

ORDINANCE NO. 99-08

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF AMERICAN CANYON, STATE OF CALIFORNIA,
ADOPTING REVISIONS TO TITLE 18 OF THE
AMERICAN CANYON MUNICIPAL CODE, THE SUBDIVISION ORDINANCE**

WHEREAS, the City adopted a comprehensive Subdivision Ordinance on July 16, 1998;
and

WHEREAS, subsequent to its adoption, it was determined that minor revision were
necessary to ensure consistency with the State Subdivision Map Act and the City's Parks and
Civic Facilities Fee Ordinance; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on May 13,
1999; and

WHEREAS, at this hearing all those in attendance desiring to be heard were given an
opportunity to speak; and

WHEREAS, the Planning Commission forwarded its recommendation to the City Council
that the proposed revisions be adopted; and

WHEREAS, the City Council conducted a duly noticed public hearing on June 3, 1999; and

WHEREAS, at this hearing all those in attendance desiring to be heard were given an
opportunity to speak; and

WHEREAS, all legal prerequisites to adopting the proposed revisions have been met; and

WHEREAS, the City Council has determined that the adoption and implementation of this
Ordinance is exempt from the provisions of the California Environmental Quality Act under Section
15061 (b) (3).

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

SECTION 1. Section 18.22.050 of the American Canyon Municipal Code regarding action by the
Planning Commission and City Council, is hereby amended to read as follows:

18.22.050 Action by Planning Commission and City Council.

- A. The Planning Commission shall hold at least one public hearing on any Tentative
Parcel Map within fifty (50) days of the date the application is deemed complete and
either an EIR has been certified, a negative declaration has been adopted, a
determination has been made by the Planning Director that the project is exempt from

CEQA, or unless this time period is extended by mutual consent of the subdivider and the Planning Director. The Planning Commission shall be notified of any extension of time agreed upon and the reasons for the extension.

- B. The Planning Commission shall determine whether a Tentative Parcel Map is in conformity with the provisions of the Subdivision Map Act and of this Title, the General Plan and its Elements, and the Zoning Ordinance and upon that basis adopt a Resolution forwarding its recommendation to the City Council that the Tentative Subdivision Map be approved, conditionally approved, or denied, and shall forward the Resolution directly to the City Council and the subdivider.
- C. The City Council shall hold at least one public hearing on the Tentative Parcel Map no later than thirty (30) days after Planning Commission action on the Tentative Parcel Map unless this time period is extended by mutual consent of the subdivider and the Planning Director and/or City Manager. The City Council shall be notified of any extension of time agreed upon and the reasons for the extension.

SECTION 2. Section 17.44.025 of the American Canyon Municipal Code regarding Relation of Land Required to Population Density, is hereby amended as follows:

17.44.025 Relation of Land Required to Population Density. The Parks and Recreation Element of the General Plan identifies a ratio of 6.14 acres of parkland per 1,000 residents. It is found and determined that the public interest, convenience, health, welfare and safety require that a minimum of five (5) acres of property for each one-thousand (1,000) persons residing within the City be devoted to park and recreational purposes.

SECTION 3. Section 17.44.035 of the American Canyon Municipal Code regarding Amount of Land to be Dedicated or Fee In Lieu Thereof, is hereby amended as follows:

17.44.035 Amount of Land to be Dedicated or Fee In Lieu Thereof.

- A. The amount of land required to be dedicated by a subdivider pursuant to this chapter shall be five (5) acres per one thousand (1,000) population.
- B. When a fee is to be paid in lieu of land dedication the amount of such fee shall be based upon the per-acre valuation set forth in Chapter 15.08 of this Code, Parks and Civic Facilities Fee Ordinance, as adopted and as may be periodically amended as provided for in the Ordinance for the amount of land that would be required for dedication pursuant to subsection (A) of this Section.-The amount of land shall be calculated by the following formula:

$$\frac{\text{DU's} \times \text{POP} \times 5\text{acres}}{1,000 \text{ People}}$$

Definitions:

DU = Number of dwelling units in a Subdivision.

POP = Population per dwelling unit.

- C. Monies expended by the subdivider for actual improvement of park and recreation facilities or lands shall be credited against these fees or park land dedication requirements provided that such improvements have been approved by the City in advance and meet applicable City standards.

SECTION 4. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen days of its adoption and cause a summary of it to be published in a newspaper published and circulated in the City and thereupon and thereafter this Ordinance shall take effect and be in force according to law.

SECTION 5. Effective Date. This ordinance shall take effect within thirty (30) days after its adoption.

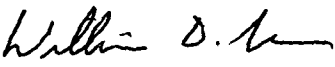
SECTION 6. Severability. This Ordinance shall be liberally construed to achieve its purposes and to preserve its validity. If any provision or clause of this Chapter, or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance, which can be given effect without application of the invalid provisions. To this end, the provisions of this Ordinance are declared to be severable and to have independent validity.

The foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 3rd day of June, 1999, and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 17th day of June, 1999, by the following vote:

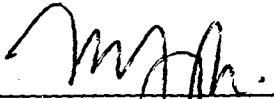
AYES:	<u>Maples, Canziani, Colcleaser, Shaver</u>
NOES:	<u>None</u>
ABSTAIN:	<u>None</u>
ABSENT:	<u>None Anderson</u>


 Benjamin Anderson, Mayor

APPROVED AS TO FORM:


 William D. Ross, City Attorney

ATTEST:


 Mark Joseph, City Clerk