AGENDA MATERIALS: Planning Commission agenda materials are published 72 hours prior to the meeting and are available to the public via the City's website at www.americancanyon.gov.

AMERICANS WITH DISABILITIES ACT: The Planning Commission will provide materials in appropriate alternative formats to comply with the Americans with Disabilities Act. Please send a written request to City Clerk at 4381 Broadway, Suite 201, American Canyon, CA 94503 or by email to cityclerk@americancanyon.gov. Include your name, address, phone number and brief description of the requested materials, as well as your preferred alternative format or auxiliary aid, at least three calendar days before the meeting.

6:30 P.M. REGULAR MEETING

CALL TO ORDER

PLEDGE

ROLL CALL

PRESENTATIONS

PUBLIC COMMENT

This time is reserved for members of the public to address the Planning Commission on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Comments are limited to 3 minutes. Comments for items on the agenda will be taken when the item is called in Open Session. The Planning Commission is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Planning Commission does not respond to public comment at this time.

AGENDA CHANGES

CONSENT CALENDAR

1. **Minutes of March 27, 2025**
Recommendation: Approve the minutes of March 27, 2025

PUBLIC HEARINGS

2. **Napa Airport Corporate Center Development Agreement Extension**
Recommendation: Continue the Napa Airport Corporate Center Development Agreement Extension public hearing to May 22, 2025.
3. **Crawford Way Multifamily Project Design Permit**
Recommendation: Continue the Crawford Way Multifamily Project (File No. PL23-0003) to May 22, 2025.

BUSINESS

4. **285 Napa Junction Citation Appeal**
Recommendation: Decide whether the code violation was appropriately cited at 285 Napa Junction Road and provide reasons for the decision; and direct staff to convey decision to

the Appellant and Code Enforcement Officer.

5. **Fiscal Year 2025/26 Capital Improvement Program Recommendation:**

Adopt a Resolution determining that the FY 2025/26 Capital Improvement Program (CIP) is consistent with the General Plan.

MANAGEMENT AND STAFF ORAL REPORTS

6. **Active Planning Projects Recommendation:** Review March 2025 Active Planning Projects

COMMISSIONER ITEMS

ADJOURNMENT

CERTIFICATION

I, Nicolle Hall, Deputy City Clerk for the City of American Canyon, do hereby declare that the foregoing Agenda of the Planning Commission was posted in compliance with the Brown Act prior to the meeting date.

Nicolle Hall, Deputy City Clerk

**CITY OF AMERICAN CANYON
REGULAR CITY COUNCIL MEETING**

ACTION MINUTES

March 27, 2025

6:30 P.M. REGULAR MEETING

CALL TO ORDER

The meeting was called to order at 6:31 p.m.

PLEDGE

The Pledge of Allegiance was recited.

ROLL CALL

Present: Youth Commissioner Ramandeep Jawanda, Commissioner Marilyn Abelon, Commissioner Eric Altman, Commissioner Shelby Goss, Vice Chair Charles Plummer, Chair Davet Mohammed

Absent: None

Excused: None

PRESENTATIONS

There were no presentations.

PUBLIC COMMENT

Chair Mohammed opened Public Comments. Written comments: none. Oral comments: Yvonne Baginski was called to speak; John Plath was called to speak. The public comment period was closed.

AGENDA CHANGES

There were no agenda changes.

CONSENT CALENDAR

Action: Motion to approve the consent calendar, made by Commissioner Eric Altman, seconded by Commissioner Marilyn Abelon, and CARRIED by roll call vote.

Ayes: Commissioner Marilyn Abelon, Commissioner Eric Altman, Commissioner Shelby Goss, Vice Chair Charles Plummer, Chair Davet Mohammed

Nays: None

Abstain: None

Absent: None

Excused: None

1. Minutes of February 27, 2025

PUBLIC HEARINGS

2. Crawford Way Multifamily Project Design Permit

The Commission received a report and presentation from Senior Planner William He. Speakers: Community Development Director Brent Cooper, Public Works Director Erica Ahman-Smithies, City Attorney William Ross. Commissioners discussed the item. Chair Mohammed opened the public hearing. Written comments: none. Oral comments: Phillip Thomas was called to speak; Fran Lemos was called to speak; Beth Marcus was called to speak. Yvonne Baginski was called to speak; Demetria Thomas was called to speak. Chair Mohammed closed the public hearing.

Action: Motion to continue the Crawford Way Multifamily Project item to the next regular Planning Commission Meeting on April 24th made by Commissioner Eric Altman, seconded by Vice Chair Charles Plummer, and CARRIED by roll call vote.

Ayes: Commissioner Marilyn Abelon, Commissioner Eric Altman, Commissioner Shelby Goss, Vice Chair Charles Plummer, Chair Davet Mohammed

Nays: None

Abstain: None

Absent: None

Excused: None

3. General Plan Comprehensive Update, Environmental Impact Report, and Zoning Code Amendment

The Commission received a report from Community Development Director Brent Cooper and Gianna Meschi from Rincon Consultants. Speakers: City Attorney William Ross. Commissioners discussed the item. Chair Mohammed opened the public hearing. Written comments: none. Oral comments Yvonne Baginski was called to speak. Chair Mohammed closed public comments and the public hearing.

Action: Motion to adopt Resolution 2025-01 recommending the City Council of the City of American Canyon (i) Certify the Comprehensive Technical General Plan Update Final Environmental Impact Report (SCH # 2022070038), (ii) Adopt CEQA Findings of Fact and a Statement of Overriding Considerations, and (III) Adopt a Mitigation Monitoring and Reporting Program made by Commissioner Eric Altman, seconded by Commissioner Shelby Goss, and CARRIED by roll call vote.

Ayes: Commissioner Marilyn Abelon, Commissioner Eric Altman, Commissioner Shelby Goss, Vice Chair Charles Plummer, Chair Davet Mohammed

Nays: None

Abstain: None

Absent: None

Excused: None

Action: Motion to adopt Resolution 2025-02 recommending the City Council of the City of American Canyon adopt the Comprehensive 2040 Technical General Plan Update and Policies to sustain compliance with the 2024 Napa County Airport Land Use Compatibility Plan as amended made by Vice Chair Charles Plummer to modify General Plan Land Use Policy LU11-1 to substitute the phrase “Coordinate with Napa County” to “Meet and confer with Napa County”, seconded by Commissioner Eric Altman, and CARRIED by roll call vote.

Ayes: Commissioner Marilyn Abelon, Commissioner Eric Altman, Commissioner Shelby Goss, Vice Chair Charles Plummer, Chair Davet Mohammed

Nays: None

Abstain: None

Absent: None

Excused: None

Action: Motion to adopt Resolution 2025-03 recommending the City Council of the City of American Canyon adopt Zoning Code Amendments to ensure consistency with the General Plan and the 2024 Napa County Airport Land Use Compatibility Plan made by Commissioner Marilyn Abelon, seconded by Commissioner Shelby Goss, and CARRIED by roll call vote.

Ayes: Commissioner Marilyn Abelon, Commissioner Eric Altman, Commissioner Shelby Goss, Vice Chair Charles Plummer, Chair Davet Mohammed

Nays: None

Abstain: None

Absent: None

Excused: None

BUSINESS

4. 285 Napa Junction Citation Appeal

Chair Mohammed recused herself and left the room at 8:39 p.m. Vice Chair Charles Plummer introduced the item. Community Development Director Brent Cooper reported on the item.

Action: Motion to continue the 285 Napa Junction Road Citation Appeal to April 24, 2025, made by Commissioner Eric Altman, seconded by Commissioner Shelby Goss, and CARRIED by roll call vote.

Ayes: Commissioner Marilyn Abelon, Commissioner Eric Altman, Commissioner Shelby Goss, Vice Chair Charles Plummer

Nays: None

Abstain: None

Absent: None

Excused: Chair Davet Mohammed

Chair Mohammed returned to the room at 8:41 p.m.

MANAGEMENT AND STAFF ORAL REPORTS

5. Active Planning Projects

The Commission received a report on Active Planning Projects from Community Development Director Brent Cooper. Commissioners discussed the item.

COMMISSIONER ITEMS

There were no Commissioner Items for discussion.

ADJOURNMENT

The meeting was adjourned at 8:45p.m.

CERTIFICATION

Respectfully Submitted,

Nicolle Hall, Deputy City Clerk



TITLE

Napa Airport Corporate Center Development Agreement Extension

RECOMMENDATION

Continue the Napa Airport Corporate Center Development Agreement Extension public hearing to May 22, 2025.

CONTACT

Brent Cooper, AICP, Community Development Director

BACKGROUND & ANALYSIS

The Napa Airport Corporate Center is located at the southeast corner of Devlin Road and S. Kelly Road. The property obtained a Development Agreement to sustain City approvals for the site for 5 years. This Development Agreement will expire on September 3, 2025.

On March 6, 2025, the property owner, G3, submitted an application to extend the 5-year Development Agreement for an additional 10 years to (PL25-0008).

Recently, the City received an inquiry about the Napa Airport Commerce Center approval's contribution toward infrastructure costs related to their development approvals. The inquiry and associated issues warrant further evaluation by staff prior to the Planning Commission's consideration of the developer's request. To provide time for staff to respond to the inquiry, we recommend the Planning Commission continue the public hearing to the next regularly-scheduled meeting on May 22, 2025.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Economic Development and Vitality: "Attract and expand diverse business and employment opportunities."

FISCAL IMPACT

The fiscal impacts of the Projects were addressed as part of the Tentative Parcel Map, Conditional Use Permits and Development Agreement.

ATTACHMENTS:

None



TITLE

Crawford Way Multifamily Project Design Permit

RECOMMENDATION

Continue the Crawford Way Multifamily Project (File No. PL23-0003) to May 22, 2025.

CONTACT

William He, AICP, Senior Planner

BACKGROUND & ANALYSIS

The proposed Crawford Way Multifamily Project consists of 100 townhome dwelling units on a 4.34-acre site located in the Local Serving Mixed Use (LSMU) zoning district at the southwest corner of Crawford Way and Highway 29. The 100 Crawford Way multifamily residential units are arranged in 16 three-story residential buildings and one single-story community building. The dwelling unit mix includes 68 two-bedroom units and 32 three-bedroom units. Each dwelling unit will have a two-car garage and private balcony.

The project was originally scheduled for the Planning Commission public hearing of January 23, 2025. At the request of the applicant, the Planning Commission continued the meeting in the January, February, and March Planning Commission meetings. On April 14, 2025, the applicant requested to continue the May 22, 2025, meeting. The applicant explained that additional time is needed to review the scope of work and pricing for offsite improvements. The Applicant's request e-mail is available as Attachment 1.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Economic Development and Vitality: "Attract and expand diverse business and employment opportunities."

FISCAL IMPACT

The Crawford Way Multifamily Project Design Permit application required a developer deposit for review and processing, so there is no fiscal impact for staff time.

ENVIRONMENTAL REVIEW

The project is required to comply with the California Environmental Quality Act (CEQA). The Broadway District Specific Plan (BDSP) Final Environmental Impact Report (FEIR) evaluated the development of the 292-acre site area along the Broadway corridor. (BDSP EIR, SCH #2017042025).

An addendum to the BDSP EIR evaluated the potential impacts of the Crawford Way Project. In accordance with CEQA Guidelines Section 15162, the Addendum found that there were no substantial changes proposed by the Project. Therefore, the Project does not require preparation of a new subsequent or supplemental EIR. The Addendum identified applicable mitigation measures from the BDSP EIR, which have been included into the conditions of approval.

ATTACHMENTS:

1. [Applicant's e-mail requesting a continuance](#)

From: [William Yeh](#)
To: [William He](#)
Cc: [Jeff Potts](#); [Brent Cooper](#); [Erica Ahmann Smithies](#); [Edison Bisnar](#); [Neil Reiher](#); [Jeremiah Tadlock](#)
Subject: Re: Crawford Way Multifamily Project - Public Hearing questions and draft response
Date: Monday, April 14, 2025 2:42:07 PM

Hi William,

After getting clarification from Edison regarding the undergrounding of power lines across Hwy 29, we have asked our joint trench consultant to reach out to PG&E to understand the scope and price of this offsite improvement. As such we would like to again delay the planning commission hearing to May.

With regard to the city's responses to the public comments received, our only comment is a point of clarification that we are achieving the 20% density bonus by restricting 10% of units permitted by right to the Lower income level and not 5% at Very Low income. We are preparing a letter to the city which will include a revised affordable housing agreement that has corrected calculations and that follows this logic.

Best Regards,

William Yeh



byeh@yehareagroup.com

www.yehareagroup.com



On Tue, Apr 8, 2025 at 11:23 AM William He <whe@americancanyon.gov> wrote:

Hi Billy,

At the March 27 Planning Commission public hearing, the Planning Commission received public comments for the Crawford Way project. At your request, the Planning Commission continued the meeting to the April 24 public hearing meeting. In anticipation of the April meeting, staff drafted responses to technical issues raised by the public comments. We wanted to share those with you today. Please see the attached files. If you would like to add to the responses, please let me know as soon as possible.

The March 27, Planning Commission video is available at [THIS LINK](#). The staff report to the April 24 meeting will be available by Friday, April 18.

Kind regards,

William He, AICP

Senior Planner

City of American Canyon

Community Development Department

4381 Broadway Street, Suite 201

American Canyon, CA 94503

Office: 707 647 4337

Note: Our website and email addresses have changed!

whe@americancanyon.gov

<https://www.americancanyon.gov/>



TITLE

285 Napa Junction Citation Appeal

RECOMMENDATION

Decide whether the code violation was appropriately cited at 285 Napa Junction Road and provide reasons for the decision; and direct staff to convey decision to the Appellant and Code Enforcement Officer.

CONTACT

Brent Cooper, AICP, Community Development Director

BACKGROUND & ANALYSIS

On January 23, 2025, the Planning Commission reviewed an appeal by Michael Lara regarding a citation for storing two food trucks at his residence at 285 Napa Junction Road. The appeal procedures state that the Planning Commission's decision is limited to:

1. Whether the violation(s) occurred; and
2. Whether the property owner caused or maintained the violation(s) of on the date(s) specified in the administrative citation. (see American Canyon Municipal Code 9.12.090(C) Hearing Procedures).

The January 23, 2025 staff report explained that the Property Owner is responsible for violations on their property which were well documented. Thus, the criteria to overturn the citations was not met. A copy of the this staff report is included as Attachment 1.

Testimony at the Planning Commission meeting did not provide new information to support overturning the citations based on the Municipal Code criteria. At the end of the meeting, the Planning Commission directed staff and the City Attorney to explore additional options for resolving this matter.

Food Truck Storage Options

Staff and the City Attorney reviewed the Municipal Code for alternatives to permit food truck storage at the residence. One option that may meet the appellant's needs is a Home Occupation Permit. A Home Occupation Permit remedies the vehicle storage violation in the Medium Density Residential (RM) zoning district because commercial vehicles are permitted when they are

associated with a Home Occupation.

A Home Occupation Permit allows residents to operate a small business from their home. This can be beneficial because there is no commuting, tax benefits, a flexible work life balance, and no need to rent or buy commercial space.

To qualify for a Home Occupation Permit, the business must be run by the residents and operated so that neighbors are generally unaware of its existence. In traditional single family neighborhoods, neighbors could be disturbed by parking, noise, odors, privacy if customers frequently visit. Home-based businesses on large, rural lots are less likely to disturb neighbors due to greater separation. A copy of the Home Occupation Permit Ordinance is included as Attachment 2.

A home-based business limited to food truck storage at 285 Napa Junction Road is less likely to disturb neighbors because the property is larger than a typical single-family lot, and the driveway is longer than a conventional 20-foot driveway. Additionally, food truck storage is less out of place due to nearby nonresidential uses, a multifamily apartment complex under construction, and other large lot single-family homes.

Staff presented the Home Occupation Permit option to Mr. Lara on April 7. A copy of the email correspondence is included as Attachment 3.

On April 14, 2025, staff sent a draft Home Occupation Permit application to Mr. Lara, prepared by staff due to the busy tax season. Copies of the email correspondence and draft Home Occupation Permit application is included as Attachment 4 and 5.

On April 17, 2025, staff contacted Mr. Lara by phone to see if he was interested in pursuing a Home Occupation Permit. Mr. Lara requested additional time to consider the idea. A copy of email correspondence documenting the call is included as Attachment 6.

Recommendation

As directed by the Planning Commission, staff and the City Attorney offered an alternative that allows the property owner to store two food trucks on their property by applying for a Home Occupation Permit. Consistent with the Municipal Code criteria, as explained in the April 7, 2025 email, food truck storage must comply with the following conditions:

- Only home residents engage in the food truck business.
- Food truck storage is incidental to the use of the property as a residence.
- There are no food sales on the property related to the food trucks.
- Food trucks must be stored on an all-weather surface (i.e.: asphalt, concrete, permeable paving systems, and gravel designed to withstand weather conditions and the weight of the food trucks).
- The presence of food trucks on the property may not cause any nuisance, such as noise, fumes, odors, glare, etc.

- Food preparation for the food trucks occurs at an off-site commercial kitchen (commissary).
- A separate business license application for the food trucks would be required because all businesses need a business license.

Regardless of the status of a Home Occupation Permit, and consistent with the January 23, 2025 agenda report, staff recommends that the Planning Commission *deny* the citation appeal because vehicle storage is not permitted in the Medium Density Residential zoning district. While an agreeable resolution may have been reached, it does not affect whether there was an underlying violation.

The Planning Commission may set a compliance date to ensure compliance with the denial. The property owner may consider applying for a Home Occupation Permit or finding an appropriate location to store the food trucks.

If the property owner corrects the code violation by the Planning Commission compliance date, by either applying and receiving a Home Occupation Permit or removing the violative conditions, the \$800 in citation fines could be returned and the case would be closed. If the property owner does not correct the code violation by the compliance date, the citation fines would not be returned, and code enforcement would resume.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Public Safety: "Ensure American Canyon remains a safe community."

FISCAL IMPACT

N/A

ENVIRONMENTAL REVIEW

Enforcement of existing regulations is statutorily exempt from CEQA.

ATTACHMENTS:

1. [Appeal Staff Report 01.23.25](#)
2. [Home Occupation Ordinance ACMC Chapter 19.29](#)
3. [Lara Email 04.07.25_Redacted](#)
4. [Lara Email 04.14.25_Redacted](#)
5. [Draft Home Occupation Permit Form - 285 Napa Junction Road_Redacted](#)
6. [Lara Email 04.17.25_Redacted](#)



TITLE

285 Napa Junction Citation Appeal

RECOMMENDATION

1. Render a decision on whether the code violation was appropriately cited at 285 Napa Junction Road and provide reasons for the decision; and
2. Direct staff to convey decision to the Appellant and Code Enforcement Officer.

