

ORDINANCE NO. 2003-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON APPROVING ZONING ORDINANCE AMENDMENT 2003-01 AMENDING THE ZONING MAP TO CHANGE THE DESIGNATION OF THE 14.41 ACRE PARCEL ON THE WEST SIDE OF BROADWAY TO THE NORTH OF THE SOUTHERN CITY LIMIT FROM OS (OPEN SPACE) TO P (PUBLIC), AND THE ACCEPTANCE OF AN ADDENDUM TO A NEGATIVE DECLARATION (APN 059-110-029)

WHEREAS, on February 22, 2002, the City completed the acquisition of the 14.41-acre parcel to the east of the railroad tracks parallel to Highway 29, north of the City limits, west of Broadway, and approximately 300 feet to the south of American Canyon Road, as per authorization of the City Council; and

WHEREAS, the City is desirous of developing the parcel into a public park known as Veterans Memorial Park; and

WHEREAS, the parcel is currently designated as Open Space on the Zoning Map; and

WHEREAS, in order to ensure the most appropriate and efficient zoning designation of the parcel, it is necessary to amend the Zoning Map to change the designation from Open Space to Public; and

WHEREAS, the Planning Commission held a duly-noticed public hearing at its meeting of August 28, 2003, to consider the proposed Zoning Map Amendment; and

WHEREAS, a Program Environmental Impact Report ("EIR") was prepared for the City's General Plan and its Elements and all of the development allowed therein in accordance with California Environmental Quality Act ("CEQA"), Guideline Section 15168 and was certified by the City Council on November 3, 1994; and

WHEREAS, an Initial Study and Negative Declaration was prepared for Zoning Ordinance Amendment 2002-01 to identify any potential environmental impacts of the Open Space zoning not anticipated in the Program EIR prepared for the City's General Plan and its Elements; and

WHEREAS, in accordance with the applicable provisions of the California Environmental Quality Act, an Addendum to the negative declaration was prepared to address the environmental effects changing the zoning from Open Space to Public; and

WHEREAS, the City Council considered all of the information in the Program EIR, the findings and recommendations of the Planning Commission, and the negative declaration prepared for this project; and

WHEREAS, the City Council considered all of the written and oral testimony presented at the public hearing in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of American Canyon does hereby find:

- A. The proposed Zoning Amendment is consistent with the policies and programs of the General Plan and the Master Plan for the Veterans' Memorial Park.
- B. The parcel is physically suitable for the type and intensity of uses allowed under the Public designation.
- C. The proposed zone change will not create a nuisance or be detrimental to the general health, safety and welfare of the public or to property and residents in the vicinity.
- D. The proposed zone change will facilitate the increased availability of parks and recreation opportunities in the City.
- E. There are adequate provisions for water and sanitary services and other public utilities to ensure that the proposed park would not be detrimental to public health or safety.

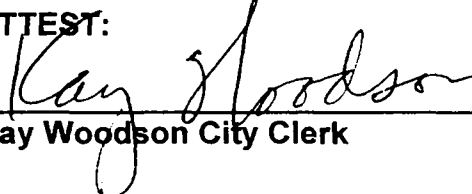
NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of American Canyon does hereby adopt **Ordinance No. 2003-09**, subject to the Findings outlined herein.

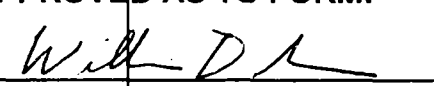
This ordinance shall take effect on the 31st day after adoption.

PASSED, APPROVED AND ADOPTED 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 16th day of October, 2003, and was passed, approved and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 6th day of November, 2003 by the following vote:

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


Donald Colcleaser, Mayor

ATTEST:

Kay Woodson City Clerk

APPROVED AS TO FORM:

William D. Ross, City Attorney