

ORDINANCE NO. 2002-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPLYING THE "P – PUBLIC" ZONING DESIGNATION TO A PORTION OF THE PROPERTY AT THE NORTHEAST CORNER OF AMERICAN CANYON ROAD AND FLOSDEN ROAD (APN 059-040-054) AND THE ACCEPTANCE OF A NEGATIVE DECLARATION

WHEREAS, the American Canyon General Plan designates the property at the northeast corner of American Canyon Road and Flosden Road for Commercial recreation and Residential Estate uses; and

WHEREAS, a portion of the property is located in the adopted Sphere of Influence; and

WHEREAS, the Flosden Road extension is an integral component of the City and County circulation network and a Condition of Approval for the Duc Housing Partners project in the Southeast Specific Plan Area; and

WHEREAS, because the roadway will be a City road, the Napa County Public Works Department has suggested that the property be annexed into the City before construction of the roadway occurs; and

WHEREAS, in order to annex a portion of the property currently within the City's Sphere of Influence, a Zoning Designation must be applied to the property; and

WHEREAS, the property owner has requested approval of a Rezoning application to establish the "P – Public" Zoning Designation on the property in order to comply with the requirements of the Napa County Local Agency Formation Commission; and

WHEREAS, the Planning Commission conducted a public hearing to receive input from concerned citizens and to discuss the proposed Rezoning; and

WHEREAS, the Planning Commission determined that the potential environmental impacts from the Rezoning were adequately addressed in the Initial Study and Negative Declaration prepared for the Pre-Zoning; and

WHEREAS, the Planning Commission of the City of American Canyon found and determined the following:

1. That all facts set forth above are true and correct.
2. That the proposed project conforms to the Policies of the General Plan.

3. That procedural requirements set forth in the Ordinance are met, including public notice in the local newspaper, mailing of notices to neighbors within a 300 foot radius of the project, and the carrying out of a public hearing; and

WHEREAS, the Planning Commission forwarded its recommendation to the City Council that the property be pre-zoned to "P – Public"; and

WHEREAS, at the public hearing on December 5, 2002, the City Council conducted a duly noticed public hearing on this Pre-zoning at which all those in attendance were given the opportunity to be heard on these matters; and

WHEREAS, the City Council considered all of the information in the Program EIR prepared for the General Plan and its Elements and the Initial Study and Negative Declaration prepared for Pre-zoning; and

WHEREAS, the City Council accepts the Initial Study and Negative Declaration as complete and adequate.

WHEREAS, all legal prerequisites to adopting this Ordinance have been met.

NOW, THEREFORE, IT IS HEREBY ORDAINED, that the City Council of the City of American Canyon does hereby amend the Zoning Map as follows and as shown on Exhibit 1, an excerpt from the Zoning Map as attached hereto and incorporated herein by reference.

SECTION I. Effective Date

This ordinance shall take effect thirty (30) days after its adoption. A summary of this Ordinance shall be published once in the Vallejo Times Herald, a newspaper of general circulation serving the City of American Canyon, within fifteen (15) days after its passage.

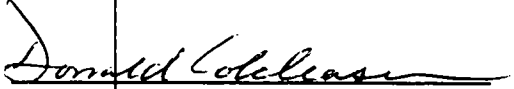
SECTION II. Severability

The provisions of this Ordinance shall be severable. If any portion is found to be unconstitutional, illegal or invalid, the remainder shall survive and remain effective and enforceable.

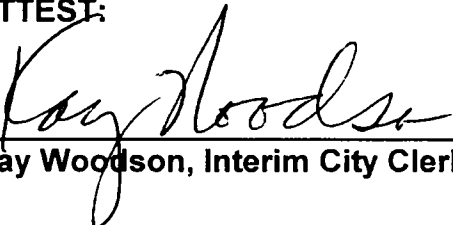
The foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 5th day of December, 2002, and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 19th day of December, 2002,

by the following vote:

AYES: Colcleaser, Luporini, Anderson, Garcia, Shaver
NOES: None
ABSTAIN: None
ABSENT: None