CONTACT

Brent Cooper, AICP, Community Development Director

BACKGROUND & ANALYSIS

Summary

Michael Lara (“the Appellant”) owns a residence at 285 Napa Junction Road. A Vicinity Map depicting the location is shown on Attachment 1. On March 29, 2022, City staff received a complaint that a food truck was being stored at the property. Staff verified that a Food truck was stored on the property and initiated code enforcement because commercial vehicles may not be stored on residential property.

On November 21, 2024 following many months of formal Code Enforcement notification and personal communication, the law firm Maas & Russo, LLP submitted an appeal of an administrative citation issued on November 7, 2024. A copy of the Maas & Russo, LLP appeal letter is included as Attachment 2.

Citation appeals are very rare. For example, there have only been three citation appeals in the past 10 years. The Planning Commission reviews administrative citation appeals. The Administrative Citation appeal procedures state that the Planning Commission (hearing officers) shall only consider evidence that is relevant to:

1. Whether the violation(s) occurred; and
2. Whether the responsible person (property owner) has caused or maintained the violation(s) of on the date(s) specified in the administrative citation. (see American Canyon Municipal Code 9.12.090(C) Hearing Procedures)

A copy of the Administrative Citation appeal procedures is included as Attachment 3.

Code Enforcement Generally

The American Canyon Code Enforcement program promotes and maintains a safe and desirable community to live and work. Under the direction of the Community Development Director, the Code Enforcement Officer enforces the American Canyon Municipal Code (ACMC), Building Code, Health Code, and others. In the course of their work, the Code Enforcement Officer routinely coordinates their actions with the Building Official, Public Works Department, Fire District, and Police. As discussed further, the City Attorney enforces code violations in the most difficult cases.

In 2024, the Code Enforcement Officer opened 194 cases and resolved 173 cases. In a typical year, most cases (76%) are resolved quickly with the initial contact or a Courtesy letter. Ten percent (10%) are investigated and found to not constitute a Code Violation. Ten percent (10%) of the cases receive at least one Citation. Very few cases, three percent (3%), are referred to the City Attorney after receiving at least four Citations. In 2024, the average zoning code violation was resolved in just under 5.5 months.

Code Enforcement Policy

The overarching goal in Code Enforcement is compliance. The Code Enforcement Policy is intended to guide the Code Enforcement Officer to work with residents and businesses to provide code information and seek voluntary compliance without resorting to enforcement through costly citation fines.

When receiving a complaint or observed violation, the first step is to verify whether a code violation exists. When a code violation is verified, the Code Enforcement Officer will attempt to contact the Property Owner(s) to discuss the violation(s) and assign a reasonable period of time to correct the violation –not less than five (5) days. The Code Enforcement officer typically sends a Courtesy Notice to the Property Owner identifying the code violation(s) and the period of time to correct the violation(s).

If the violation is not corrected by the first deadline, the Code Enforcement Officer will contact the Property Owner. A new deadline will be assigned to correct the violation.

If the violation is not corrected by the second deadline, the Code Enforcement Officer has the discretion to cite the Property Owner for each day that the violation remains uncorrected. However, in practice, the Code Enforcement Officer provides weeks or months for compliance, with the compliance date often discussed with the Property Owner. Attachment 4 includes a copy of the City's Code Enforcement Policy.

Administrative Citation Ordinance (Municipal Code Chapter 9.12)

When personal communication and two Courtesy Notices fail to resolve the violation, the Administrative Citation Ordinance enables the Code Enforcement officer to issue a Citation. The

Administrative Citation process includes a progressively higher fine for each subsequent Citation. The fine schedule is as follows:

- First Citation: A fine not exceeding one hundred dollars (\$100).
- Second Citation: A fine not exceeding two hundred dollars (\$200) for the same violation within one year from the first violation.
- Third and Every Subsequent Citation: A fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance or permit within one year from the date of the first violation.

If the violation remains after the fourth citation, the Code Enforcement Officer may refer the case to the City Attorney for enforcement through other criminal, civil or other legal remedies established by law.

At each step in the Code Enforcement process, whether it is a courtesy notice or citation, the property owner may appeal the violation to the Planning Commission. In order to successfully apply for an appeal, the property owner must pay any outstanding citation fines. If the appeal is successful, the citation fines are returned to the property owner. If the appeal is unsuccessful, the citation fines are not returned, and code enforcement resumes. In the case of the current citation appeal, accrued fines associated with three citations equal \$800. A copy of the citation appeal procedures is included as Attachment 3.

Code Enforcement Chronology

The following chronology documents the Code Enforcement events associated with this code violation:

March 28, 2022, City staff received a complaint that a food truck was being stored at the property. On March 29, 2022, staff verified that a Food truck was stored on the property with the words "Tacos Ensenada" written on the side of the truck with CA license plate 7H71317 was parked near the front entrance of the property. A photo taken at the site is included as Attachment 5.

March 30, 2022, staff mailed a first-class Courtesy Notice to the address. The Courtesy Notice identified the code violation and requested a compliance date of April 9, 2022. In accordance with the Code Enforcement policy, there is no fine associated with receiving a Courtesy Notice. A copy of the Courtesy Notice is included as Attachment 6.

April 18, 2022, staff observed that a commercial vehicle remained parked on the property at the same location. The vehicle has been painted white over the logo. Copies of photographs taken are included as Attachment 7.

April 19, 2022, staff observed two commercial vehicles parked on the property at the same location. Copies of photographs taken are included as Attachment 8.

April 19, 2022, staff sent a first-class and certified mail (9171 9690 0935 0250 4413 60) Notice of Violation to property owner at property address. The Notice of Violation identified an April 29, 2022 compliance date. A copy of the Notice of Violation is included as Attachment 9. In accordance with the Code Enforcement policy, there is no fine associated with receiving a Notice of Violation.

April 27, 2022, staff returned a voicemail message Michael Lara requesting an explanation of the violation. Staff returned the call and responded to the question.

April 28, 2022, Mr. Lara requested and staff granted a 30-day extension to find another location to store the vehicles.

May 5, 2022, Mr. Lara requested staff to permit storing the vehicles on his property. Mr. Lara was informed that the zoning code does not permit commercial vehicle storage on the property.

May 25, 2022, the law firm Maas & Russo, LLP sent a letter stating that William and Michael Lara are the owners of property at 285 Napa Junction Road and asserting that a Notice of Violation from the Code Enforcement Division to remove stored vehicles from the property appears to be discriminatory enforcement of zoning regulations. A copy of the May 25, 2022 Maas & Russo, LLP letter is included as Attachment 10.

Beginning May 26, 2022, Code Enforcement was held in abeyance.

May 31, 2022, staff observed two commercial vehicles parked on the property at the same location. Copies of photographs taken are included as Attachment 11.

October 13, 2023, the City Attorney issued a letter informing Maas & Russo, LLP stating that the discrimination complaint lacks substantial evidence and the City does not discriminate on the basis of race, color, sex, sexual orientation, creed, religion, age, pregnancy, marital status, or national origin. The City is committed to promoting diversity, equality, and fairness in all aspects of our operations, including code enforcement. The letter encourages Maas & Russo to provide evidence to support their claim of discrimination and advised that the City will continue with Code Enforcement efforts at the Property because the violations are still ongoing. A copy of the October 13, 2023 letter is included as Attachment 12.

September 3, 2024, due to code violations continuing for 29 months, the Community Development Director advised the Code Enforcement Officer to resume code enforcement.

September 18, 2024, a Final Notice to Correct was issued with a requested a compliance date of September 30, 2024. The Notice to Correct did not assign a fine. A copy of the September 18, 2024 Final Notice to Correct is included as Attachment 13.

September 24, 2024, a site inspection verified that the code violation continued.

October 3, 2024, October 28, 2024, and November 7, 2024, a citation was issued, each with a two-week compliance date. In accordance with the Administrative Citation Ordinance, the first citation has a \$100 fine. The second citation has a \$200 fine. The third citation has a \$500 fine. In each case, the continuing code violation was verified prior to issuing a citation. A copy of the three citations is included as Attachment 14.

November 19, 2024, Maas & Russo, LLP submitted an appeal of the third citation asserting that code violation enforcement equates to harassment against the Lara family and business. A copy of the letter is included as Attachment 2.

On December 2, 2024, the City Attorney's Office issued a letter to Maas & Russo, LLP articulating that Maas & Russo's conclusory allegation of a "campaign of harassment" by the City, provides no supporting information on what facts form the basis as to how enforcement of validly-adopted ACMC provisions prohibiting the storage of food trucks on such property constitutes a "campaign of harassment." But rather, the City's investigation of this matter is to ensure compliance with existing laws and regulations intended to promote public welfare, safety, and abatement of nuisances. A copy of the letter is included as Attachment 16.

Project Evaluation

As described in the Administrative Citation appeal procedures included as Attachment 5, the Planning Commission's role in making a decision on the appeal is limited to the following:

1. Whether the violation(s) occurred; and
2. Whether the responsible person (property owner) has caused or maintained the violation(s) of on the date(s) specified in the administrative citation. (see American Canyon Municipal Code 9.12.090(C) Hearing Procedures).

Each criteria is discussed below:

1. Whether the Violation Occurred

The Neighborhood Preservation Ordinance (ACMC Table 19.10.040) shows that Vehicle Storage is prohibited in the Medium Density Residential (RM) zoning district. An extract from Table 19.10.040 highlights the applicable section that shows Vehicle Storage is prohibited as illustrated with a horizontal dash (-) next to the listed use. See Attachment 15.

Photographs taken of the property show that over the enforcement term, one or more commercial food trucks have been stored at the property. See Attachments 5, 7, 8, and 11. Thus, the first criteria for appealing the Citation is not met.

2. Whether the responsible person (property owner) has caused or maintained the violation(s).

The Administrative Citation Ordinance Section 9.12.020(a) defines a "Responsible Person" as any individual who causes or maintains a violation of the American Canyon municipal code, applicable state codes, or conditions to an entitlement and is the:

- Owner or occupant of real property;
- Owner or authorized agent of any business, company; or entity or
- The parent or the legal guardian of any person under the age of eighteen years.

The Napa County Assessor identifies Michael Lara as the owner of 285 Napa Junction Road. Furthermore, the Maas & Russo, LLP letter identified Mr. Lara as the property owner. Therefore, Mr. Michael Lara is the "Responsible Person" who has maintained the code violation on his property. Thus, the second criteria for appealing the Citation is not met.

Because neither criteria to overturn a citation has been met, the Planning Commission must deny the appeal.

Related Concerns

The Maas & Russo appeal letter identified several concerns that are not directly related to the code violation at 285 Napa Junction Road. The first concern relates to potential sign violations at two American Canyon commercial properties. This is the first time staff is aware of this concern. We will open a Code Enforcement case and investigate the concern.

The second concern refers to examples of violations of individuals violating the ordinance. Staff is not aware of the specific violation concern. If we receive a specific complaint, we will investigate the issue.

The third complaint refers to difficulties with permitting a food truck. We would be glad to discuss these concerns if we receive any specific information regarding the concerns.

As with any code complaint or concern with city processes, we are eager to know and resolve these issues. Unfortunately, none of the concerns provide facts that would support approving the Administrative Citation appeal.

Alternatives Considered

As discussed earlier in this report, when a citation appeal is not approved, the citation fines are not returned to the property owner and staff resumes code enforcement procedures.

Even though the criteria to approve an appeal was not met, the Planning Commission may consider an Alternative whereby the Commission assigns a compliance date. If the property owner agrees and successfully corrects the code violation by relocating the commercial vehicles to a place where vehicle storage is permitted, the \$800 in citation fines could be returned to the property owner and

the case would be closed.

If the property owner does not correct the code violation by the Planning Commission's compliance date, the citation fines would not be returned and code enforcement would resume.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Public Safety: "Ensure American Canyon remains a safe community."

FISCAL IMPACT

N/A

ENVIRONMENTAL REVIEW

Enforcement of existing regulations is statutorily exempt from CEQA.

ATTACHMENTS:

1. [Location Map](#)
2. [Maas and Russo Appeal Request](#)
3. [Administrative Citation Appeal Procedures](#)
4. [Code Enforcement Policy Resolution 2000-22](#)
5. [Inspection Photo 3.29.22](#)
6. [First Courtesy Notice 3.30.22](#)
7. [Inspection Photo 4.18.22](#)
8. [Inspection Photo 4.19.22](#)
9. [Notice Of Violation 4.19.22](#)
10. [Maas and Russo Letter 5.25.22](#)
11. [Inspection Photo 5.31.22](#)
12. [City Attorney Response to Russo 10.20.23](#)
13. [Notice Of Violation - 9.18.24](#)
14. [Citations Issued](#)
15. [Medium Density Permitted Uses](#)
16. [City Attorney Response to Russo 12.2.24.pdf](#)

Location Map
285 Napa Junction Road



MAAS & RUSSO, LLP
ATTORNEYS AT LAW

- 521 GEORGIA STREET, VALLEJO, CA 94590 -

THOMAS M. MAAS
ELENA B. MORGAN

Phone: (707) 644-4004
Fax: (707) 644-7528
Email: law@maasrusso.com

DANIEL J. RUSSO **

CERTIFIED SPECIALIST-CRIMINAL LAW
STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION

** Also admitted to the
District of Columbia

November 19, 2024

William D. Ross, City Attorney
City of American Canyon
400 Lambert Avenue
Palo Alto, CA 94306

Liebert Cassidy Whitmore, City Attorneys
City of American Canyon
400 Capitol Mall, Suite 1260
Sacramento, CA 95814

***Re: My client – Michael E. Lara
Pending Citation from City of American Canyon,
Code Enforcement Division***

Dear Gentleperson,

This letter is to request a hearing on Citation No. CE2410-016 issued on September 18, 2024, to my client, Michael E. Lara.

The Code Enforcement Division Officer, Tiffany Ford, has engaged in a campaign of harassment against Mr. Lara, his family, and his business. This latest citation follows a Notice of Violation (please see enclosed) on September 11, 2024, for violation of a sign ordinance on Mr. Lara's new restaurant. I have a wealth of photographs showing nearby businesses with signs in open violation of these same regulations (also enclosed).

The latest is more pernicious, in that it involves Mr. Lara's residence and the quiet enjoyment of his property. Previously, we had provided the City of American Canyon with countless nearby examples of individuals violating the ordinance. It is now apparent that the City of American Canyon is selectively enforcing its code.

I would also like to mention that Mr. Lara has been put through the ringer in his operation of opening his food truck. Please address our concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel J. Russo". The signature is written in a cursive, flowing style with a large initial "D".

DANIEL J. RUSSO

Attorney at Law

DJR/tr

Cc: Mayor, Leon Garcia;

City Counsel of American Canyon



November 7, 2024

Michale E. Lara
285 Napa Junction Rd.
American Canyon, CA 94503

CODE ENFORCEMENT DIVISION

VIA US MAIL
VIA CERTIFIED RETURN RECEIPT REQUESTED

APN: 058-082-001
Case No. ZON2203-002

ADMINISTRATIVE CITATION – CE2411-004

Re: ADMINISTRATIVE CITATION – CE2410-016

Dear Michale E. Lara:

The City of American Canyon is still very concerned about the condition of your property at 285 Napa Junction Rd. City staff mailed Notices dated March 30th and April 19, 2022, and most recently on September 18, 2024, requesting that you remove all stored vehicles from the property, and that you cease and desist from any and all unpermitted uses at the property. Compliance inspections on October 23rd, 28th, and November 7, 2024, reveal that you have not complied with the City’s requests.

Enclosed you will find your copy of Administrative Citation CE2411-004 for \$500, which is now due and payable. **An envelope is enclosed for your convenience. Failure to pay will result in this debt being forwarded to a collection agency.** Staff will conduct another compliance inspection on or after November 18, 2024. Failure to remove all vehicles (food trucks) from the property by November 18, 2024, will result in another Administrative Citation being issued to you, and the amount of that citation will be \$500.

We need your prompt attention in correcting the code violations on your property at 285 Napa Junction Rd. Acting promptly in this matter will avert further Administrative Citations and possible legal action as well as preserve the quality of our community.

I would like to thank you in advance for your prompt cooperation in this matter. Should you require further information, please contact me at 707-647-4599.

Sincerely,
Tiffany Ford

Tiffany Ford
Code Enforcement Officer

cc: File

Encl: Administrative Citation CE2411-004



NOTICE OF ADMINISTRATIVE CITATION

Citation No. CE2411-004

CITY OF AMERICAN CANYON

[] COMMUNITY DEVELOPMENT DEPARTMENT
[X] CODE ENFORCEMENT DIVISION
4381 Broadway, Suite 201
American Canyon, CA 94503
(707) 647-4599

[] POLICE DEPARTMENT
911 Donaldson Way East
American Canyon, CA 94503
(707) 551-0600

Citation/Correction Date: November 7, 2024 Time: 1:00 PM
An inspection of the premises located at 285 Napa Junction Rd. in
the City of American Canyon, revealed a violation(s) of the American Canyon Municipal Code.

Name of owner or business: Michale E. Lara
Address if different than violation:

- [] 1st CITATION \$100.00.....IS NOW DUE AND PAYABLE
[X] THE NEXT LEVEL CITATION IS NOW PENDING AND YOU MAY BE CITED EACH DAY THE VIOLATION CONTINUES. OTHER ENFORCEMENT ACTION AND PENALTIES MAY ALSO RESULT IF COMPLIANCE IS NOT ACHIEVED OR IF YOU CONTINUE TO IGNORE THIS CITATION.
[] 2nd CITATION \$200.00.....IS NOW DUE AND PAYABLE
[X] 3rd CITATION \$500.00.....IS NOW DUE AND PAYABLE

THIS VIOLATION(S) WAS ORIGINALLY BROUGHT TO YOUR ATTENTION ON 4/19/2022, AND YOU HAVE NOT CORRECTED OR RESOLVED THE VIOLATION(S).

Table with 2 columns: AMERICAN CANYON CODE SECTION(S) and DESCRIPTION OF VIOLATION(S). Row 1: 19.10.040, PERMITTED USES

CORRECTION(S) REQUIRED: Cease and desist from this and any other unpermitted uses at your property. Specifically, all stored vehicles (food trucks) must be removed from the property by November 18, 2024.

