

ORDINANCE NO. 2004-05

AMENDING THE OFFICIAL ZONING MAP TO APPLY THE GENERAL INDUSTRIAL DISTRICT TO THE WESTERLY 7.47 ACRES OF APN 058-030-042 (REZ 03-01)

WHEREAS, the property owner of the westerly 7.47 acres of APN 058-030-042 on the north side of the westerly terminus of Jim Oswalt Way wishes to annex the property to the City of American Canyon; and,

WHEREAS, the Napa County Local Agency Commission requires the pre-zoning of the property prior to annexation; and

WHEREAS, at its meeting of February 26, 2004, the Planning Commission adopted PC Resolution 2004-04, forwarding to the City Council its recommendation that Zoning Map Amendment REZ 03-01 pertaining to the pre-zoning of the 7.47 acres be adopted; and,

WHEREAS, the City Council determined that the pre-zoning will not have a significant effect upon the environment, and adopted a Negative Declaration of Environmental Impact for the project.

WHEREAS, the City Council held a duly-noticed public hearing on March 18, 2004 to consider the proposed and the recommendation of the Planning Commission and all those in attendance were given the opportunity to be heard on the matter; and,

WHEREAS, the City Council does hereby find, as required by Zoning Ordinance Section 19.48.040 C, that the amendment is consistent with the goals and policies of the General Plan, in that the proposed pre-zoning of the property to "General Industrial" is consistent with the site's General Plan Industrial land use designation, and that there are no purposes of Zoning Ordinance Chapter 19.01 that apply to the proposed Official Zoning Map amendment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN that the Official Zoning Map is amended to apply the "General Industrial" zoning district to the westerly 7.47 acres of APN 058-030-042.

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. Where a conflict arises between the provisions of Ordinance 2001-10 and this Ordinance, the provisions of Ordinance 2001-10 shall apply.

The foregoing Official Zoning Map Amendment was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 18th day of March 2004, 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 1st day of April 2004, by the following vote:

Ordinance 2004-05

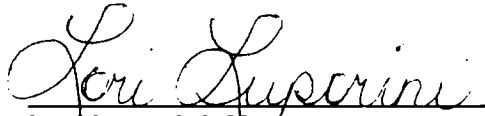
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AYES: Luporini, Shaver, Anderson, Colcleaser, Garcia

NOES: None

ABSTAIN: None

ABSENT: None



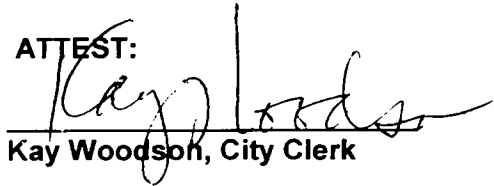
Lori Luporini, Mayor

APPROVED AS TO FORM:



William D. Ross. City Attorney

ATTEST:



Kay Woodson, City Clerk