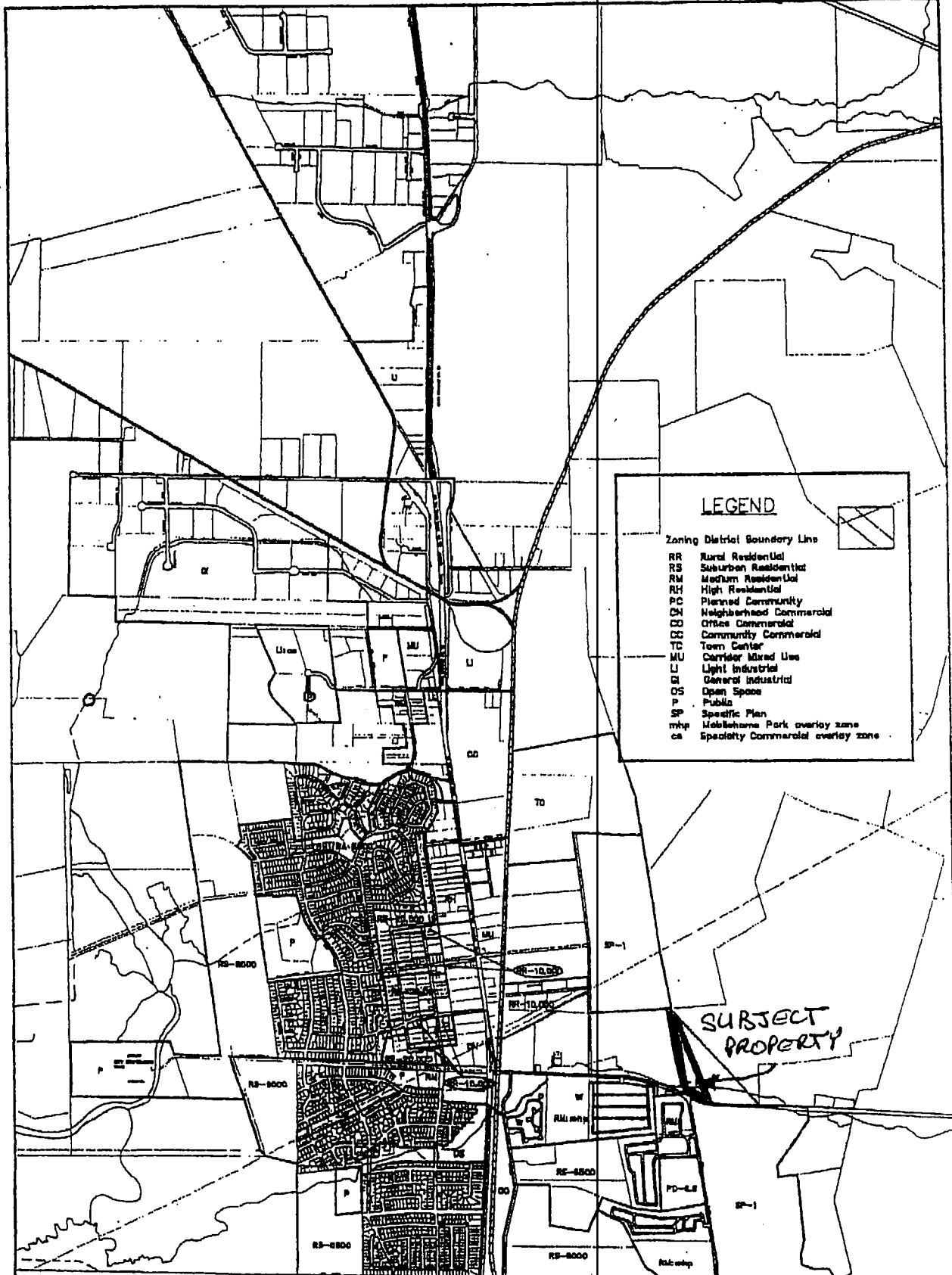

Donald Colcleaser, Mayor

ATTEST:



Kay Woodson, Interim City Clerk

APPROVED AS TO FORM:


William D. Ross, City Attorney



LEGEND

	Zoning District Boundary Line
RR	Rural Residential
RS	Suburban Residential
RM	Medium Residential
RH	High Residential
PC	Planned Community
CH	Neighborhood Commercial
CC	City Center Commercial
CC	Community Commercial
TC	Town Center
MU	Carrier Mixed Use
LI	Light Industrial
GI	General Industrial
OS	Open Space
P	Public
SP	Specific Plan
whp	Washburn Park overlay zone
ca	Specialty Commercial overlay zone

SUBJECT PROPERTY



CITY OF AMERICAN CANYON

ZONING MAP