SERVED VIA CERTIFIED AND US MAIL

RECEIPT ACKNOWLEDGED BY DATE 11/07/2024

SIGNATURE OF OFFICER: Tiffany Ford, PRINT NAME OF OFFICER: Tiffany Ford, ID#: CEO
VIOLATION(S) CLEARED AS OF (DATE INSPECTED).

IMPORTANT – READ CAREFULLY
THE LAW REQUIRES

City of American Canyon Administrative Citation Program

American Canyon Municipal Code Chapter 9.12 provides for the issuance of Administrative Citations for Municipal and Zoning Code violations, failure to comply with conditions to an entitlement such as a Use Permit or Design Permit, and applicable State Codes. There are three levels of citations that can be issued progressively for a violation. The fines, as indicated on the front of the citation, are \$100.00 for the First Citation, \$200.00 for the Second Citation and \$500.00 for the Third and subsequent Citations for violations of the same Ordinance, entitlement, or State Code within one year. **These fines are cumulative and citations may be issued each day the violation exists.** A warning, if issued, does not incur a fine and, therefore, may not be appealed.

Rights of Appeal

You have the right to appeal this Administrative Citation within fifteen (15) days from the citation/correction date together with an advanced deposit of the fine along with a Request for Hearing form. An appeal must be in writing to the address on the front of this citation and to the attention of “Administrative Citation Hearing Officer.” A properly filed appeal will result in an administrative hearing.

Failure of any person to properly file a written appeal within fifteen (15) CONSECUTIVE days from the citation/correction date shall constitute a waiver of his or her right to an administrative hearing and adjudication of the Administrative Citation or any portion thereof and the total amount of the fine.

How to Pay Fine

The amount of the fine is indicated on the front of this Administrative Citation. Prior to receiving an invoice from the Finance Department, you may pay by mail or in person at 4381 Broadway, Finance Department, American Canyon City Hall. Payment should be made by personal check, cashier’s check, or money order, payable to the City of American Canyon. Please write the citation or account number on your check or money order.

If the citation is not paid or appealed within the statutory time, you will receive an invoice from the City’s Finance Department. Please follow the instructions on the invoice to ensure proper processing of your payment. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the City of American Canyon.

Consequence of Failure to Pay the Fines

The failure of any person to pay the fine assessed by the Administrative Citation within the time specified on the Citation or on the invoice from the Finance Department may result in a claim with the Small Claims Court or any legal remedy available to collect such money. The City has the authority to collect all costs associated with the filing of such actions. Failure to pay fine requirements may be found in American Canyon Municipal Code Section 9.12.110.

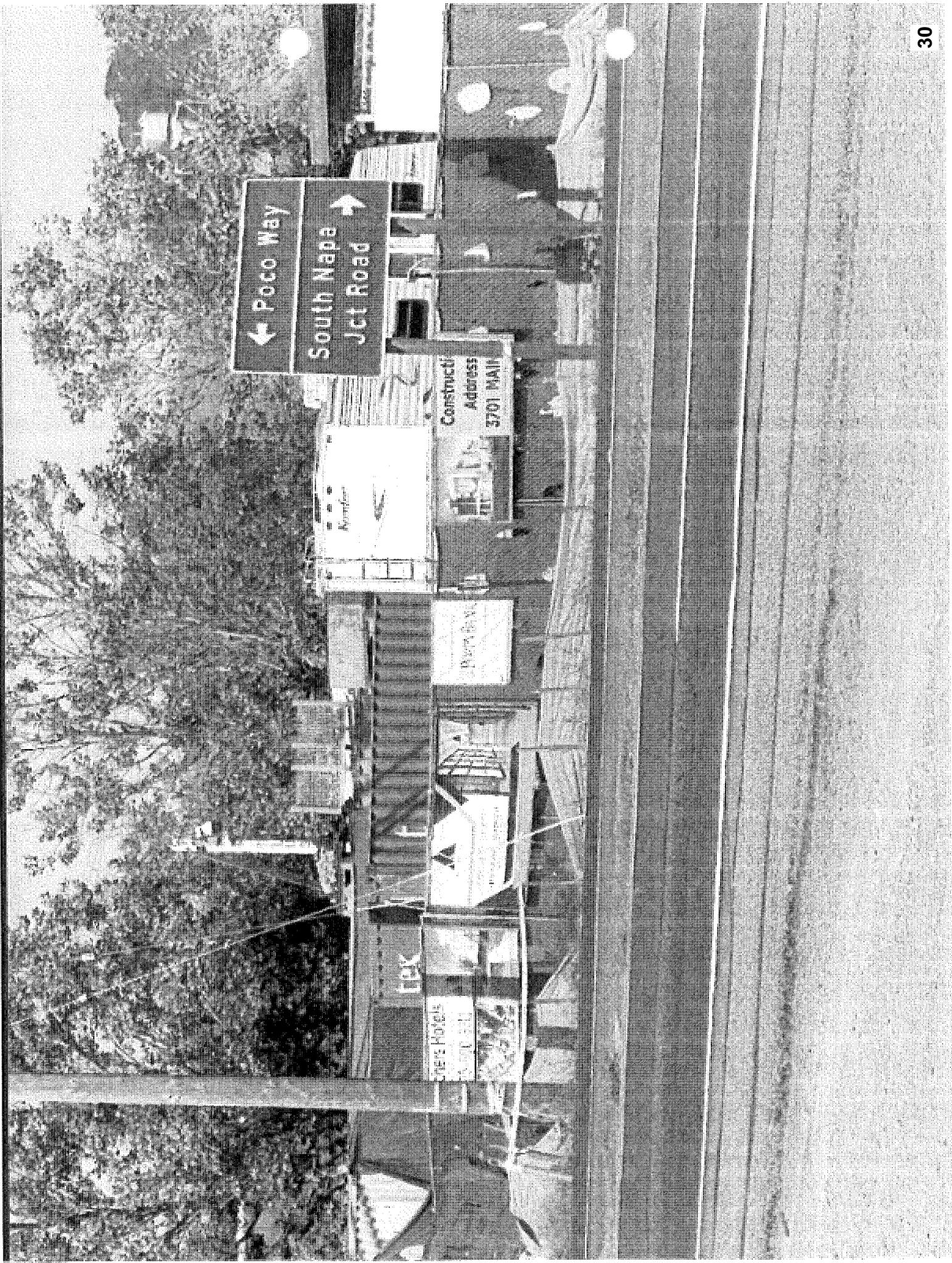
Consequence of Failure to Correct Violations

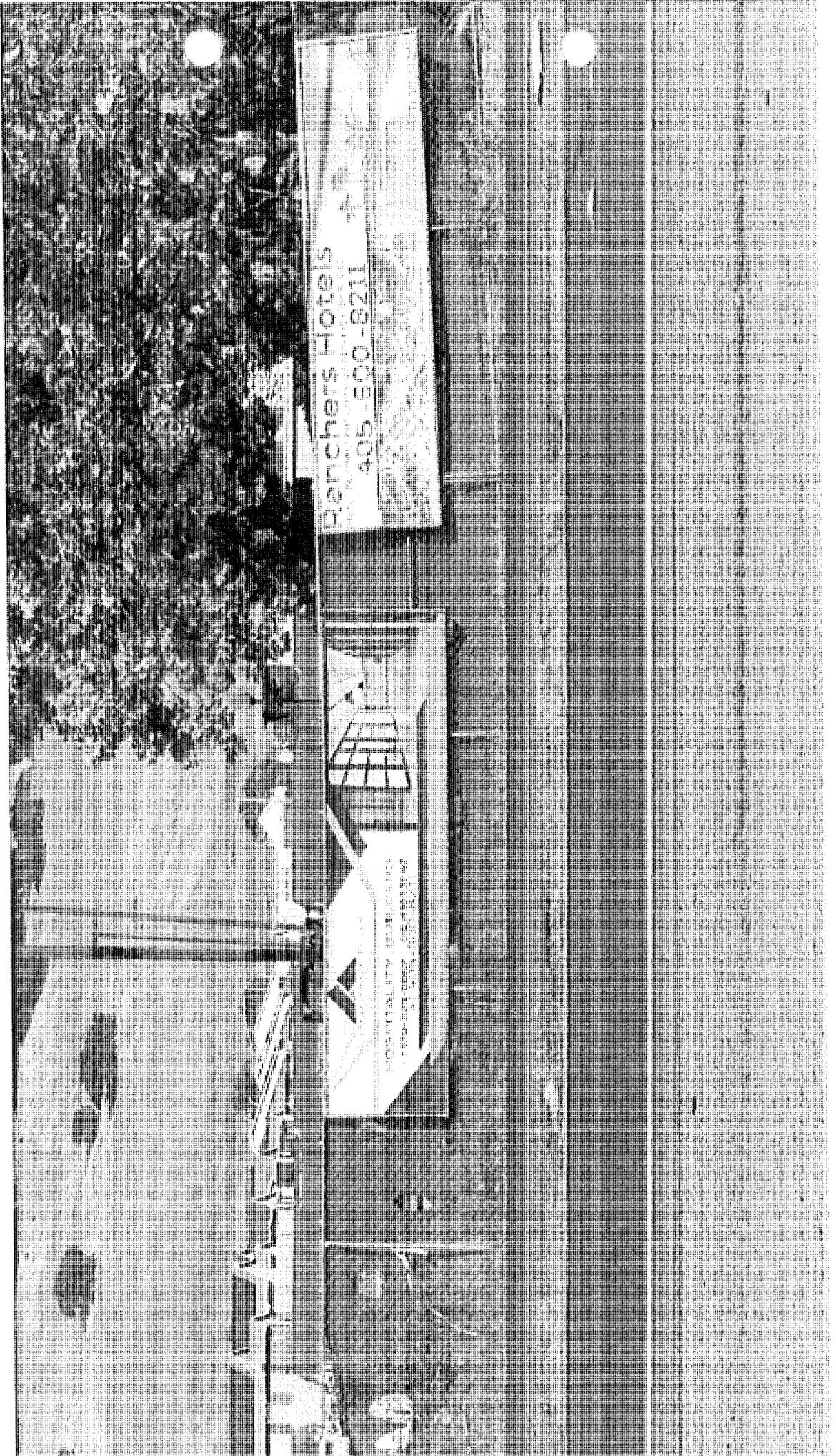
There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines up to \$100,000, to demolish structures or make necessary repairs at the owner’s expense, and to incarcerate violators. Any of these options or others may be used if the administrative citations do not achieve compliance.

If you need further clarification about payment of the citation, please call (707) 647-4360 for the Finance Department.

If you need further information about the violations and/or how to comply, please call the Enforcement Officer that signed the Administrative Citation.

A full description of the hearing process for the City’s Administrative Hearings for Municipal Code violations, failure to comply with conditions to an entitlement, or applicable State Codes and your rights in that process are found in American Canyon Municipal Code Sections 9.12.090 and 9.12.110.





Open with

*Chicken
Guy!*



**HATCHING
SOON!**

DEVELOPED, OWNED, AND OPERATED BY **CHANDI**



Administrative Citation Appeal Procedures American Canyon Municipal Code

9.12.070 Appeal of an administrative citation.

Any recipient of an administrative citation may contest that there was a violation of the American Canyon municipal code, applicable state codes or conditions of an entitlement, or that he or she is the responsible person, by completing a request for hearing form and returning it to the city within fifteen days from the correction date of the administrative citation, together with an advanced deposit of the fine. Any administrative citation fine that has been deposited shall be refunded if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation(s) or that there was no violation(s) as charged in the administrative citation.

(Ord. 99-19 § 1, 2000.)

Cross References

[Section 9.12.020\(C\)](#)

9.12.080 Hearing officers.

The city council designates the planning commission as the hearing officers for the administrative citation hearing. To the extent practical and consistent with [this chapter](#), appeal hearings shall be conducted on the evenings of regularly scheduled planning commission meetings.

(Ord. 99-19 § 1, 2000.)

9.12.090 Hearing procedures.

(A) No hearing to contest an administrative citation before the hearing officers shall be held unless and until a request for hearing form has been completed and submitted, and the fine has been deposited in advance.

(B) A hearing before the hearing officers shall be set for a date that is not less than fifteen and not more than sixty days from the date that the request for hearing is filed in accordance with the provisions of [this chapter](#). The person requesting the hearing shall be notified of the time and place set for the hearing at least ten days prior to the date of the hearing.

(C) The hearing officers shall only consider evidence that is relevant to whether the violation(s) occurred and whether the responsible person has caused or maintained the violation(s) of the municipal code or other applicable state codes or conditions to an entitlement on the date(s) specified in the administrative citation.

(D) The responsible person contesting the administrative citation shall be given the opportunity to testify and present witnesses and evidence concerning the administrative citation.

(E) The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust their administrative remedies.

Administrative Citation Appeal Procedures American Canyon Municipal Code

(F) The administrative citation and any additional documents submitted by the hearing enforcement officers shall constitute prima facie evidence of the respective facts contained in those documents.

(G) If the enforcement officer submits an additional written report concerning the administrative citation to the hearing officers for consideration at the hearing, then a copy of this report also shall be served by mail on the person requesting the hearing at least five days prior to the date of the hearing.

(H) At least ten days prior to the hearing, the recipient of an administrative citation shall be provided with copies of the citations, reports and other documents submitted or relied upon by the enforcement officer. No other discovery is permitted. Formal rules of evidence shall not apply.

(I) The hearing officers may continue the hearing and request additional information from the enforcement officer or the recipient of the administrative citation prior to issuing a written decision.

(Ord. 99-19 § 1, 2000.)

9.12.100 Hearing officer's decision.

(A) After considering all of the testimony and evidence submitted at the hearing, the hearing officers shall issue a written decision within ten days of the hearing to uphold or deny the administrative citation and shall list in the decision the reasons for rendering the decision. The decision of the hearing officers shall be final unless a request for judicial review is filed in accordance with the provisions of [Section 9.12.120](#).

(B) If the hearing officers determine that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

(C) If the hearing officers determine that the administrative citation should be canceled and the fine was deposited with the city, then the city shall promptly refund the amount of the deposited fine.

(D) The recipient of the administrative citation shall be served with a copy of the hearing officer's written decision in the manner prescribed by the American Canyon municipal code.

RESOLUTION NO. 2000-22**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON
ADOPTING A CODE ENFORCEMENT POLICY FOR ABATING NUISANCES AND
ENSURING CONFORMANCE WITH THE MUNICIPAL CODE, ZONING CODE,
AND CONDITIONS OF APPROVAL**

WHEREAS, in order to ensure fair and equitable application of the Code Enforcement procedures, the City Council discussed the various options at its meeting of April 6, 2000; and

WHEREAS, after discussion, the City Council provided its Staff with guidelines for responding to complaints regarding alleged violations of the Municipal Code, Zoning Code, and Conditions of Approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts the following "Code Enforcement Policy of the City of American Canyon" and directs the Planning Department to follow its provisions:

"CODE ENFORCEMENT POLICY OF THE CITY OF AMERICAN CANYON"

The Planning Department is responsible for the enforcement of all Municipal, Zoning, and Building Codes and Conditions of Approval. The Building Inspector typically determines compliance with all Building Codes as a part of the permitting and inspection process for construction. The City Code Enforcement Officer is responsible for investigating alleged violations of the Zoning Code, Municipal Code, and Conditions of Approval imposed upon discretionary permits. For purposes of defining the City's policies for Code Enforcement, the Planning Director, Building Inspectors, Assistant Planner, and Code Enforcement Officer are all designated as Code Enforcement Officers.

In the Residential Districts, Code Enforcement typically involves abandoned, wrecked, or inoperative vehicles in the front yards, property maintenance issues such as overgrown weeds or unsafe or unsanitary living conditions, accumulated trash and debris, and similar nuisances. In the Commercial and Industrial Districts, Code Enforcement activities typically involve violations of Conditions of Approval imposed upon Use Permits and Design Permits, Business License violations, property maintenance, vehicle abatement, and nuisance abatement.

Code Enforcement Procedures in Residential Districts:

Unless a violation effecting the health and safety of the community or construction without benefit of a building permit is visible from a public street, all Code Enforcement investigations in the Residential Districts are initiated only after receiving a complaint. When the City Code Enforcement Officer identifies an immediate threat to the public health and safety, the property owner, tenant, or person responsible for the construction

Resolution 2000-22

June 1, 2000

Page 2

shall be notified and all activity shall cease until the threat to the health and safety of the public is resolved.

When a complaint is lodged with the Planning Department alleging a violation of the Municipal Code, Zoning Code, or a Condition of Approval, the Code Enforcement Officer will drive by the site. If the alleged violation is substantiated, an attempt to make personal contact with the resident, property owner, or business owner shall be made. In those cases where no one is at the site or the personal contact does not resolve the issue, a certified letter and a First Class letter shall be sent to the property owner and/or occupant. If the violation is not resolved within a minimum of five days, an Administrative Citation may be issued. Prior to issuing an Administrative Citation, the property owner and/or resident may appeal to the Planning Director if there is some question or dispute as to the validity of the allegation. In the event an Administrative Citation is issued, the appeal is to the Planning Commission.

Code Enforcement Procedures in Commercial and Industrial Districts:

In the Commercial and Industrial Districts, Code Enforcement actions may be initiated by the Code Enforcement Officer without receiving a formal complaint, so long as the alleged violation is visible from public property or the employee was invited onto an adjacent property by the owner or tenant to view the alleged violation. Code Enforcement actions may be initiated where a clear violation effecting the health and safety of the community or construction without benefit of a permit is discovered, or where a violation of the Municipal Code, Zoning Code, or a Condition of Approval is apparent. In addition, the Code Enforcement Officer will work with the Finance department to ensure that all businesses comply with the City Business License Ordinances.

When a complaint is lodged with the Planning Department alleging a violation of the Municipal Code, Zoning Code, or a Condition of Approval, or a violation is identified in the field, the Code Enforcement Officer will drive by the site. If the alleged violation is substantiated, an attempt to make personal contact with the tenant, property owner, or business owner shall be made. In those cases where no one is at the site or the personal contact does not resolve the issue, a certified letter and a First Class letter shall be sent to the tenant, property owner, or business owner. If the violation is not resolved within a minimum of five days, an Administrative Citation may be issued. Prior to issuing an Administrative Citation, the property owner and/or resident may appeal to the Planning Director if there is some question or dispute as to the validity of the allegation. In the event an Administrative Citation is issued, the appeal is to the Planning Commission.

Resolution 2000-22
June 1, 2000
Page 3

Potential violations in the vicinity of a property subject to a complaint.

