

ORDINANCE NO. 2005-01

**AMENDING THE OFFICIAL ZONING MAP TO APPLY THE SPECIFIC PLAN-1:
CLUSTER RESIDENTIAL DISTRICT TO APN 059-080-012 and 059-080-033 (REZ 04-03)**

WHEREAS, the City Council of the City of American Canyon has amended the American Canyon General Plan and the Southeast Area Specific Plan to reclassify the 11.56 acres located at the northeast corner of Highway 29 and American Canyon Road (APN 059-080-012 and 059-080-033) to SP-1:Cluster Residential; and,

WHEREAS, California Government Code Sections 65860 and 65455 require consistency among the General Plan, specific plans and zoning; and,

WHEREAS, at its meeting of October 28, 2004, the Planning Commission adopted PC Resolution 2004-16, forwarding to the City Council its recommendation that Zoning Map Amendment REZ 04-03 be approved; and,

WHEREAS, pursuant to the California Environmental Quality Act, a Mitigated Negative Declaration of Environmental Impact (MND) was prepared for the proposed zone change; and the City Council has adopted a resolution finding the MND to be complete and adequate; and

WHEREAS, the City Council held a duly-noticed public hearing on December 16, 2004 to consider the proposed zone change 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:

1. The amendment to the Official Zoning Map is consistent with the City of American Canyon General Plan.
2. There are no purposes of Chapter 19.01 that apply to the proposed zoning map and ordinance amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN that the Official Zoning Map is amended to apply the "Specific Plan-1:Cluster Residential" zoning district to Assessor's Parcel Numbers 059-080-012 and 059-080-033.

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 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 16th day of December 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 6th day of January 2005, by the following vote:

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

Cecil Bruce Shaver
Cecil Shaver, Mayor

ATTEST:
Kay Woodson
Kay Woodson, City Clerk

APPROVED AS TO FORM:
William D. Ross
William D. Ross, City Attorney