

ORDINANCE # 2011- 07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON, CALIFORNIA, APPROVING A ZONING ORDINANCE AMENDMENT FROM LIGHT INDUSTRIAL TO COMMUNITY COMMERCIAL FOR THE NAPA JUNCTION PHASE III PROJECT LOCATED AT THE NORTHEAST CORNER OF HIGHWAY 29 AND NAPA JUNCTION ROAD, APN 059-020-001 (FILE NO. PL10-0020)

WHEREAS, pursuant to Section 65300 of the State Planning and Zoning Law, the City of American Canyon has adopted a General Plan to provide comprehensive long-range planning and a blueprint of the city's future form, including land use and circulation maps that specify the roadway network and the distribution of types and intensities of land; and

WHEREAS, an application for an amendment to the Official Zoning Map for the subject property from the Light Industrial District to the Community Commercial District was submitted by Napa Junction II, LLC in conjunction with the Napa Junction Phase III project located at the northeast corner of Highway 29 and Napa Junction Road; and

WHEREAS, Zoning Ordinance Chapter 19.48 provides that the City Council may amend the Official Zoning Map after the amendment is referred to the Planning Commission for review and recommendations; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Draft Environmental Impact Report (SCH #2010082062) that evaluated the proposed rezoning, development, and operation of the Napa Junction III project was prepared and circulated for public review between July 28, 2011 and September 12, 2011; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on October 6, 2011, at which all those in attendance were given the opportunity to be heard on the proposed Napa Junction III project, and the Planning Commission considered the written and oral testimony given at its public hearing in reaching its decision; and

WHEREAS, on October 18, 2011, the City Council of the City of American Canyon conducted a duly-noticed public hearing, at which time all those in attendance were given the opportunity to speak on the proposal.

NOW, THEREFORE, the City Council does hereby ORDAIN as follows:

SECTION 1. FINDINGS. Based on the following evidence and as required by Zoning Ordinance Section 19.48.040 C, that:

- a. The amendment is consistent with the goals and policies of the general plan.

The Zone Change is in keeping with General Plan policies to provide a diversity of land uses, accommodate the development of a balance of land uses, and establish the development of new uses oriented toward the needs of residents, employees and visitors. It meets Objective B.4 to foster a harmonious, convenient, and workable relationship among land uses, Objective B.6 to foster the provision of adequate off-street parking and off-street loading facilities, Objective B.9 to safeguard and enhance the appearance of the City, and Objective B.10 to ensure quality development, consistent with the General Plan's design and development principles, and an attractive and functional community appearance.

- b. The amendment is consistent with the purposes of this title, as set forth in Chapter 19.01, Authority, Purposes and Effects of the Zoning Ordinance.

The amendment is consistent with the purpose of the Zoning Ordinance to protect and promote the public health, safety, peace, comfort, convenience, aesthetics, prosperity, and general welfare as the project represents a logical extension of the existing Napa Junction retail center. The amendment also meets design and development guidelines and standards of the General Plan.

SECTION 2. That the City Council of the City of American Canyon does hereby Approve the Zone Change as follows:

1. The Junction III property (APN 059-020-001) be rezoned from Light Industrial to the Community Commercial District as depicted on Exhibit A.

SECTION 3. CEQA. An Environmental Impact Report has been prepared for the project which evaluated the type and intensity of commercial development that would be permitted with this zone change. On October 18, 2011, the City Council certified the Napa Junction III Final Environmental Impact Report (FEIR) (SCH #2010082062) pursuant to State CEQA Guidelines section 15025(c), including applicable environmental findings, adopted a Statement of Overriding Considerations (SOCC), and Adopted a Mitigation and Monitoring Program (MMRP).

SECTION 4. SEVERABILITY. The City Council hereby declares that if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen days of its adoption cause a summary of it to be published in a newspaper and circulated in the City and thereupon and thereafter this Ordinance shall take effect and be in force according to law.

PASSED, APPROVED AND ADOPTED after introduction and first reading at a regular meeting of the City Council on the 18th day of October 2011, and second reading and adoption at a regular meeting of the City Council on the 1st day of November 2011 by the following vote:

Mayor Garcia:
Vice Mayor Bennett:
Council Member B. Bennett:
Council Member Coffey:
Council Member Joseph:

yes
yes
yes
absent
yes

Leon Garcia

Leon Garcia, Mayor

APPROVED AS TO FORM:

William D. Ross

William D. Ross, City Attorney

ATTEST:

Rebekah Barr

Rebekah Barr, MMC, City Clerk

EXHIBIT A

ZONING DESIGNATION FOR NAPA JUNCTION III