If a complaint is filed, or if the Code Enforcement Officer, in addition to the action described above, observes a violation, the Code Enforcement Officer shall determine if a similar situation exists within close proximity. For example, if a complaint is filed regarding a derelict automobile in a front yard, and if the Code Enforcement Officer sees a similar situation in the same block, concurrent action may be initiated. This concept includes all potential violations in plain view within the vicinity of a complaint, not just those similar to the initial complaint.

Responsibilities of the Napa County Sheriff.

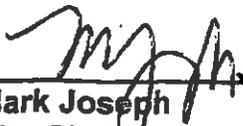
The Napa County Sheriff's Department is responsible for violations on public streets or property, particularly 72-hour parking violations and nuisances such as barking dogs and loud music."

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on June 1, 2000, by the following vote:

AYES: Maples, Colcleaser, Anderson, Canziani
NOES: Shaver
ABSTAIN: None
ABSENT: None


Lori L. Maples, Mayor

ATTEST:


Mark Joseph
City Clerk

APPROVED AS TO FORM:


William D. Ross
City Attorney

285 Napa Junction Road
March 29, 2022 Inspection





March 30, 2022

Michale E. Lara
 285 Napa Junction Road
 American Canyon, CA 94503

CODE ENFORCEMENT DIVISION

VIA US MAIL

VIOLATION:
CHAPTER 19.14; ZONING, INDUSTRIAL DISTRICTS
SECTION 19.14.050; PERMITTED USES

APN: 058-082-001
Case No. ZON2203-002

Re: COURTESY NOTICE OF VIOLATION

Dear Michale E. Lara:

The City of American Canyon has adopted various development standards pertaining to the preservation of environmental quality of property within the Light Industrial (LI) District. City staff has received a complaint alleging an unpermitted use of your property located at 285 Napa Junction Road. Research reveals that **you are using the property for a use—VEHICLE STORAGE—which is unpermitted.**

We are bringing this condition to your attention to give you an opportunity to respond and take action. Please be advised that the unpermitted use of your property has placed you in violation of the American Canyon Municipal Code. As you can see in the table below, *Vehicle Storage* is not permitted in the Light Industrial (LI) District.

19.14.050 Permitted uses.

Table 19.04.050 of this section sets forth the permitted and conditionally permitted uses for each industrial 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. An “M” indicates a minor use permit is required pursuant to Chapter 19.42. If no letter is found opposite a particular use, it is not permitted in that district.

Table 19.14.050
Permitted and Conditionally Permitted Uses
Industrial Districts

Use Classification	Zoning District		Related Provision
	LI	GI	
Commercial			
Vehicle storage	-	C	

(Ord. 2018-05 § 5, 2018; Ord. 2016-03 § 3, 2016; Ord. 2014-06 § 5, 2014; Ord. 2010-07 § 3, 2010; Ord. 2010-05 § 1, 2010; Ord. 2010-03 § 3, 2010; Ord. 2010-02 § 4, 2010; Ord. 2009-12 § 3, 2009; Ord. 2001-02 § 1, 2001)



We hereby request that:

- Within ten (10) days of the date of this Notice, you cease and desist from this and any other unpermitted uses at your property. **Specifically, all stored vehicles must be removed from the property. We will conduct a review of this case to ensure your compliance on or after April 9, 2022.**

Acting in a timely fashion in this matter will avert possible Administrative Citations and avoid a minimum fine of \$100.

I would like to thank you in advance for your prompt cooperation in this matter. If you have questions or need to discuss this matter further, you may call me at 707-647-4599.

Sincerely,

Tiffany Ford

Tiffany Ford
Code Enforcement Officer

cc: File



285 Napa Junction Road
April 18, 2022 Inspection



285 Napa Junction Road
April 19, 2022 Inspection





April 19, 2022

Michale E. Lara
285 Napa Junction Road
American Canyon, CA 94503

CODE ENFORCEMENT DIVISION

VIA US MAIL
CERTIFIED MAIL

VIOLATION:
CHAPTER 19.14; ZONING, INDUSTRIAL DISTRICTS
SECTION 19.14.050; PERMITTED USES

APN: 058-082-001
Case No. ZON2203-002

Re: NOTICE OF VIOLATION-FINAL REQUEST FOR COMPLIANCE

Dear Michale E. Lara:

The City of American Canyon is still concerned about the condition of your property at 285 Napa Junction Rd. City staff sent you a Courtesy Notice of Violation dated March 30, 2022 requesting that you cease and desist from all unpermitted uses at your property. Specifically, we requested that all stored vehicles be removed from the property no later than April 9, 2022.

A site inspection on April 18, 2022, and April 19, 2022, revealed that you have not complied with the City’s request.

We are again bringing this condition to your attention to give you an opportunity to respond and take action. Please be advised that the unpermitted use of your property has placed you in violation of the American Canyon Municipal Code, as *Vehicle Storage* is not permitted in the Residential (RS) District.

We hereby request that:

- Within ten (10) days of the date of this Notice, you cease and desist from this and any other unpermitted uses at your property. **Specifically, all stored vehicles must be removed from the property. We will conduct a review of this case to ensure your compliance on or after April 29, 2022.**

Acting in a timely fashion in this matter will avert possible Administrative Citations and avoid a minimum fine of \$100.

I would like to thank you in advance for your prompt cooperation in this matter. If you have questions or need to discuss this matter further, you may call me at 707-647-4599.

Sincerely,
Tiffany Ford

Tiffany Ford
Code Enforcement Officer

cc: File

Encl: Notice of Violation CE2204-003



NOTICE OF VIOLATION

No. **CE2204-003**

CITY OF AMERICAN CANYON
 PLANNING DEPARTMENT
 CODE ENFORCEMENT
 4381 Broadway, Suite 201
 American Canyon, CA 94503

AMERICAN CANYON FIRE PROTECTION DISTRICT
 FIRE DISTRICT
 911 Donaldson Way East
 American Canyon, CA 94503

WARNING ONLY
PREVIOUSLY ADVISED
FINAL WARNING

Date: **April 19, 2022** Time: **3:00pm**

Name of owner or business: **Michale E. Lara**
 Address (if different):

An inspection of the premises located at **285 Napa Junction Road**
 in the City of American Canyon revealed a violation(s) of the American Canyon Municipal Code.

AMERICAN CANYON MUNICIPAL CODE SECTION	DESCRIPTION OF VIOLATION
19.14.050	PERMITTED USES

TO CORRECT THIS VIOLATION: See instructions in attached Notice of Violation dated Apr. 19, 2022

THIS VIOLATION MUST BE CORRECTED BY: April 29, 2022

If the violation is not corrected by the date specified, an ADMINISTRATIVE CITATION will be issued and penalties will begin to accrue (\$100, \$200, \$500) each day. Additional enforcement actions such as administrative abatement, civil penalties, revocation of permits, recordation of notice of violation, withholding of future municipal permits, criminal prosecution and/or civil injunction may be utilized to correct this violation(s). In addition, a 10% late fee will be charged on any reinspection to invoice not paid by the due date.

A REINSPECTION WILL BE MADE ON OR AFTER THE CORRECTION DATE. IF THE CORRECTION(S) IS NOT COMPLETED, AN ADMINISTRATIVE CITATION WILL BE ISSUED AND FEES WILL BEGIN TO ACCRUE.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date shown above.

~~~~~ **SERVED VIA CERTIFIED & FIRST CLASS MAIL** ~~~~~

|                                                     |                                 |           |
|-----------------------------------------------------|---------------------------------|-----------|
| SIGNATURE OF ISSUING OFFICER<br><i>Tiffany Ford</i> | ISSUING OFFICER<br>Tiffany Ford | ID<br>CEO |
|-----------------------------------------------------|---------------------------------|-----------|

**VIOLATION CLEARED DATE:**

Revised: February 7, 2002

**MAAS & RUSSO, LLP**  
ATTORNEYS AT LAW

-521 GEORGIA STREET, VALLEJO, CA 94590-

**THOMAS M. MAAS**  
**ELENA B. MORGAN**  
**BONIFACIO LOMELI**  
Phone: (707) 644-4004  
Fax: (707) 644-7528  
Email: law@mortonrusso.com

**DANIEL J. RUSSO \*\***  
CERTIFIED SPECIALIST-CRIMINAL LAW  
STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION  
\*\* Also admitted to the District of  
Columbia Bar

May 25, 2022

City of American Canyon  
c/o Tiffany Ford  
4381 Broadway Street, Suite 201  
American Canyon, CA 94503

**Re: Case No. ZON2203-001**  
**Discriminatory Enforcement of Code**

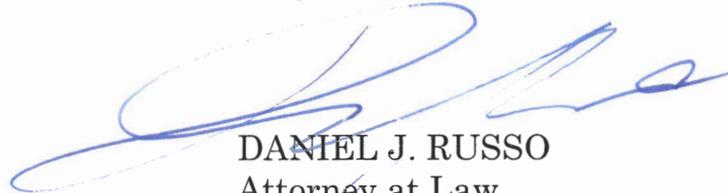
Dear Ms. Ford,

We have been retained by William and Michael Lara, over what appears to be a discriminatory enforcement of zoning regulations within the City of American Canyon.

The Laras are owners of the property at 285 Junction Road and were sent a Notice of Violation from the American Canyon Code Enforcement Division demanding they cease and desist from all unpermitted uses at their property, specifically demanding the removal of stored vehicles from the property.

Please forward this letter to the appropriate Department Head for review. Your prompt attention to this matter is requested.

Very truly yours,



**DANIEL J. RUSSO**  
Attorney at Law

DJR/vw

285 Napa Junction Road  
May 31, 2022 Inspection



William D. Ross  
David P. Schwarz  
Kypros G. Hostetter  
Christina M. Bellardo

Law Offices of  
**William D. Ross**  
400 Lambert Avenue  
Palo Alto, California 94306  
Telephone: (650) 843-8080  
www.lawross.com

Los Angeles Office:  
P.O. Box 25532  
Los Angeles, CA 90025

File No: 199.6

October 13, 2023

**VIA E-MAIL**  
[law@mortonrusso.com](mailto:law@mortonrusso.com)

Daniel J. Russo, Esq.  
Maas and Russo  
521 Georgia Street  
Vallejo, CA 94590

Re: Alleged Code Enforcement Discrimination; 285 Napa Junction Rd; Case No. ZON2203-001

---

Dear Mr. Russo:

This office serves as City Attorney for the City of American Canyon (“City”). We are responding to the matter of code enforcement violations and the allegations of discrimination contained in your letter dated May 25, 2022 at 285 Napa Junction Road (“Property”). We take any allegations of potential discriminatory conduct seriously. Based on your letter, we are unable to conclude that any discriminatory practices have occurred.

When the City receives a complaint related to code enforcement violations, it is our obligation to investigate the matter promptly and impartially. Our investigation process is designed to ensure that we uphold the law, protect the rights of all residents, and maintain a fair and equitable system of code enforcement. It is important to note that our investigations are conducted solely based on the information available at the time of the complaint, which is often limited to the address and the nature of the alleged violations.

In your letter dated May 25, 2022, you made a conclusory statement alleging discrimination without providing any substantial evidence to support this claim. It is important to emphasize that the City does not discriminate on the basis of race, color, sex, sexual orientation, creed, religion, age, pregnancy, marital status, or national origin. We are committed to promoting diversity, equality, and fairness in all aspects of our operations, including code enforcement.

Without evidence to substantiate a claim of discrimination, we are unable to make any determination that discriminatory practices have occurred in this case. Our City staff will continue to carry out their code enforcement duties diligently and impartially, ensuring that all residents are treated equally and in accordance with the law. As such, we have advised the City to continue

David J. Russo, Esq.  
October 20, 2023  
Page 2

with Code Enforcement efforts at the Property and we are informed that the violations are still ongoing.

If you have any additional evidence to support your claim of discrimination, please forward that information to us. We remain open to addressing any legitimate concerns or issues related to code enforcement violations and are committed to upholding the principles of fairness and justice.

We hope that this clarifies our position on the matter. If you have any further questions or concerns, please do not hesitate to reach out to us. We value open communication and the opportunity to address any issues.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with a long horizontal stroke at the end.

William D. Ross

WDR:CMB

cc: Tiffany Ford, City Code Enforcement Officer



September 18, 2024

Michale E. Lara  
285 Napa Junction Road  
American Canyon, CA 94503

|                                                                                                          |
|----------------------------------------------------------------------------------------------------------|
| <b>CODE ENFORCEMENT DIVISION</b>                                                                         |
| <b>VIA US MAIL<br/>VIA CERTIFIED MAIL<br/>VIA COPY LEFT AT PREMISES</b>                                  |
| <b>VIOLATION:<br/>CHAPTER 19.10; ZONING, RESIDENTIAL DISTRICTS<br/>SECTION 19.10.040; PERMITTED USES</b> |
| <b>APN: 058-082-001<br/>Case No. ZON2203-002</b>                                                         |

**Re: NOTICE OF VIOLATION-FINAL REQUEST FOR COMPLIANCE**

Dear Michale E. Lara:

The City of American Canyon is still concerned about the condition of your property at 285 Napa Junction Rd. City staff sent you Notices of Violations on March 30<sup>th</sup> and April 19<sup>th</sup> of 2022 requesting that you cease and desist from all unpermitted uses at your property. Specifically, we requested that all stored vehicles be removed from the property no later than April 29, 2022.

City staff has conducted several inspections of your property, most recently on September 13<sup>th</sup> and September 17, 2024, which reveal that you have not complied with the City’s request.

We are again bringing this condition to your attention to give you an opportunity to respond and take action. Please be advised that the unpermitted use of your property has placed you in violation of the American Canyon Municipal Code, as *Vehicle Storage* is not permitted in the Medium Density Residential (RM) District.

We hereby request that:

- Within ten (10) days of the date of this Notice, you cease and desist from this and any other unpermitted uses at your property. **Specifically, all stored vehicles must be removed from the property. We will conduct a review of this case to ensure your compliance on or after September 30, 2024.**

**Acting in a timely fashion in this matter will avert possible Administrative Citations and avoid a minimum fine of \$100.**

I would like to thank you in advance for your prompt cooperation in this matter. If you have questions or need to discuss this matter further, you may call me at 707-647-4599.

Sincerely,  
Tiffany Ford



Michale E. Lara  
September 18, 2024  
Page 2

Tiffany Ford  
Code Enforcement Officer

cc: File

Encl: Notice of Violation CE2409-004



# NOTICE OF VIOLATION

No. **CE2409-004**

**CITY OF AMERICAN CANYON**  
 PLANNING DEPARTMENT  
 **CODE ENFORCEMENT**  
 4381 Broadway, Suite 201  
 American Canyon, CA 94503

**AMERICAN CANYON FIRE PROTECTION DISTRICT**  
 FIRE DISTRICT  
 911 Donaldson Way East  
 American Canyon, CA 94503

WARNING ONLY  
PREVIOUSLY ADVISED       
FINAL WARNING        

Date:     **Sept. 18, 2024**     Time:     **3:30pm**

Name of owner or business: **Michale E. Lara**  
 Address (if different):

An inspection of the premises located at     **285 Napa Junction Road**  
 in the City of American Canyon revealed a violation(s) of the American Canyon Municipal Code.

| AMERICAN CANYON<br>MUNICIPAL CODE SECTION | DESCRIPTION OF VIOLATION |
|-------------------------------------------|--------------------------|
| 19.10.040                                 | PERMITTED USES           |
|                                           |                          |
|                                           |                          |
|                                           |                          |

**TO CORRECT THIS VIOLATION:**     See instructions in attached Notice of Violation dated Sept. 18, 2024

**THIS VIOLATION MUST BE CORRECTED BY:**     Sept. 30, 2024

If the violation is not corrected by the date specified, an ADMINISTRATIVE CITATION will be issued and penalties will begin to accrue (\$100, \$200, \$500) each day. Additional enforcement actions such as administrative abatement, civil penalties, revocation of permits, recordation of notice of violation, withholding of future municipal permits, criminal prosecution and/or civil injunction may be utilized to correct this violation(s). In addition, a 10% late fee will be charged on any reinspection to invoice not paid by the due date.

**A REINSPECTION WILL BE MADE ON OR AFTER THE CORRECTION DATE. IF THE CORRECTION(S) IS NOT COMPLETED, AN ADMINISTRATIVE CITATION WILL BE ISSUED AND FEES WILL BEGIN TO ACCRUE.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date shown above.

~~~~~ **SERVED VIA CERTIFIED & FIRST CLASS MAIL** ~~~~~

| | | |
|---|---------------------------------|-----------|
| SIGNATURE OF ISSUING OFFICER
<i>Tiffany Ford</i> | ISSUING OFFICER
Tiffany Ford | ID
CEO |
|---|---------------------------------|-----------|

VIOLATION CLEARED DATE:

Revised: February 7, 2002



October 3, 2024

Michale E. Lara
285 Napa Junction Rd.
American Canyon, CA 94503

CODE ENFORCEMENT DIVISION

VIA US MAIL
VIA CERTIFIED RETURN RECEIPT REQUESTED

APN: 058-082-001
Case No. ZON2203-002

ADMINISTRATIVE CITATION – CE2410-003

Re: ADMINISTRATIVE CITATION – CE2410-003

Dear Michale E. Lara:

The City of American Canyon is still very concerned about the condition of your property at 285 Napa Junction Rd. City staff mailed Notices dated March 30th and April 19, 2022, and most recently on September 18, 2024, requesting that you remove all stored vehicles from the property, and that you cease and desist from any and all unpermitted uses at the property. A compliance inspection on October 3, 2024, reveals that you have not complied with the City’s requests.

Enclosed you will find your copy of Administrative Citation CE2410-003 for \$100, **which is now due and payable.** **An envelope is enclosed for your convenience. Failure to pay will result in this debt being forwarded to a collection agency.** Staff will conduct another compliance inspection on or after October 10, 2024. Failure to remove all vehicles from the property by October 10, 2024, will result in another Administrative Citation being issued to you, and the amount of that citation will be \$200.

We need your prompt attention in correcting the code violations on your property at 285 Napa Junction Rd. Acting promptly in this matter will avert further Administrative Citations and possible legal action as well as preserve the quality of our community.

I would like to thank you in advance for your prompt cooperation in this matter. Should you require further information, please contact me at 707-647-4599.

