

ORDINANCE NO. 2004-08

AMENDING THE OFFICIAL ZONING MAP TO APPLY THE PUBLIC DISTRICT TO THE WASTEWATER TREATMENT PLANT PROPERTY (APN 058-030-055) (REZ 04-02)

WHEREAS, the City of American Canyon's Sphere of Influence was recently expanded by the Local Agency Formation Commission (LAFCO) of Napa County to include the wastewater treatment plant property; and,

WHEREAS, the City of American Canyon wishes to pursue the annexation of this property in order to include this significant utility within its boundaries by submitting an application to LAFCO, and a requirement of that submittal is that the subject property be pre-zoned with its ultimate zoning classification; and,

WHEREAS, the American Canyon General Plan designates the properties as "Public"; and,

WHEREAS, California Environmental Quality Act Guidelines Section 15061 (b) (3), provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment and the specific action to pre-zone the subject property to "Public" would have no potential effects; and,

WHEREAS, at its meeting of May 27, 2004, the Planning Commission adopted PC Resolution 2004-11, forwarding to the City Council its recommendation that Zoning Map Amendment REZ 04-02 pertaining to the pre-zoning of the wastewater treatment plant be approved; and,

WHEREAS, the City Council held a duly-noticed public hearing on June 17, 2004 to consider the proposed amendment 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 "Public" is consistent with the properties' General Plan "Public" 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 "Public" zoning district to Assessor's Parcel Number 058-030-055 as shown on the attached map.

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 17th day of June

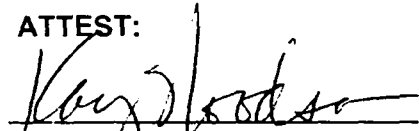
2004, and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 1st day of July 2004, by the following vote:

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



Lori Luporini, Mayor

ATTEST:

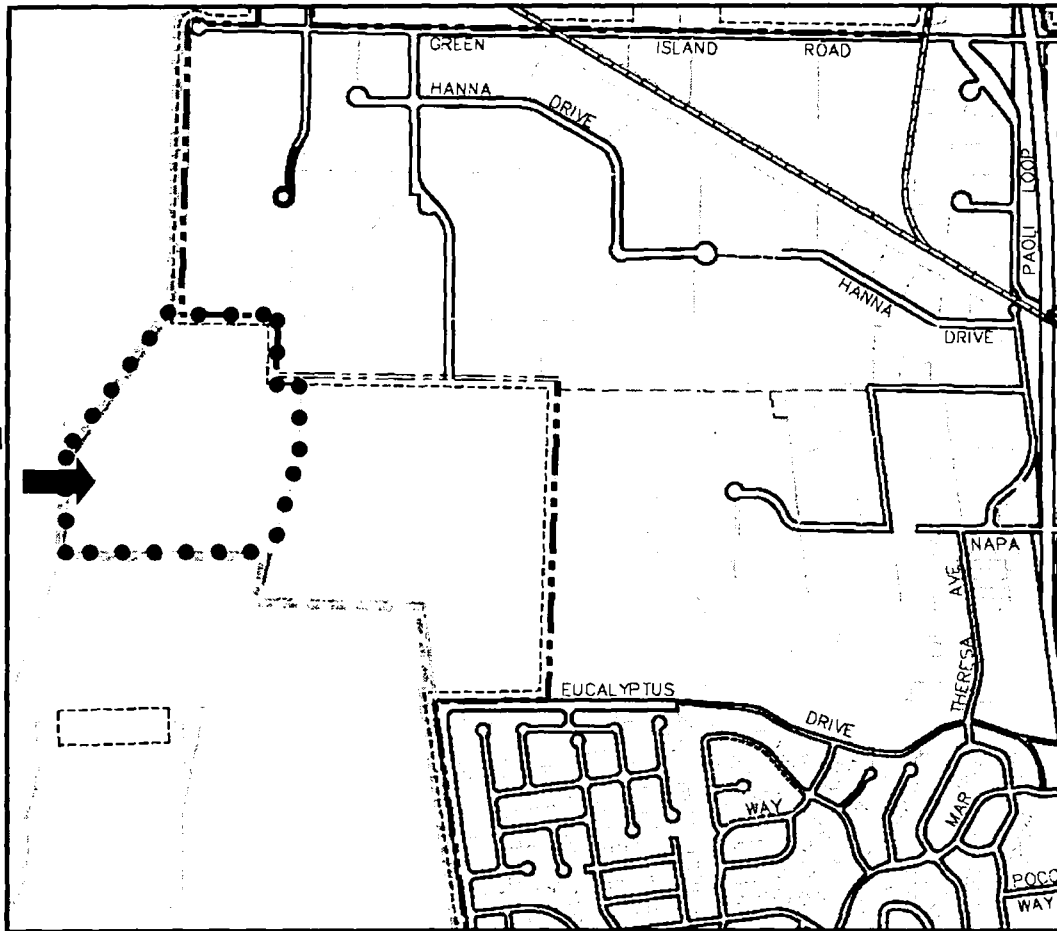

Kay Woodson, City Clerk

APPROVED AS TO FORM:



William D. Ross, City Attorney

Area to be reclassified and pre-zoned to P Public



Location map for REZ 04-02
Boundary of area to be pre-zoned designated by ●●●●●●●●