



City of American Canyon
CITY COUNCIL ORDINANCE NO. 2006- 014

ADOPTING ZONING ORDINANCE AMENDMENT ZOA 05-01
REZONING THE NAPA JUNCTION PHASE III PROJECT SITE
TO COMMUNITY COMMERCIAL

**Northeast Corner of Highway 29 and Napa Junction Road/
APN 059-020-001**

WHEREAS, an application for amendments to the General Plan land use designation (GPA 05-02) and the Official Zoning Map (ZOA 05-02) was filed by Lakestreet Ventures to reclassify approximately 17 acres of land at the northeast corner of Highway 29 and Napa Junction Road with APN 059-020-001 to Community Commercial; and

WHEREAS, pursuant to the California Environmental Quality Act, a Mitigated Negative Declaration (MND) was prepared for the project, including the proposed amendments; and on September 19, 2006 the City Council adopted a resolution certifying and adopting the MND and finding it to be complete and adequate; and

WHEREAS, the land use designation and zoning district amendments from an Industrial General Plan land use designation (I) to a Community Commercial (CC) land use, and from a Light Industrial (LI) zoning district to a Community Commercial (CC) district will promote consistent economic development in the portion of the City south of the railroad overpass, and provide for a continuance of a "sense of place" and harmony of land uses and architectural design in this portion of the City; and

WHEREAS, pursuant to Section 65800 of the State Planning and Zoning Law, the City of American Canyon adopted a Zoning Ordinance in 1994 to implement the General Plan, and pursuant to Section 65860 (a) a city Zoning Ordinance shall be consistent with its General Plan; and,

WHEREAS, the City Council of the City of American Canyon adopted the General Plan Amendment (GPA 05-02) and the Rezone (ZOA 05-01) for the site on September 19, 2006 by resolution; and

WHEREAS, at its meeting of August 24, 2006, the Planning Commission adopted PC Resolution 2006-07, forwarding to the City Council its recommendation that General Plan Amendment GPA 05-02 and consistent Zoning Ordinance Amendment ZOA 05-01 be approved; and,

WHEREAS, the City Council does hereby find, as required by Zoning Ordinance Section 19.48.040 C, that:

1. The amendments are consistent with the City of American Canyon General Plan.
The amendment is consistent with the General Plan as amended on September 19, 2006.
2. The amendments are consistent with the purposes of this Title as set forth in Chapter 19.01, Authority, Purposes, and Effects of the Zoning Ordinance.

The rezone is consistent with the purposes of the Zoning Ordinance as set forth in 19.01.030, and continues to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity and general welfare of the citizens of American Canyon.

WHEREAS, the City Council held a duly-noticed public hearing on September 19, 2006 to consider the proposed Zoning Ordinance Amendment and all those in attendance were given the opportunity to be heard on the matter; and the City Council continued two hearings on November 28, 2006 and December 7, 2006 to rehear the matter as an Ordinance, and held a final public hearing on December 21, 2006,

NOW, THEREFORE BE IT ORDAINED, that the City Council of the City of American Canyon does hereby adopt Ordinance No. 2006-14, based on the findings, to amend the Zoning Ordinance as follows:

SECTION 1: Amend the Official Zoning Map to reclassify APN 059-020-001 to Community Commercial.

SECTION 2: Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on December 21, 2006 by the following vote:

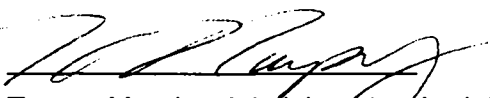
AYES: Garcia, Bennett, Callison, West
NOES: None
ABSTAIN: Coffey
ABSENT: None



Leon Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:



Taresa Murphy, Administrative Assistant/
Acting City Clerk



William D. Ross, City Attorney