Sincerely,
Tiffany Ford

Tiffany Ford
Code Enforcement Officer

cc: File

Encl: Administrative Citation CE2410-003



NOTICE OF ADMINISTRATIVE CITATION

Citation No. CE2410-003

CITY OF AMERICAN CANYON

[] COMMUNITY DEVELOPMENT DEPARTMENT
[X] CODE ENFORCEMENT DIVISION
4381 Broadway, Suite 201
American Canyon, CA 94503
(707) 647-4599

[] POLICE DEPARTMENT
911 Donaldson Way East
American Canyon, CA 94503
(707) 551-0600

Citation/Correction Date: October 3, 2024 Time: 11:00 AM
An inspection of the premises located at 285 Napa Junction Rd. in
the City of American Canyon, revealed a violation(s) of the American Canyon Municipal Code.

Name of owner or business: Michale E. Lara
Address if different than violation:

- [X] 1ST CITATION \$100.00.....IS NOW DUE AND PAYABLE
[X] THE NEXT LEVEL CITATION IS NOW PENDING AND YOU MAY BE CITED EACH DAY THE VIOLATION CONTINUES. OTHER ENFORCEMENT ACTION AND PENALTIES MAY ALSO RESULT IF COMPLIANCE IS NOT ACHIEVED OR IF YOU CONTINUE TO IGNORE THIS CITATION.
[] 2ND CITATION \$200.00.....IS NOW DUE AND PAYABLE
[] 3RD CITATION \$500.00.....IS NOW DUE AND PAYABLE

THIS VIOLATION(S) WAS ORIGINALLY BROUGHT TO YOUR ATTENTION ON 4/19/2022, AND YOU HAVE NOT CORRECTED OR RESOLVED THE VIOLATION(S).

Table with 2 columns: AMERICAN CANYON CODE SECTION(S): 19.10.040 and DESCRIPTION OF VIOLATION(S): PERMITTED USES

CORRECTION(S) REQUIRED: Cease and desist from this and any other unpermitted uses at your property. Specifically, all stored vehicles must be removed from the property.

SERVED VIA CERTIFIED AND US MAIL

RECEIPT ACKNOWLEDGED BY DATE 10/3/2024

SIGNATURE OF OFFICER Tiffany Ford PRINT NAME OF OFFICER Tiffany Ford ID# CEO

VIOLATION(S) CLEARED AS OF (DATE INSPECTED).

IMPORTANT – READ CAREFULLY
THE LAW REQUIRES

City of American Canyon Administrative Citation Program

American Canyon Municipal Code Chapter 9.12 provides for the issuance of Administrative Citations for Municipal and Zoning Code violations, failure to comply with conditions to an entitlement such as a Use Permit or Design Permit, and applicable State Codes. There are three levels of citations that can be issued progressively for a violation. The fines, as indicated on the front of the citation, are \$100.00 for the First Citation, \$200.00 for the Second Citation and \$500.00 for the Third and subsequent Citations for violations of the same Ordinance, entitlement, or State Code within one year. **These fines are cumulative and citations may be issued each day the violation exists.** A warning, if issued, does not incur a fine and, therefore, may not be appealed.

Rights of Appeal

You have the right to appeal this Administrative Citation within fifteen (15) days from the citation/correction date together with an advanced deposit of the fine along with a Request for Hearing form. An appeal must be in writing to the address on the front of this citation and to the attention of “Administrative Citation Hearing Officer.” A properly filed appeal will result in an administrative hearing.

Failure of any person to properly file a written appeal within fifteen (15) CONSECUTIVE days from the citation/correction date shall constitute a waiver of his or her right to an administrative hearing and adjudication of the Administrative Citation or any portion thereof and the total amount of the fine.

How to Pay Fine

The amount of the fine is indicated on the front of this Administrative Citation. Prior to receiving an invoice from the Finance Department, you may pay by mail or in person at 4381 Broadway, Finance Department, American Canyon City Hall. Payment should be made by personal check, cashier’s check, or money order, payable to the City of American Canyon. Please write the citation or account number on your check or money order.

If the citation is not paid or appealed within the statutory time, you will receive an invoice from the City’s Finance Department. Please follow the instructions on the invoice to ensure proper processing of your payment. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the City of American Canyon.

Consequence of Failure to Pay the Fines

The failure of any person to pay the fine assessed by the Administrative Citation within the time specified on the Citation or on the invoice from the Finance Department may result in a claim with the Small Claims Court or any legal remedy available to collect such money. The City has the authority to collect all costs associated with the filing of such actions. Failure to pay fine requirements may be found in American Canyon Municipal Code Section 9.12.110.

Consequence of Failure to Correct Violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines up to \$100,000, to demolish structures or make necessary repairs at the owner’s expense, and to incarcerate violators. Any of these options or others may be used if the administrative citations do not achieve compliance.

If you need further clarification about payment of the citation, please call (707) 647-4360 for the Finance Department.

If you need further information about the violations and/or how to comply, please call the Enforcement Officer that signed the Administrative Citation.

A full description of the hearing process for the City’s Administrative Hearings for Municipal Code violations, failure to comply with conditions to an entitlement, or applicable State Codes and your rights in that process are found in American Canyon Municipal Code Sections 9.12.090 and 9.12.110.



October 28, 2024

Michale E. Lara
285 Napa Junction Rd.
American Canyon, CA 94503

CODE ENFORCEMENT DIVISION

**VIA US MAIL
VIA CERTIFIED RETURN RECEIPT REQUESTED**

**APN: 058-082-001
Case No. ZON2203-002**

ADMINISTRATIVE CITATION – CE2410-016

Re: ADMINISTRATIVE CITATION – CE2410-016

Dear Michale E. Lara:

The City of American Canyon is still very concerned about the condition of your property at 285 Napa Junction Rd. City staff mailed Notices dated March 30th and April 19, 2022, and most recently on September 18, 2024, requesting that you remove all stored vehicles from the property, and that you cease and desist from any and all unpermitted uses at the property. Compliance inspections on October 23rd and 28th, 2024, reveal that you have not complied with the City's requests.

Enclosed you will find your copy of Administrative Citation CE2410-016 for \$200, **which is now due and payable**. **An envelope is enclosed for your convenience. Failure to pay will result in this debt being forwarded to a collection agency.** Staff will conduct another compliance inspection on or after November 7, 2024. Failure to remove all vehicles from the property by November 7, 2024, will result in another Administrative Citation being issued to you, and the amount of that citation will be \$500.

We need your prompt attention in correcting the code violations on your property at 285 Napa Junction Rd. Acting promptly in this matter will avert further Administrative Citations and possible legal action as well as preserve the quality of our community.

I would like to thank you in advance for your prompt cooperation in this matter. Should you require further information, please contact me at 707-647-4599.

Sincerely,
Tiffany Ford

Tiffany Ford
Code Enforcement Officer

cc: File

Encl: Administrative Citation CE2410-016



NOTICE OF ADMINISTRATIVE CITATION

Citation No. CE2410-016

CITY OF AMERICAN CANYON

COMMUNITY DEVELOPMENT DEPARTMENT
 CODE ENFORCEMENT DIVISION
4381 Broadway, Suite 201
American Canyon, CA 94503
(707) 647-4599

POLICE DEPARTMENT
911 Donaldson Way East
American Canyon, CA 94503
(707) 551-0600

Citation/Correction Date: October 28, 2024 **Time:** 10:00 AM
An inspection of the premises located at 285 Napa Junction Rd. in
the City of American Canyon, revealed a violation(s) of the American Canyon Municipal Code.

Name of owner or business: Michale E. Lara
Address if different than violation: _____

- 1ST CITATION \$100.00.....IS NOW DUE AND PAYABLE**
 THE NEXT LEVEL CITATION IS NOW PENDING AND YOU MAY BE CITED EACH DAY THE VIOLATION CONTINUES. OTHER ENFORCEMENT ACTION AND PENALTIES MAY ALSO RESULT IF COMPLIANCE IS NOT ACHIEVED OR IF YOU CONTINUE TO IGNORE THIS CITATION.
 2ND CITATION \$200.00.....IS NOW DUE AND PAYABLE
 3RD CITATION \$500.00.....IS NOW DUE AND PAYABLE

THIS VIOLATION(S) WAS ORIGINALLY BROUGHT TO YOUR ATTENTION ON 4/19/2022, AND YOU HAVE NOT CORRECTED OR RESOLVED THE VIOLATION(S).

| AMERICAN CANYON CODE SECTION(S): | DESCRIPTION OF VIOLATION(S): |
|----------------------------------|------------------------------|
| <u>19.10.040</u> | <u>PERMITTED USES</u> |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

CORRECTION(S) REQUIRED: Cease and desist from this and any other unpermitted uses at your property. Specifically, all stored vehicles must be removed from the property by November 7, 2024.

SERVED VIA CERTIFIED AND US MAIL

RECEIPT ACKNOWLEDGED BY _____ DATE 10/28/2024

SIGNATURE OF OFFICER Tiffany Ford PRINT NAME OF OFFICER Tiffany Ford ID# CEO
VIOLATION(S) CLEARED AS OF _____ (DATE INSPECTED).

IMPORTANT – READ CAREFULLY
THE LAW REQUIRES

City of American Canyon Administrative Citation Program

American Canyon Municipal Code Chapter 9.12 provides for the issuance of Administrative Citations for Municipal and Zoning Code violations, failure to comply with conditions to an entitlement such as a Use Permit or Design Permit, and applicable State Codes. There are three levels of citations that can be issued progressively for a violation. The fines, as indicated on the front of the citation, are \$100.00 for the First Citation, \$200.00 for the Second Citation and \$500.00 for the Third and subsequent Citations for violations of the same Ordinance, entitlement, or State Code within one year. **These fines are cumulative and citations may be issued each day the violation exists.** A warning, if issued, does not incur a fine and, therefore, may not be appealed.

Rights of Appeal

You have the right to appeal this Administrative Citation within fifteen (15) days from the citation/correction date together with an advanced deposit of the fine along with a Request for Hearing form. An appeal must be in writing to the address on the front of this citation and to the attention of “Administrative Citation Hearing Officer.” A properly filed appeal will result in an administrative hearing.

Failure of any person to properly file a written appeal within fifteen (15) CONSECUTIVE days from the citation/correction date shall constitute a waiver of his or her right to an administrative hearing and adjudication of the Administrative Citation or any portion thereof and the total amount of the fine.

How to Pay Fine

The amount of the fine is indicated on the front of this Administrative Citation. Prior to receiving an invoice from the Finance Department, you may pay by mail or in person at 4381 Broadway, Finance Department, American Canyon City Hall. Payment should be made by personal check, cashier’s check, or money order, payable to the City of American Canyon. Please write the citation or account number on your check or money order.

If the citation is not paid or appealed within the statutory time, you will receive an invoice from the City’s Finance Department. Please follow the instructions on the invoice to ensure proper processing of your payment. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the City of American Canyon.

Consequence of Failure to Pay the Fines

The failure of any person to pay the fine assessed by the Administrative Citation within the time specified on the Citation or on the invoice from the Finance Department may result in a claim with the Small Claims Court or any legal remedy available to collect such money. The City has the authority to collect all costs associated with the filing of such actions. Failure to pay fine requirements may be found in American Canyon Municipal Code Section 9.12.110.

Consequence of Failure to Correct Violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines up to \$100,000, to demolish structures or make necessary repairs at the owner’s expense, and to incarcerate violators. Any of these options or others may be used if the administrative citations do not achieve compliance.

If you need further clarification about payment of the citation, please call (707) 647-4360 for the Finance Department.

If you need further information about the violations and/or how to comply, please call the Enforcement Officer that signed the Administrative Citation.

A full description of the hearing process for the City’s Administrative Hearings for Municipal Code violations, failure to comply with conditions to an entitlement, or applicable State Codes and your rights in that process are found in American Canyon Municipal Code Sections 9.12.090 and 9.12.110.



November 7, 2024

Michale E. Lara
285 Napa Junction Rd.
American Canyon, CA 94503

Re: **ADMINISTRATIVE CITATION – CE2410-016**

Dear Michale E. Lara:

The City of American Canyon is still very concerned about the condition of your property at 285 Napa Junction Rd. City staff mailed Notices dated March 30th and April 19, 2022, and most recently on September 18, 2024, requesting that you remove all stored vehicles from the property, and that you cease and desist from any and all unpermitted uses at the property. Compliance inspections on October 23rd, 28th, and November 7, 2024, reveal that you have not complied with the City's requests.

Enclosed you will find your copy of Administrative Citation CE2411-004 for \$500, **which is now due and payable**. **An envelope is enclosed for your convenience. Failure to pay will result in this debt being forwarded to a collection agency.** Staff will conduct another compliance inspection on or after November 18, 2024. Failure to remove all vehicles (food trucks) from the property by November 18, 2024, will result in another Administrative Citation being issued to you, and the amount of that citation will be \$500.

We need your prompt attention in correcting the code violations on your property at 285 Napa Junction Rd. Acting promptly in this matter will avert further Administrative Citations and possible legal action as well as preserve the quality of our community.

I would like to thank you in advance for your prompt cooperation in this matter. Should you require further information, please contact me at 707-647-4599.

Sincerely,
Tiffany Ford

Tiffany Ford
Code Enforcement Officer

cc: File

Encl: Administrative Citation CE2411-004

CODE ENFORCEMENT DIVISION

VIA US MAIL

VIA CERTIFIED RETURN RECEIPT REQUESTED

APN: 058-082-001

Case No. ZON2203-002

ADMINISTRATIVE CITATION – CE2411-004



NOTICE OF ADMINISTRATIVE CITATION

Citation No. CE2411-004

CITY OF AMERICAN CANYON

COMMUNITY DEVELOPMENT DEPARTMENT
 CODE ENFORCEMENT DIVISION
4381 Broadway, Suite 201
American Canyon, CA 94503
(707) 647-4599

POLICE DEPARTMENT
911 Donaldson Way East
American Canyon, CA 94503
(707) 551-0600

Citation/Correction Date: November 7, 2024 **Time:** 1:00 PM
An inspection of the premises located at 285 Napa Junction Rd. in
the City of American Canyon, revealed a violation(s) of the American Canyon Municipal Code.

Name of owner or business: Michale E. Lara
Address if different than violation: _____

- 1ST CITATION \$100.00.....IS NOW DUE AND PAYABLE**
 THE NEXT LEVEL CITATION IS NOW PENDING AND YOU MAY BE CITED EACH DAY THE VIOLATION CONTINUES. OTHER ENFORCEMENT ACTION AND PENALTIES MAY ALSO RESULT IF COMPLIANCE IS NOT ACHIEVED OR IF YOU CONTINUE TO IGNORE THIS CITATION.
 2ND CITATION \$200.00.....IS NOW DUE AND PAYABLE
 3RD CITATION \$500.00.....IS NOW DUE AND PAYABLE

THIS VIOLATION(S) WAS ORIGINALLY BROUGHT TO YOUR ATTENTION ON 4/19/2022, AND YOU HAVE NOT CORRECTED OR RESOLVED THE VIOLATION(S).

| AMERICAN CANYON CODE SECTION(S): | DESCRIPTION OF VIOLATION(S): |
|----------------------------------|------------------------------|
| <u>19.10.040</u> | <u>PERMITTED USES</u> |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

CORRECTION(S) REQUIRED: Cease and desist from this and any other unpermitted uses at your property. Specifically, all stored vehicles (food trucks) must be removed from the property by November 18, 2024.

SERVED VIA CERTIFIED AND US MAIL

RECEIPT ACKNOWLEDGED BY _____ DATE 11/07/2024

| | | |
|---|---------------------------------------|------------|
| SIGNATURE OF OFFICER
<u>Tiffany Ford</u> | PRINT NAME OF OFFICER
Tiffany Ford | ID#
CEO |
|---|---------------------------------------|------------|

VIOLATION(S) CLEARED AS OF _____ (DATE INSPECTED).

IMPORTANT – READ CAREFULLY
THE LAW REQUIRES

City of American Canyon Administrative Citation Program

American Canyon Municipal Code Chapter 9.12 provides for the issuance of Administrative Citations for Municipal and Zoning Code violations, failure to comply with conditions to an entitlement such as a Use Permit or Design Permit, and applicable State Codes. There are three levels of citations that can be issued progressively for a violation. The fines, as indicated on the front of the citation, are \$100.00 for the First Citation, \$200.00 for the Second Citation and \$500.00 for the Third and subsequent Citations for violations of the same Ordinance, entitlement, or State Code within one year. **These fines are cumulative and citations may be issued each day the violation exists.** A warning, if issued, does not incur a fine and, therefore, may not be appealed.

Rights of Appeal

You have the right to appeal this Administrative Citation within fifteen (15) days from the citation/correction date together with an advanced deposit of the fine along with a Request for Hearing form. An appeal must be in writing to the address on the front of this citation and to the attention of “Administrative Citation Hearing Officer.” A properly filed appeal will result in an administrative hearing.

Failure of any person to properly file a written appeal within fifteen (15) CONSECUTIVE days from the citation/correction date shall constitute a waiver of his or her right to an administrative hearing and adjudication of the Administrative Citation or any portion thereof and the total amount of the fine.

How to Pay Fine

The amount of the fine is indicated on the front of this Administrative Citation. Prior to receiving an invoice from the Finance Department, you may pay by mail or in person at 4381 Broadway, Finance Department, American Canyon City Hall. Payment should be made by personal check, cashier’s check, or money order, payable to the City of American Canyon. Please write the citation or account number on your check or money order.

If the citation is not paid or appealed within the statutory time, you will receive an invoice from the City’s Finance Department. Please follow the instructions on the invoice to ensure proper processing of your payment. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the City of American Canyon.

Consequence of Failure to Pay the Fines

The failure of any person to pay the fine assessed by the Administrative Citation within the time specified on the Citation or on the invoice from the Finance Department may result in a claim with the Small Claims Court or any legal remedy available to collect such money. The City has the authority to collect all costs associated with the filing of such actions. Failure to pay fine requirements may be found in American Canyon Municipal Code Section 9.12.110.

Consequence of Failure to Correct Violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: civil penalties, abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property. These options can empower the City to collect fines up to \$100,000, to demolish structures or make necessary repairs at the owner’s expense, and to incarcerate violators. Any of these options or others may be used if the administrative citations do not achieve compliance.

If you need further clarification about payment of the citation, please call (707) 647-4360 for the Finance Department.

If you need further information about the violations and/or how to comply, please call the Enforcement Officer that signed the Administrative Citation.

A full description of the hearing process for the City’s Administrative Hearings for Municipal Code violations, failure to comply with conditions to an entitlement, or applicable State Codes and your rights in that process are found in American Canyon Municipal Code Sections 9.12.090 and 9.12.110.

Medium Density Residential Zoning Code Permitted Uses

19.10.040 Permitted uses.

Table [19.10.040](#) of [this section](#) sets forth the permitted and conditionally permitted uses for each residential 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. An "M" indicates a minor use permit is required pursuant to [Chapter 19.42](#). If no letter is found opposite a particular use, it is not permitted in that district.

**Table [19.10.040](#)
PERMITTED AND CONDITIONALLY PERMITTED USES
RESIDENTIAL DISTRICTS ¹**

| RESIDENTIAL DISTRICT
Use Classifications | ZONING DISTRICTS | | | | | | Related Provisions |
|---|------------------|----|----------------|----------------|----------------|----------------|-----------------------------------|
| | RRH | RE | RR | RS | RM | RH | |
| Residential | | | | | | | |
| Congregate living facility | - | - | - | - | P | P | |
| Cottage food operations | P | P | P | P | P | P | |
| Employee housing (1 to 6 occupants) | P | P | P | P | - | - | |
| Garden apartments | - | - | - | - | P | P | |
| Mobilehome | - | C | C | C | - | - | |
| Mobilehome park | - | - | - | - | C | C | Chapter 19.10 |
| Multifamily residential | - | - | - | - | P | P | |
| Residential Care Home, Small | P | P | P | P | P | P | |
| Second residential unit | P | P | P | P | P | - | Section 19.10.120 |
| Single room occupancy | - | - | - | - | - | P | Section 19.10.160 |
| Single-family residential | | | | | | | |
| - Detached | P | P | P | P | p ² | p ² | ² GP Policy 1.8.3 |
| - Semidetached | - | - | p ³ | p ⁴ | P | P | ³ GP Policy 1.7.1 |
| | | | | | | | ⁴ GP Policy 1.7.2 |
| Townhouses | - | - | - | - | P | P | |
| Wholesaling, commercial | - | - | - | - | - | - | |
| Industrial | | | | | | | |
| Vehicle/equipment services | - | - | - | - | - | - | |
| - Vehicle/equipment repair | - | - | - | - | - | - | |
| - Vehicle storage | - | - | - | - | - | - | |
| Wholesaling, distribution and storage | - | - | - | - | - | - | |
| - Small scale | - | - | - | - | - | - | |
| - Trucking terminal | - | - | - | - | - | - | |

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 aviation easements.

Medium Density Residential Zoning Code

Permitted Uses

([Ord. No. 2024-04 Section 2](#); [Ord. No. 2024-01](#); Ord. 2001-02 § 1, 2001; Ord. 2001-11 § 1, 2001; Ord. 2005-02, 2005; Ord. 2009-11 § 3, 2009; Ord. 2009-12 § 3, 2009; Ord. 2010-02 § 4, 2010; Ord. 2010-03 § 3, 2010; Ord. 2013-07 § 3, 2013; Ord. 2014-06 § 3, 2014; Ord. 2015-01 § 2, 2015; Ord. 2017-07 § 2, 2017; Ord. 2018-05 § 2, 2018; Ord. 2018-06 § 6, 2018; Ord. 2020-04 § 2, 2020.)

Chapter 19.29 HOME OCCUPATIONS

19.29.010 Purpose.

(A) The purpose of this chapter is to establish standards for home occupations in order to achieve compatibility with other permitted uses, and with the residential character of the neighborhood in which they are located.

(B) In recognition of the unique rural nature of neighborhoods in the rural residential district, including larger lot sizes and greater separation between dwellings, modifications to some of these standards may be allowed, as noted in this chapter.

(Ord. 2001-02 § 1, 2001.)

19.29.020 Definition.

As used in this chapter, a "home occupation" is an accessory use of a dwelling for employment and/or business purposes that is incidental to and subordinate to the use of the dwelling unit as a residence, and that is so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence. Large family child care homes are exempt from this definition.

(Ord. 2001-02 § 1, 2001; Ord. 2009-12 § 3, 2009.)

19.29.030 Home occupation standards.

(A) A home occupation shall comply with the following minimum standards:

- (1) No person other than those persons who are residents of the premises shall be engaged in such occupations.
- (2) The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent of the gross floor area of the dwelling unit shall be used in the conduct of the home occupation.
- (3) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation.
- (4) A home occupation may be conducted only within an enclosed building, whether the building constitutes part of the main building or in an accessory building.
- (5) There shall be no sales in connection with such home occupation other than sales of merchandise produced on the premises or directly related to the services offered.
- (6) No pedestrian or vehicular traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.

(7) No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable off the lot to the normal senses. In the case of electrical interference, no equipment or process shall be used that creates visual or audible interference upon any radio or television receivers off the premises, or cause fluctuations in line voltage off the premises. A home occupation shall not cause any adverse impacts such as offensive odors or excessive noise, lighting, or traffic that are incompatible with the residential area, or in violation with the provisions of any applicable laws or regulations.

(8) No vehicle over one ton carrying capacity may be used in conduct of a home occupation.

(9) Every home occupation shall fully comply with all city, county, state and federal codes, ordinances, rules and regulations.

(B) The above standards may be modified as follows for home occupations in the rural residential district:

(1) Up to twenty-five percent of the rear yard may be used for outside storage of operable vehicles, equipment and materials associated with the home occupation.

(2) Vehicles and other wheeled equipment shall be stored on an all-weather surface such as asphalt, cement, crushed rock or on grass surfaces in rear yards.

(3) All vehicles, equipment and materials stored in the rear yard shall not be visible off-site. Where necessary, an opaque screen or enclosure (such as a wall, fence or evergreen landscaping) shall be provided to achieve compliance with the standard.

(4) Storage of vehicles in excess of one ton may be considered subject to review and approval by the community development director.

(C) The director may impose additional standards and restrictions on home occupations reasonably related to the protection of the health, safety and general welfare of persons or property in the neighborhood of the home occupation or the city.

(Ord. 2001-02 § 1, 2001.)

19.29.040 Home occupation permits.

(A) Applicability. No person shall commence or carry on any home occupation within the city without first having obtained a home occupation permit.

(B) Application.

(1) An application for a home occupation permit shall be filed in writing with the community development department by the person who intends commencing or carrying on a home occupation. Where the applicant is not the owner of the property on which the home

occupation is proposed to be conducted, the application shall be accompanied by the written consent of the owner or his or her agent.

(2) The application shall be upon forms furnished by and in a manner prescribed by the community development director and shall be accompanied by any applicable filing fee established by resolution of the city council.

(C) Review and Approval.

(1) Within ten working days after the filing of an application for a home occupation permit, the community development director shall review the application and approve, conditionally-approve or deny the permit. The director may approve or conditionally-approve an application for a home occupation permit if he or she finds it consistent with the purpose and standards of this chapter.

(2) The director shall serve a notice of such action upon the applicant by mailing a copy of such notice to the applicant at the address appearing on the application.

(3) Any person aggrieved by the action of the director upon an application for a home occupation permit may appeal such an action by filing a written notice of appeal with the director within the ten days after the date of the mailing of such action. The director shall refer all appeals to the planning commission. The commission shall set the matter for hearing at the earliest available date. The applicant shall be given notice of the time and date set for such consideration.

(4) An appeal of a commission decision may be made by filing a notice of appeal with the city clerk. The notice shall comply with the requirements of Section 2.04.110 of the municipal code except that the notice of appeal shall be filed within ten days after the decision of the commission and appeal shall be subject to the procedures set forth in Chapter 2.04 of the municipal code.

(D) Suspension and Revocation.

(1) Any home occupation permit may be suspended or revoked when it is determined that the home occupation authorized by the permit has been or is being conducted:

(a) In violation of any city, county and/or state code, ordinance, rule or regulation;

(b) In a disorderly manner;

(c) To the detrimental of the general public; or

(d) In a different form than which the permit was issued.

(2) Any home occupation permit that has been issued shall not be revoked or suspended unless a hearing shall first have been held by the community development director. Written notice of the time and place of such hearing shall be served upon the permittee at least ten days prior to the date set forth for such hearing. The notice shall contain a brief statement of the grounds for revoking or suspending the permit. The notice shall be served by mailing, by registered mail, a copy of such notice to the permittee at the address appearing on the permit.

(3) Any person aggrieved by the action of the director upon an application for a home occupation permit may appeal an action by filing a written notice of appeal to the director within ten days after the date of mailing of the director's action on the suspension or revocation of the permit. Appeals shall be processed as set forth in subsection C of this section.

(E) Transferability. No home occupation permit shall be transferred or assigned, nor shall the permit authorize any person, other than the person named therein, to commence or carry on the home occupation for which the permit was issued.

(F) Existing County Home Occupation Permits. Those home occupations already operating under a home occupation permit previously issued by the county of Napa shall not be required to obtain a new home occupation permit from the city. Such a previously-issued home occupation permit shall remain in full force and effect until such time as it is suspended or revoked under the provisions of subsection D of this section or expires under provisions of this chapter.

(Ord. 2001-02 § 1, 2001.)

19.29.050 Business license required.

Every home occupation permittee shall obtain a business license. If the business license is not renewed annually, the home occupation permit shall automatically expire.

(Ord. 2001-02 § 1, 2001.)

From: Brent Cooper

Sent: Monday, April 7, 2025 5:17 PM

To: Michael Lara ([REDACTED]) <[REDACTED]>

Cc: Jason Holley <jholley@americancanyon.gov>; Bill Ross - External <wross@lawross.com>; Erica Ahmann Smithies <esmithies@americancanyon.gov>; Christina Bellardo <cbellardo@lawross.com>; Juan Gomez <jgomez@americancanyon.gov>; William He <whe@americancanyon.gov>; Julieanne Geilfuss <jgeilfuss@americancanyon.gov>

Subject: Food Truck Storage Option at 285 Napa Junction Road

Hello Michael,

I hope you are doing well. I wanted to follow up on our telephone conversation about the food truck storage at your home located at 285 Napa Junction Road.

Your testimony at the Planning Commission meeting emphasized that parking one or two food trucks on your property does not look out of place because the surrounding properties are not conventional single-family homes. Additionally, your home is located on a large lot, and the food trucks are parked further from the street than would be possible on a conventional 20-foot single family driveway. These are reasonable arguments, but the food trucks, which are a commercial business, do not have any permitting status with the City.

After reviewing the municipal code, I believe that storing one or two food trucks at your home would qualify for a Home Occupation Permit. Many residents operate a business from their homes, and a Home Occupation Permit allows them to do so in a way that does not make the average neighbor aware of its existence under normal circumstances. You can read the Home Occupation Permit Ordinance [HERE](#).

I attached a copy of a Home Occupation Permit application. The important criteria to allow a Home Occupation Permit for the food truck storage include:

- Home residents engage in the food truck business.
- The food truck storage is incidental to the use of the property as a residence.
- There are no food truck sales on the property.
- Food trucks must be stored on an all-weather surface (i.e.: asphalt, concrete, permeable paving systems, and gravel designed to withstand weather conditions and the weight of the food trucks).
- The presence of food trucks on the property may not cause any nuisance, such as noise, fumes, odors, glare, etc.
- Food preparation for the food trucks occurs at an off-site commercial kitchen (commissary).
- A separate business license application for the food trucks would be required because all businesses need a business license. You can learn more about business licenses [HERE](#).

- Every home occupation permit must fully comply with all city, state and federal codes, ordinances, rules, and regulations.

If this approach seems acceptable, please let me know.

If you would like to apply for a Home Occupation Permit, you can access the application [HERE](#).

I look forward to hearing from you soon.

Best regards,

Brent Cooper, AICP

Community Development Director

City of American Canyon | 4381 Broadway Street, Suite 201, CA 94503

[\(707\) 647-4335](tel:(707)647-4335) | bcooper@americancanyon.gov

www.americancanyon.gov | www.facebook.com/CityofAmericanCanyon



From: Brent Cooper

Sent: Monday, April 14, 2025 10:48 AM

To: Michael Lara ([REDACTED]) <[REDACTED]>

Cc: Jason Holley <jholley@americancanyon.gov>; Bill Ross - External <wross@lawross.com>; Erica Ahmann Smithies <esmithies@americancanyon.gov>; Christina Bellardo <cbellardo@lawross.com>; Juan Gomez <jgomez@americancanyon.gov>; William He <whe@americancanyon.gov>; Julieanne Geilfuss <jgeilfuss@americancanyon.gov>

Subject: UPDATE Food Truck Storage Option at 285 Napa Junction Road

Hello Michael,

I hope you're doing well, especially during this busy tax preparation season!

I wanted to let you know that I've prepared a Home Occupation Permit application for the food truck storage at your home. It's a straightforward process, but I understand it might be new to you.

To help move things along quickly, I've answered the questions based on your correspondence and Planning Commission testimony. I've attached the application for your review.

Please take a look, correct any answers if needed, sign, and email return the application at your earliest convenience.

Thank you!

Brent Cooper, AICP

Community Development Director

City of American Canyon | 4381 Broadway Street, Suite 201, CA 94503

(707) 647-4335 | americancanyon.gov

HOME OCCUPATION PERMIT APPLICATION



CD Director Approval: _____ Date: _____

Applicant's Information (Please type or print)

Applicant's name: Michael Lara

Home business address: 285 Napa Junction Road, AC, CA 94503

Name of business: [REDACTED]

Best contact phone number: [REDACTED]

Describe the type of business: Food Truck

Website for business: N/A

Location of business in residence: [] bedroom [] accessory structure [] garage [] other Driveway x

Total square foot of residence, including garage: N/A square feet

Floor area of residence to be utilized by home occupation: N/A square feet

Please specify what type of business activity will occur at the residence: Maximum 2 food trucks will be stored on the driveway when not in use.

Type of equipment/materials used at your residence that may create noise, hazardous waste, or odors: None

Is there any proposed storage, use or handling of:

- Flammable liquids [] Yes [x] No Hazardous materials [] Yes [x] No
Flammable solids [] Yes [x] No Explosives [] Yes [x] No
Odorous materials [] Yes [x] No Food* [x] Yes [] No

*Food stored within trucks is limited to nonperishable, shelf stable food that does not need refrigeration i.e.: dry seasonings, canned goods, cereals, condiments, packaged beverages, baking supplies, etc. No on-site food truck-related preparation or cooking at the home occupation address.

[x] I have completed and attached the Home Occupation Questionnaire

Applicant is the Property Owner: [x] YES [] NO

If the applicant is not the property owner please complete this section

Property owner name: _____ Property owner contact phone: _____

Authorization: Signature of property owner or manager allowing Home Occupation _____

Home Occupation Criteria

- Homes on large rural lots may warrant exceptions from some of the Home Occupation Criteria (ACMC 19.29.010(B)).
- No person other than those persons who are residents of the premises shall be engaged in a home occupation.
- The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the gross floor area of the dwelling unit shall be used in the conduct of the home occupation.
- There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation. This application is subject to a large, rural lot exception.
- A home occupation may be conducted only within an enclosed building, whether the building constitutes part of the main building or in an accessory building. This application is subject to a large, rural lot exception.
- There shall be no sales in connection with such home occupation other than sales of merchandise produced on the premises or directly related to the services offered.
- No pedestrian or vehicular traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
- No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable off the lot to the normal senses. In the case of electrical interference, no equipment or process shall be used that creates visual or audible interference upon any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises. A home occupation shall not cause any adverse impacts such as offensive odors or excessive noise, lighting, or traffic that are incompatible with the residential area, or in violation with the provisions of any applicable laws or regulations.
- A vehicle over one ton carrying capacity used in the conduct of a home occupation may be considered. This application is subject to a large, rural lot exception.
- Every home occupation shall fully comply with all city, state and federal Codes, ordinances, rules, and regulations.

Applicant's Certification

I hereby certify under penalty of perjury that the statements furnished herein present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the American Canyon Municipal Code as it pertains to my business and to obtain all necessary City, County, State and Federal permits, approvals and/or clearances including but not limited to, building and electrical permits.

Further, I hereby certify that I have read, understand and have reviewed the criteria, as specified on this form, for the operation of a home occupation and hereby agree to comply with these criteria.

I also understand that should I fail to comply with the Home Occupation Ordinance, my home occupation permit may be revoked pursuant to procedures set forth in Section 19.29.040 of the Municipal Code.

Applicant's Signature

Date

All applications must include non-refundable payment prior to review. The review process can take 2-3 weeks.

Any person aggrieved by the action of the Community Development Director upon an application for a home occupation permit may appeal such an action by filing a written notice of appeal with the Director within ten days after the date of the mailing of such action.

HOME OCCUPATION PERMIT QUESTIONNAIRE



Applicant's name: Michael Lara

Home business address: 285 Napa Junction Road Phone: [REDACTED]

Name of business: [REDACTED]

| | YES | NO | N/A |
|--|-----|----|-----|
| Will there be more than one home occupation conducted from the home?
~ If yes, provide the name and type of the other business: _____ | | X | |
| Is the application the owner of the home?
~ If no, the property owner or manager must sign for authorization on the application | X | | |
| Is the application an occupant of the home? | | X | |
| Will only individuals that live in the home be involved in this home occupation? | X | | |
| Will there be any additions, interior alteration or exterior alteration happening at the home? | | X | |
| Will the home occupation require use of more than 25% of the total floor area of the home? | | X | |
| Will there be any chemicals related to the home occupation stored on-site?
~ If yes, list what chemicals and where they are stored _____ | | X | |
| Will any business equipment or materials, other than vehicles, be stored outside the home? | | X | |
| Will a business-related vehicle be stored at the home?
~If yes, does the vehicle have a carrying capacity of more than one ton? <u>2 Food Trucks</u> | X | | |
| Will there be any signs to advertise the home occupation? | | X | |
| Will there be any personal contact with customers/clients at the applicant's residence?
~ If yes, how frequently? <u>Occasionally i.e.: no more than a few times per week</u> | X | | |
| Will there be any deliveries or shipments, other than USPS, from the residence?
~ If yes, will the frequency exceed five times per week? <u>No</u> | X | | |
| Does this business violate any state, federal or local laws? | | X | |

I hereby certify, under penalty of perjury that the information provided is true and correct to the best of my knowledge

Applicant's Signature

Date

From: Brent Cooper

Sent: Thursday, April 17, 2025 10:42 AM

To: [REDACTED]

Cc: Jason Holley <jholley@americancanyon.gov>; Bill Ross - External <wross@lawross.com>; Erica Ahmann Smithies <esmithies@americancanyon.gov>; Christina Bellardo <cbellardo@lawross.com>; Juan Gomez <jgomez@americancanyon.gov>; William He <whe@americancanyon.gov>; Julieanne Geilfuss <jgeilfuss@americancanyon.gov>; Michael Lara ([REDACTED]) <[REDACTED]>

Subject: UPDATE Food Truck Storage Option at 285 Napa Junction Road

Good morning Michael,

Thank you for taking my call earlier today.

I wanted to check if you had a chance to review the email I sent on Monday regarding the Home Occupation Permit for the two food trucks stored at your home at 285 Napa Junction Road.

As requested, I am forwarding the email to your AOL account.

Looking forward to hearing from you soon.

Best regards and take care,

Brent Cooper, AICP

Community Development Director

City of American Canyon | 4381 Broadway Street, Suite 201, CA 94503

(707) 647-4335 | americancanyon.gov



TITLE

Fiscal Year 2025/26 Capital Improvement Program

RECOMMENDATION

Adopt a Resolution determining that the FY 2025/26 Capital Improvement Program (CIP) is consistent with the General Plan.

CONTACT

Erica Ahmann Smithies, P.E., Public Works Director

Ron Ranada, P.E., Senior Civil Engineer

BACKGROUND & ANALYSIS

California Government Code requires that the Capital Improvement Program (CIP) be consistent with the General Plan and in conformance with the General Plan where property is to be acquired (Sections 65401 and 65402). These sections also mandate that the determination of consistency and conformance with a General Plan be made by the Planning Commission.

Accordingly, the Planning Commission is tasked with reviewing the Fiscal Year 2025/26 CIP and making the finding that the the CIP activities align with the General Plan goals, policies, and infrastructure plans. For example, roadway construction would be consistent with the General Plan when the roadway is depicted on the Circulation Element map, identified in the goals and policies, or listed as an implementation program/activity.

Staff has reviewed the proposed FY 2025/26 City capital projects and has evaluated the proposed improvements for consistency with the classifications contained in the General Plan. As shown in the Attachment 2, these activities are consistent and in conformity with the policies contained in the General Plan.

The Planning Commission's conformance determination allows the 2025/26 CIP to be brought to City Council for adoption along with anticipated expenditures and projects over a five-year period at a meeting in June 2025.

ANALYSIS

The City's 2025/26 CIP consists of 38 projects in 6 divisions: Civic, Parks and Recreation, Transportation and Public Works, Water, Wastewater, and Recycled Water. There are 31 projects currently budgeted with 7 new projects being added to Fiscal Year 2025/26. Some of the projects involve private property to be acquired, thus triggering the Section 65402 conformity finding.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

The CIP fiscal impact will be identified in the operating budget for fiscal Year 2025/2026 which will be heard at a City Council meeting in June 2025.

ENVIRONMENTAL REVIEW

The determination of consistency and conformity, where applicable, with the General Plan pursuant to Government Code Sections 65401 and 65402 is not considered a "project" under the California Environmental Quality Act (CEQA).

Furthermore, actions implementing the General Plan are consistent with the certified General Plan Environmental Impact Report (EIR). Specific projects proposed as part of the CIP will require their own CEQA determination at the time of project implementation.

ATTACHMENTS:

1. [Resolution No. 2025-CIP](#)
2. [Exhibit A: FY25-26 CIP Project List](#)

RESOLUTION NO. 2025-XX

A RESOLUTION DETERMINING THAT THE CITY OF AMERICAN CANYON FISCAL YEAR 2025/26 CAPITAL IMPROVEMENT PROGRAM IS CONSISTENT WITH AND IN COMFORMITY WITH THE CITY OF AMERICAN CANYON GENERAL PLAN

WHEREAS, California Government Code Sections 65401 and 65402 requires the Planning Commission to review the proposed Capital Improvement Program (CIP) each year for consistency and conformity with the adopted General Plan; and

WHEREAS, the list of City Capital Project Deliverables for Fiscal Year 2025/26 has been provided to the Planning Commission, attached Exhibit “A”; and

WHEREAS, the City has identified a number of capital improvement projects, including civic, parks, transportation, water, and wastewater improvements for implementation in Fiscal Year 2025/26; and

WHEREAS, the City of American Canyon Planning Commission considered the list of Capital Project Deliverables for Fiscal Year 2025/26 at the regularly scheduled public meeting of April 24, 2025 at which time all those in attendance were given the opportunity to speak on the proposal; and

WHEREAS, the determination of consistency and conformity, where applicable, with the General Plan pursuant to Government Code Sections 65401 and 65402 is not considered a “project” under the California Environmental Quality Act (CEQA); and

NOW THEREFORE BE IT RESOLVED that the Planning Commission does hereby find that the proposed Capital Improvement Program (CIP) for Fiscal Year 2025/26 (Exhibit “A”) is consistent with and in conformity with the adopted City of American Canyon General Plan.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Planning Commission on April 24, 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Davet Mohammad, Chair

ATTEST:

APPROVED AS TO FORM:

Nicolle Hall, Deputy City Clerk

William D. Ross, City Attorney

EXHIBIT:

A. Capital Improvement Program (CIP) for Fiscal Year 2025/26

**City of American Canyon
FY 2025-26 CAPITAL IMPROVEMENT PROGRAM**

| Project Number | Project Title | General Plan Policy |
|--|---|---|
| CIVIC | | |
| 1 | CF23-0100 City Hall Building Roof Improvement | 1.0 Land Use Element: Accommodate public and institutional uses that serve the needs of the residents of American Canyon Goal 1J: |
| 2 | CF23-0300 Corp Yard Relocation and Facility Upgrade | 1.0 Land Use Element: Accommodate public and institutional uses that serve the needs of the residents of American Canyon Goal 1J: |
| 3 | CF24-0100 EV Charging Stations | 1.0 Land Use Element: Accommodate public and institutional uses that serve the needs of the residents of American Canyon Goal 1J: |
| 4 | CF24-0200 Napa River Ecology Center Site Improvements | 1.0 Land Use Element: Accommodate public and institutional uses that serve the needs of the residents of American Canyon Goal 1J: |
| 5 | CF26-0100 2026 EV Charging Station | 1.0 Land Use Element: Accommodate public and institutional uses that serve the needs of the residents of American Canyon Goal 1J: |
| PARKS | | |
| 6 | PR19-0100 Wetlands Edge Environmental Educational Enhancement Project | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.4.12, 7.8.8, I7.10.4, I7.30, I7.43 |
| 7 | PR23-0100 Melvin Road Park Improvements | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.7.4, 7.8.8, I7.20, I7.27 |
| 8 | PR23-0200 Melvin Tennis Court Improvements | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20 |
| 9 | PR23-0300 Aquatic Facility Improvement | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.8.8, I7.20 |
| 10 | PR23-0400 Northampton Shade Canopy | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| 11 | PR23-0500 Northampton Park Restroom | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| 12 | PR23-0700 Silver Oak Park Restroom | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| 13 | PR24-0100 Linwood Park Improvements | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| 14 | PR25-0400 Veterans Park Playground Replacement and Resurface | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| 15 | PR25-0500 Community Park I Playground Replacement and Resurface | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| 16 | PR25-0600 Main Street Park Improvements | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| 17 | PR26-0100 Wetlands Restoration - Design Phase | 7.0 Parks and Recreation Element: Parks and Trail Standards 7.3.1, 7.8.8, I7.20, I7.27 |
| TRANSPORTATION AND PUBLIC WORKS | | |
| 18 | TR16-0700 Green Island Rd Reconstruction/Widening | 1.0 Land Use Element: 1.3.1 and 4.0 Circulation Element Policies, Street Network 1.1-1.4, 1.6-1.12, & 1.20 |
| 19 | TR23-0100 Knightsbridge Reconstruction & Water Main Improvements | 4.0 Circulation Element Policies: Street Network 1.5, 1.7-1.12, & 1.20 and 5.0 Utilities Element Policies: Water Resources Implementation I.5.4 |
| 20 | TR23-0200 South Kelly Road - Highway 29 Intersection | 4.0 Circulation Element Policies: Street Network 1.5, 1.7-1.12, & 1.20 |

**City of American Canyon
FY 2025-26 CAPITAL IMPROVEMENT PROGRAM**

| Project Number | | Project Title | General Plan Policy |
|-----------------------|-----------|--|--|
| 21 | TR23-0300 | American Canyon Road Guardrail Project | 4.0 Circulation Element Policies: Street Network 1.5, 1.7-1.12, & 1.20 |
| 22 | TR24-0200 | Melvin Sidewalk and Storm Drainage Improvements | 4.0 Circulation Element Policies: Street Network 1.5, 1.7-1.12, & 1.20 and 5.0 Utilities Element Policies: Storm Water Implementation I 5.24 and 5.26 |
| 23 | TR24-0300 | Rancho Del Mar Paving and Utility Improvements | 4.0 Circulation Element Policies: Street Network 1.5, 1.7-1.12, & 1.20, and 5.0 Utilities Element Policies: Implementation I.5.4 and 5.47 (water and wastewater) |
| 24 | TR25-0100 | Rancho Del Mar Paving and Utility Improvements Phase II | 4.0 Circulation Element Policies: Street Network 1.5, 1.7-1.12, & 1.20, and 5.0 Utilities Element Policies: Implementation I.5.4 and 5.47 (water and wastewater) |
| 25 | TR25-0200 | Green Island Road Class I Trail | 1.0 Land Use Element: 1.3.1 and 4.0 Circulation Element Policies |
| 26 | TR26-0100 | Citywide Pavement Rejuvenation Project | 4.0 Circulation Element Policies, Street Network 1.1, 1.5, 1.7-1.12, & 1.20 |
| 27 | TR27-0100 | Melvin Road Pavement Rehabilitation | 4.0 Circulation Element Policies, Street Network 1.1, 1.5, 1.7-1.12, & 1.20 |
| WATER | | | |
| 28 | WA23-0200 | Water Treatment Plant Filter Media Replacement & Underdrain Repair | 5.0 Utilities Element Policies, Implementation 5.7.2 |
| 29 | WA24-0200 | North Kelly Road Water Main | 5.0 Utilities Element Policies, Implementation 5.7.2 |
| 30 | WA25-0200 | Zone 5 Water Pump Station | 5.0 Utilities Element Policies, Implementation 5.7.2 |
| 31 | WA26-0100 | Northampton Water Main Replacement | 5.0 Utilities Element Policies, Implementation 5.7.2 |
| 32 | WA26-0200 | Water Treatment Plant SCADA | 5.0 Utilities Element Policies, Implementation I.5.4 and 5.47 (water) |
| WASTEWATER | | | |
| 33 | WW16-0300 | Water Reclamation Facility SCADA | 5.0 Utilities Element Policies, Implementation I.5.4 and 5.47 (wastewater) |
| 34 | WW20-0100 | SS4 Broadway Sewer Rehab, Crawford to Donaldson | 5.0 Utilities Element Policies, Maintenance 5.15.4 and Implementation 5.47 (wastewater) |
| 35 | WW24-0100 | Andrew Road Sewer Repair | 5.0 Utilities Element Policies, Maintenance 5.15.4 and Implementation 5.47 (wastewater) |
| 36 | WW25-0100 | Cartegena Manhole Rehabilitation | 5.0 Utilities Element Policies, Maintenance 5.15.4 and Implementation 5.47 (wastewater) |
| RECYCLED WATER | | | |
| 37 | RW23-0100 | Recycled Water Fill Stations | 1.0 Land Use Element: 1.3.1 and 5.0 Utilities Element Policies, Implementation I 5.23 |
| 38 | RW25-0100 | Little League Field Irrigation | 1.0 Land Use Element: 1.3.1 and 5.0 Utilities Element Policies, Implementation I 5.23 |



**City of American Canyon
Active Community Development Projects
April 2025**

| Project Applications Under Review | | | | | | |
|--|---|----------------------------|---|--|--|----------------------------|
| No. | Project Name | Applicant | Description | Location/Area | Application Status | Planner |
| 1. | Napa Airport Corporate Center Development Agreement Extension (PL25-0008) | G3 Enterprises | Extend the NACC Development Agreement by 10 years from September 3, 2025 to September 3, 2035. | Southeast corner Devlin Road/S. Kelly Road
30.27 acres | 3/6/25 Application submitted
5/22/25 PC Hearing | William He / Brent Cooper |
| 2. | Hampton Inn Hotel Lot Line Adjustment (PL25-0007) | American Canyon Lodging LP | Merge a parcel located off Donaldson Way into the Hampton Inn hotel property. | 3439 Broadway
2.67 acres | 3/3/25 Application submitted
3/27/25 Comments to Applicant | William He / Edison Bisnar |
| 3. | Giovannoni Logistics Center Modification (PL25-0004) | Buzz Oates | Reduce the size of one warehouse and construct two additional smaller buildings. | Northeast corner Devlin Road/Green Island Road
69.8 acres | 1/30/25 Application submitted
3/6/25 Application Approved | Brent Cooper |
| 4. | Napa Junction Mini Storage Modification (PL24-0029) | Hess Development | Delete Conditions of Approval to construct a sidewalk along Hess Road and underground the Utility lines along Napa Junction Road. | 4484 Hess Drive
8.44 acres | 10/22/24 Application submitted
10/22/24 Comments to applicant | William He |
| 5. | Canyon Estates Richmond American Homes Design Permit (PL24-0028) | Richmond American Homes | Design Permit to modify architecture, retaining walls, easements, lot lines, and landscaping for 33 single-family homes in the Canyon Estates Subdivision | Canyon Estates Circle
38.2 acres | 10/21/24 Application Submitted
11/20/24 Comments to applicant
1/29/25 Application resubmitted for Lots 1-6
2/3/25 Lots 1-6 approved | Brent Cooper |

| Project Applications Under Review | | | | | | |
|--|--|------------------|--|--|---|----------------|
| No. | Project Name | Applicant | Description | Location/Area | Application Status | Planner |
| 6. | Promontory Pedestrian Modification (PL24-0027) | 330 Land Company | Remove pedestrian connections around two detention basins that provide recreation and connection to the Vine Trail. | Northeast corner Mallen Way/Rio Del Mar East
57 acres | 1/7/25 Application submitted
1/15/25 Meeting with applicant
2/6/25 Comments to applicant
2/24/25 Application resubmitted | William He |
| 7. | Crawford Way Multifamily Residential (PL23-0003) | Yeh Area Group | A 100-unit Townhome style apartment homes with sixteen 3-story buildings including a mix of 68 two-bedroom and 32 three-bedroom units. | Northwest corner Crawford Way/SR-29
4.276 acres | 1/25/23 Application submitted
2/27/23 Comments to applicant
7/19/23 Application resubmitted
8/16/23 Comments to applicant
12/12/23 Staff checked in with the applicant on project status.
1/25/24 Application resubmitted
2/23/24 Comments to applicant
6/26/24 Application resubmitted
7/26/24 Comments to applicant
9/17/24 Application resubmitted
10/23/24 Meeting with applicant
10/29/24 Comments to applicant
11/19/24 Application resubmitted
1/23/25 PC Hearing Continued
2/27/25 PC Hearing Continued
3/27/25 PC Hearing Continued
4/24/25 PC Hearing | William He |

| Project Applications Under Review | | | | | | |
|--|--|------------------------------|--|--------------------------------------|---|----------------|
| No. | Project Name | Applicant | Description | Location/Area | Application Status | Planner |
| 8. | Residences at Napa Junction (PL22-0011) | American Canyon Ventures LLC | 453 multi-family rental dwellings with associated parking and amenities | 1000 Reliant Way
15 acres | 5/2/22 Application submitted
6/1/22 Comments to applicant
7/22/22 Application resubmitted
8/19/22 Comments to applicant
1/11/23 Application resubmitted
2/9/23 Comments to applicant
7/11/23 30-Day NOP Completed
8/11/23 Admin Draft EIR Preparation
1/29/24 Staff checked in with the applicant on project status
6/7/24 Staff checked with the applicant on project status
3/18/25 Staff checked with the applicant on project status
3/20/25 Project Withdrawn | William He |
| 9. | Outfront Billboards Zone Change (PL24-0006) | Outfront Media | Zone Change and Development Agreement to convert existing double-sided billboard sign to LED displays. | 4301 Broadway and
5747 Broadway | 3/14/24 Application submitted
4/17/24 Comments to applicant
4/17/24 Application resubmitted
4/30/24 Comments to applicant
6/24/24 Application resubmitted
8/2/24 Comments to applicant
12/5/24 Application resubmitted
4/24/25 Reviewing resubmittal | Brent Cooper |
| 10. | Ibarra Terminal Conditional Use Permit (PL22-0032) | Ibarra Trucking | Convert an existing residential site into a trucking office with equipment and vehicle storage. | 1190 Green Island Road
1.56 acres | 12/6/22 Application submitted
12/16/22 Comments to applicant
12/12/23 Staff checked in with applicant on project status
6/7/24 Staff checked in with the applicant on project status | William He |

| Project Applications Under Review | | | | | | |
|--|---|------------------------------|---|-------------------------------------|--|----------------|
| No. | Project Name | Applicant | Description | Location/Area | Application Status | Planner |
| 11. | Birria Spot Food Truck Design Permit (PL23-0020) | Michael Lara | A Stationary Food Truck at the front of Birria Spot Café restaurant with operating hours: Mon - Sun, 7am - 11pm | 3845 Broadway
0.63 acres | 10/2/23 Application submitted
10/12/23 Comments to applicant
4/12/24 Application resubmitted
5/3/24 Comments to applicant
5/20/24 Application resubmitted
6/21/24 Comments to applicant
8/19/24 Application resubmitted
10/4/24 Comments to applicant | William He |
| 12. | USAgain Textile Recycling Box Design Permit (PL24-0021) | USAgain | Addition of two unstaffed textile recycling boxes on the southeast side of Parry's Pizza Store. | 234 American Canyon Rd | 8/9/24 Application Submitted
9/10/24 Comments to applicant
2/26/25 Staff checked in with applicant | William He |
| 13. | Crown Hill Minor Modification (PL23-0012) | Crown Hill Stone Supply, LLC | Construct a 4,800 square foot storage building. | 650 Green Island Road
5.88 acres | 5/22/23 Application submitted
6/13/23 Comments to applicant
1/29/24 Staff checked in with the applicant on project status
6/7/24 Staff checked in with applicant
10/15/24 Application resubmitted
11/15/24 Comments to applicant | William He |

| Major Building/Grading Permits | | | | | |
|--|--|---|------------|---|---------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 1. Hampton Inn Improvement Plans (DV23-0002) | Site improvements for a 3-story, 112 room Hampton Inn Hotel. | 3443 Broadway | 2.52 acres | 1/24/23 Application submitted
3/17/23 Comments to applicant
9/21/23 Water Supply Report approved
12/12/23 Staff contacted applicant for a project status update
2/13/24 1 st Submittal Received
3/16/24 1 st PC Comments returned
4/3/24 2 nd Submittal Received
4/29/24 2 nd PC Comments Returned
5/31/24 3 rd Submittal Received
6/24/24 3 rd PC Comments Returned
8/6/24 4 th Submittal Received
9/11/24 4 th PC comments returned
10/23/24 5 th Submittal received
11/4/24 5 th PC comments returned | Edison Bisnar |
| 2. Hampton Inn (BP24-0124) | Development of a 3-story 112-room Hampton Inn Hotel. | 3443 Broadway | 2.52 acres | 3/5/24 Application submitted
4/2/24 Comments to applicant
9/19/24 Application resubmitted
10/11/24 Comments to applicant
2/19/25 Met with applicant regarding conditions of approval
2/26/25 Applicant requested impact fee deferrals | Ron Beehler |
| 3. Napa Valley Ruins and Gardens Building Retrofit (BP23-0010) | Buildings 2, 3, 4, 5, 7 Level 1 and 2 retrofit at NVRG. | SWC corner Rio Del Mar East/
Rolling Hills Dr. | 29 acres | 1/4/23 Application submitted
1/20/23 Comments to applicant
9/28/23 Status outreach to applicant | Ron Beehler |

| Major Building/Grading Permits | | | | | |
|---|--|---|-------------|---|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 4. Napa Valley Ruins and Gardens Grading and Improvement Plans | Site Improvements for the NVRG and Amphitheater | Southwest corner Rio Del Mar East/Rolling Hills Drive | 29 acres | 7/18/22 1 st Submittal Received
8/23/22 1 st PC Comments Returned
1/3/23 2 nd Submittal Received
2/9/23 2 nd PC Comments Returned
6/14/24 3 rd Submittal Received
7/12/24 3 rd PC Comments Returned
11/6/24 4 th Submittal Received
12/20/25 1 st submittal for Rough Grading only received
1/16/25 Rough Grading only 1 st PC comments returned | Edison Bisnar |
| 5. Oat Hill Domaine Residential Building Plan Check (BP22-0733) | Plan check for the 15-Unit Apartment Building (Bldg 100) | Western terminus Napa Junction Road | N/A | 1/11/23 Application submitted
2/8/23 Comments to applicant
4/14/23 Permit resubmitted
4/27/23 Comments to applicant
12/12/23 Resubmittal received
12/19/23 Master Plans Approved
10/17/24 Permit resubmitted
10/30/24 Comments to applicant
11/15/24 Permit resubmitted
11/22/24 Permit Approved | Ron Beehler |
| 6. Oat Hill Domaine Residential Building Plan Check (BP22-0736) | Plan check for the 18-Unit Apartment Building (Bldg 200) | Western terminus Napa Junction Road | N/A | 1/11/23 Application submitted
2/8/23 Comments to applicant
4/14/23 Permit resubmitted
12/12/23 Resubmittal received
12/19/23 Master Plans Approved
10/18/24 Permit resubmitted
11/13/24 Comments to Applicant
11/15/24 Permit resubmitted
11/18/24 Permit Approved | Ron Beehler |

| Major Building/Grading Permits | | | | | |
|---|---|-------------------------------------|-------------|---|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 7. Oat Hill Domaine Parcel A Improvement Plan (DV22-0006) | Precise grading, utilities for the Oat Hill Residential Project | Western terminus Napa Junction Road | 10 acres | 12/8/22 Application submitted
12/20/23 Improvement Plans approved
7/22/24 Mass grading in progress
11/24 Installation of underground utilities in progress | Edison Bisnar |
| 8. Oat Hill Domaine Parcel B Improvement Plan (DV22-0007) | Precise grading, utilities for the Oat Hill Residential Project | Western terminus Napa Junction Road | 10.8 acres | 12/8/22 Application submitted
8/15/23 Improvement Plans approved
7/22/24 Building construction in progress | Edison Bisnar |
| 9. Oat Hill Domaine Parcel B Clubhouse Building Permit (BP22-0734) | Clubhouse building on Parcel B (Lower Parcel) | 100 Chennault Way | N/A | 12/15/22 Application submitted
8/15/23 DV22-0007 approved
1/29/24 Comments to applicant
2/12/24 Application resubmitted
2/20/24 Comments to applicant
2/26/24 Application resubmitted
2/26/24 Permit Approved
5/28/24 Application resubmitted
6/18/24 Comments to applicant
10/17/24 Application resubmitted
11/14/24 Comments to applicant
11/15/24 Application resubmitted
11/22/24 Permit Approved | Ron Beehler |
| 10. Oat Hill Domaine Parcel A Maintenance Building Permit (BP22-0737) | Maintenance building on Parcel A (Upper Parcel) | 801 Opus Way | N/A | 12/15/22 Application submitted
9/29/23 Requires Improvement Plan DV22-0006 approval and conditions of approval satisfied
1/4/24 Application resubmitted
1/5/24 Comments to applicant
10/17/24 Application resubmitted
11/13/24 Comments to applicant
11/18/24 Application resubmitted
12/5/24 Permit Issued | Ron Beehler |

| Major Building/Grading Permits | | | | | |
|---|--|---|-------------|---|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 11. Oat Hill Domaine Parcel A Pool Building Permit (BP22-0739) | Pool building on Parcel A (Upper Parcel) | 301 Opus Way | N/A | 12/15/22 Application submitted
9/29/23 Requires Improvement Plan DV22-0006 approval and conditions of approval satisfied
1/4/24 Application resubmitted
1/5/24 Comments to applicant
5/28/24 Application resubmitted
7/15/24 Application approved
10/17/24 Application resubmitted
11/7/24 Comments to applicant
11/13/24 Application resubmitted
11/19/24 Permit Issued | Ron Beehler |
| 12. Oat Hill Domaine Parcel A Clubhouse Building Permit (BP22-0740) | Clubhouse building on Parcel A (Upper Parcel) | 300 Opus Way | N/A | 12/15/22 Application submitted
9/29/23 Requires Improvement Plan DV22-0006 approval and conditions of approval satisfied
1/9/24 Application resubmitted
1/16/24 Comments to applicant
5/28/24 Application resubmitted
6/18/24 Comments to applicant
10/16/24 Application resubmitted
10/31/24 Approved
11/20/24 Permit Issued | Ron Beehler |
| 13. Oat Hill Domaine Offsite Improvement (DV23-0008) | Napa Junction Road, domestic water, recycled water, sanitary sewer and public water pump station improvements. | Along Napa Junction Rd, north of Oat Hill Apts frontage | N/A | 3/6/24 Improvement Plans approved
3/12/24 Offsite Construction at Napa Junction commenced
4/11/24 Recycled Water main installation at Lombard to Hess Drive north commenced.
8/14/24 Recycled Water main installation completed.
07/02/24 Public Water Pump Station coordination. Design in progress
9/19/24 Offsite Improvements construction in progress. | Edison Bisnar |

| Major Building/Grading Permits | | | | | |
|---|---|---|-------------|--|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 14. 236 Canyon Estates Court (BP23-0823) | Building Permit for a new single-family house and ADU. | 236 Canyon Estates Court | 0.53 acres | 12/7/23 Application Submitted
1/2/24 Comments to applicant
3/22/24 Application resubmitted
4/3/24 Comments to applicant
5/17/24 Application resubmitted
5/28/24 Comments to applicant
6/21/24 Application resubmitted
6/27/24 Comments to the applicant
7/15/24 Application resubmitted
7/31/24 Comments to applicant | Ron Beehler |
| 15. Watson Ranch Lot 10 Harvest Rough grading and Subdivision Improvement Plans (DV21-0014, 0015) | Rough grading and site improvements for WRSP Lot 10 Harvest | Northeast corner Marcus Road/Rio Del Mar East | 27.17 acres | 11/08/21 Application submitted
12/08/21 First Plan Check
01/03/22 Second Submittal
01/13/22 Second Plan Check
01/21/22 Third Submittal
1/24/22 Rough Grading Permit Approved
7/22/24 construction in progress. All roads and utilities are complete. 113 of 219 houses are occupied. 51% complete. | Edison Bisnar |
| 16. Napa Valley Casino Temporary Parking (DV20-0012) | Temporary parking with 39 stalls along Donaldson Way. | 3466 Broadway | 1.0 acre | 7/19/23 Approved Grading Permit and Improvement Plans.
8/16/24. Temporary parking lot paved. Parking lot lights installed. Drainage and landscaping work in progress. | Edison Bisnar |
| 17. Home2Suites Building Permit (BP19-0499) | Building permit for 102 room hotel. | 3701 Main Street | 2.0 acres | 12/3/19 Application submitted
8/9/22 BP Issued | Ron Beehler |

| Major Building/Grading Permits | | | | | |
|--|--|--------------------------|-------------|---|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 18. Home2Suites Will Serve and Improvement Plan (DV19- 0015) | Will serve application and improvement plans for a 102-room hotel. | 3701 Main Street | 2.0 acres | 9/5/19 Will Serve Application submitted
5/25/20 Improvement Plan Application submitted
6/10/21 Improvement Plan approved
4/5/22 Council approved fee reimbursement request
8/10/22 2nd Change Plan Approved
4/18/24 Main Street is 50% complete.
Onsite construction in progress.
7/22/24 Construction in progress | Edison Bisnar |
| 19. Chicken Guy Improvement Plan (DV23-0015) | New 2,818 sqft restaurant | 200 American Canyon Road | 1.03 acres | 8/16/23 Application submitted
9/5/23 Plans submitted
3/6/24 Improvement Plans approved
4/18/24 Construction in progress.
1/25/25 Construction complete. | Edison Bisnar |
| 20. Chicken Guy Restaurant Building Permit (BP23-0616) | New 2,818 sqft restaurant | 200 American Canyon Road | 1.03 acres | 8/15/23 Application submitted
3/7/24 Permit Issued
12/5/24 TCO Issued
1/9/25 Second TCO Issued | Ron Beehler |
| 21. Two-story Four-plex (BP23-0628) | New 5,344 sqft two-story four-plex apartment | 6 Donaldson Way | 0.3 acres | 8/24/23 Application submitted
9/8/23 Comments to applicant
3/1/24 Application resubmitted
3/25/24 Comments to applicant | Ron Beehler |
| 22. Sun Square Mixed Use Buildings Phase I (BP24-0131) | New 5,781 sqft mixed-use building | 425 Napa Junction Rd | 1.0 acre | 3/11/24 Application submitted
4/10/24 Comments to applicant
8/23/24 Application resubmitted
9/10/24 Comments to applicant | Ron Beehler |

| Major Building/Grading Permits | | | | | |
|---|---|---|-------------|--|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 23. Watson Ranch Lot 7 (DV24-0005) | Mass grading of Watson Ranch Large Lot 7 | Vacant lot north of Lemos Pointe Apts in Watson Ranch | 12.86 acres | 3/26/24 1st Submittal received
4/8/24 1st PC comments returned
4/15/24 2nd Submittal received
4/18/24 2nd PC comments returned
4/22/24 3rd Submittal received
4/25/24 3rd PC comments returned
6/3/24 4th Submittal Received
6/10/24 Grading Permit Approved
7/22/24 Grading in progress
Grading Complete | Edison Bisnar |
| 24. Sun Square Improvement Plans (DV23-0013) | Site Improvement for Sun Square | 425 Napa Junction Road | 1.0 acre | 3/29/24 1st submittal received
4/12/24 1st PC comments returned
6/7/24 2nd submittal received
6/21/24 2nd PC comments returned
12/18/24 3 rd submittal received
1/2/25 3 rd PC comments returned | Edison Bisnar |
| 25. Promontory Subd Rough Grading (DV23-0018) | Mass Grading for 216 single-family lots with 54 junior ADU subdivision | Watson Ranch Newell Property | 23 acres | 9/13/23 1st submittal received
12/8/23 1st PC comments returned
4/18/24 2nd submittal received
6/9/24 2nd PC comments returned
8/6/24 3rd submittal received
9/5/24 3rd PC comments returned | Edison Bisnar |
| 26. Promontory Subdivision Improvement Plan (DV23-0018) | Improvement Plans for 216 single-family lots with 54 junior ADU subdivision | Watson Ranch Newell Property | 23 acres | 11/3/23 1st submittal received
1/11/24 1st PC comments returned
5/3/24 2nd submittal received
6/20/24 2nd PC comments returned
8/16/24 3rd submittal received
9/11/24 3rd PC comments returned | Edison Bisnar |

| Major Building/Grading Permits | | | | | |
|--|---|-------------------|-------------|--|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 27. Napa Junction Solar (DV23-0024) | Improvement Plans for 3 MW solar utility facility with RV and boat storage. | 5381 Broadway | 6.68 Acres | 12/11/23 1st submittal received
2/9/24 2nd submittal received
3/18/24 3rd submittal received
4/29/24 4th submittal received
5/14/24 5th submittal received
6/5/24 Grading Permit approved
9/4/24 Improvement Plans Approved
9/16/24 Contractor mobilized for grading
10/17/24 Grading work in progress | Edison Bisnar |
| 28. Napa Junction Mini Storage (DV24-0008) | 540-unit mini storage facility | 4484 Hess Road | 5.84 acres | 6/7/24 1st Submittal received
7/10/24 1st PC comments returned
8/30/24 2nd submittal received
9/23/24 2 nd PC Comments returned
11/11/24 3 rd Submittal received
11/25/24 3 rd PC Comments returned
3/11/25 4 th Submittal received | Edison Bisnar |
| 29. Giovannoni Mass Grading (DV24-0009) | Mass Grading for the Giovannoni Logistics Center | Green Island Road | 70.2 acres | 6/17/24 1st submittal received
7/22/24 1st PC comments returned
8/14/24 2nd submittal received
8/26/24 2nd PC comments returned
9/13/24 3rd submittal received
Project ON-HOLD | Edison Bisnar |

| Major Building/Grading Permits | | | | | |
|--|---|--------------------|-------------|--|----------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 30. Watson Ranch Lot 7
(DV24-0013) | Improvement Plans for 136 single-family lot subdivision | Watson Ranch Lot 7 | 12.86 acres | 9/19/24 1 st submittal received
11/22/25 1 st RG comments returned
11/25/24 1 st FM PC comments returned
12/05/24 1 st PC comments returned
12/6/24 2 nd RG submittal received
12/20/24 2 nd FM submittal received
12/31/24 2 nd RG PC comments returned
1/9/25 2 nd FM PC comments returned
1/14/25 2 nd IP submittal received
2/3/25 3 rd RG submittal received
2/6/25 2 nd IP PC comments returned | Edison Bisnar |
| 31. Watson Ranch Lot 7 Building Permits (BP25-0192 to BP25-0197) | Master Plans for 136 single-family lot subdivision | Watson Ranch Lot 7 | 12.86 acres | 4/16/25 1 st Submittal received | Ron Beehler |

| Major City-Initiated Projects | | | | | |
|---|--|-----------------|-------------|---|--------------|
| Project Name | Description | Location | Area | Status | Staff |
| 1. Comprehensive General Plan Update | Review and update to bring the General Plan into conformance with current State standards and community values. Project includes EIR and Zoning Code Amendments. | Citywide | N/A | 12/27/24 EIR Public Review date ends
3/14/25 EIR Response to Comments sent
3/27/25 PC Hearing
4/2/25 OSATS Commission Review
4/9/25 ALUC Review Application Submitted
4/10/25 PCS Commission Review
4/15/25 CC Workshop | Brent Cooper |
| 2. Update General Plan to Comply with Napa County Airport Land Use Compatibility Plan (PL25-0005) | Update General Plan to conform with the recently-updated Napa County Airport Land Use Compatibility Plan | Citywide | N/A | 12/4/24 Napa County Airport Land Use Compatibility Plan approved by ALUC
3/27/25 Merged ALUCP conformance with the Comprehensive General Plan Update. | Brent Cooper |
| 3. Update Zoning Map to comply with the Updated General Plan (PL25-0006) | Amend the zoning map to comply with the updated General Plan. | Citywide | N/A | 2/10/25 Drafting updated zoning map.
3/27/25 Merged Zoning Code conformance amendments with the Comprehensive General Plan Update
3/27/25 PC Hearing | Brent Cooper |

| Major City-Initiated Projects | | | | | |
|---|---|-------------------------------|-------------|---|--------------|
| Project Name | Description | Location | Area | Status | Staff |
| 4. Paoli/Watson Lane Annexation (PL19-0003) | General Plan Amendment, rezoning, and annexation of the Paoli/Watson Lane Property. | Southeast of Paoli Loop/SR-29 | 80 acres | 9/5/17 City Council authorization to proceed
5/28/20 City received a Property Owner notice of intent to circulate a petition to annex the Paoli Loop/Watson Lane Property.
5/16/22 Annexation efforts returned to City initiated. Consultant preparing CEQA scope documents.
9/7/22 NOP Comment period begins
9/21/22 NOP Workshop
3/14/23 45-Day EIR Review period begins. Ends on 4/28/23.
4/27/23 PC EIR Workshop
5/1/23 Preparing Response to Comments
10/26/23 PC Hearing
11/7/23 CC EIR, GPA, ZC First Reading approved
11/14/23 ALUC Application submitted
2/2/24 ALUC Application approved
2/20/24 Prezoning 2 nd Reading appvd
2/10/25 Legal defense process | City Manager |

| Major Regional Projects | | | | | |
|---|---|-----------------|-------------|---|----------------------------------|
| Project Name | Description | Location | Area | Status | Staff Liaison |
| 1. Napa Valley Transportation Authority Countywide Active Transportation Plan | Create a plan to connect a network of regional bicycle and pedestrian facilities to make Napa County a safer and more accessible community. | Napa County | N/A | 10/2-24 Project Kick-off
01/25 Draft Toolbook
01/25 Public Input begins | Patrick Band (NVTA) |
| 2. Regional Climate Action and Adaptation Plan (RCAAP) | Countywide Working Group to evaluate efforts to adopt policies that will combat climate change. | Countywide | N/A | Climate Action Committee 2025 Meeting Calendar (9:30 AM on the 4th Friday of each month)
Meeting Minutes and Agendas | Melissa Lamattina
Mark Joseph |
| 3. Napa Valley Transportation Authority Highway 29 PID Study | Project Initiation Document (PID) for Highway 29 through American Canyon | American Canyon | N/A | 10/4/21 NVTA and American Canyon workshop
2/16/22 NVTA Board of Directors voted to remove the six-lane option from future study.
1/16/24 City approved Cooperative Agreement 04-2957 with Caltrans and NVTA for Project Approval and Environmental Document phase | Danielle Schmitz (NVTA) |