

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF COLUSA REZONING AN 84.7 ACRE SITE FROM R-1 (SINGLE-FAMILY RESIDENCE) TO P-D (PLANNED DEVELOPMENT) FOR RIVERBEND ESTATES GENERAL DEVELOPMENT PLAN

The City Council of the City of Colusa does ordain as follows:

SECTION 1. Recitals

A. On June 10, 2009, Colusa Riverbend Estates, LP filed Rezoning Application No. 01-09 (Z), requesting that 84.7 acres which constitutes the Riverbend Estates Project (“Project”) be rezoned from Single-Family Residence (R-1) District to Planned Development (P-D) District.

B. This project is a result of a proposed tentative map that has been analyzed as a subsequent project in the Master Environmental Impact Report (“MEIR”) for the City of Colusa General Plan, which was certified on October 30, 2007.

C. On November 16, 2011, the Planning Commission held a public hearing and recommended that the City Council rezone the Project site from Single-Family Residence (R-1) District to Planned Development (P-D) District.

D. Notice of the City Council public hearing on this project was published on _____, and mailed and posted on _____, 2012.

E. On _____, 2011, the City Council opened the public hearing and took public testimony for Rezoning Application 01-09 (Z).

SECTION 2. Findings

Now, THEREFORE, the City Council hereby finds that based on all the staff reports and information contained in the Planning Department files on this Project, hereby incorporated herein by reference and available for review in the City’s Planning Department located at 425 Webster Street, Colusa, CA, and based on all written and oral testimony presented at the public hearing for the project that:

A. The environmental analysis was prepared in compliance with CEQA, State and City Guidelines. The Council has independently reviewed and considered the Riverbend Estates Mitigated Negative Declaration therein, comments on the Mitigated Negative Declaration and finds that the proposed Mitigation and Monitoring Plan will reduce all potentially significant impacts to a less-than-significant level.

B. The proposed rezoning is consistent with the objectives, general land uses and programs specified in the General Plan in that the General Plan identifies this as the Riverbend Development Special Planning Area. The proposed plan is also compatible with surrounding land uses, and is consistent with the City’s General Plan density of 3-8

units per acre. The western portion of the project area contains a smaller area of land designated for 8-12 units per acre.

C. A community need is demonstrated for the proposed P-D District. The proposed P-D District would meet the development objectives of the General Plan, which envisions single-family and multi-family residential development on the Property.

D. Adoption of a P-D District on this property would be in conformity with public convenience, general welfare and good zoning practice. The development is consistent with the long-term vision for development of the property as a development with parks, multi- and single-family dwellings, and community-serving infrastructure.

SECTION 3. Approvals

A. Based on the findings set forth above, the Council hereby approves Rezoning Application No. 01-09 (Z) to rezone the project from R-1 (Single-Family Residence) District to P-D (Planned Development) District as shown in **Exhibit A** of this Ordinance, and approves the *Riverbend General Development Plan* as shown in **Exhibit B** of this ordinance, subject to the following conditions:

1. The project shall be developed in substantial compliance with the preliminary Riverbend General Development Plan, dated June 2010, except as modified by this Ordinance.

2. Development regulations within the P-D District, for Low-Density Residential, shall be established as follows in the table below: Development regulations not covered in this ordinance or in the *Riverbend General Development Plan* shall be governed by the City’s Zoning Ordinance under Single-Family (R-1) District or Neighborhood Apartment (R-3) District.

Development Standard	Proposed PD District Standard
Minimum Lot Size Interior Lot	5,000 square feet
Minimum Lot Size Corner Lot	5,500 square feet
Minimum Lot Width Interior Lot	50 feet
Minimum Lot Width Corner Lot	55 feet
Minimum Front Yard Setback	15 feet to living areas; 20 feet to garage door; 15 feet to side-loaded garage door; 10 feet to covered porches/patios
Minimum Side Yard Setback Interior Lot	5 feet
Minimum Side Yard Setback Corner Lot	10 feet street side

Minimum Rear Yard Setback	20 feet
Maximum Lot Coverage	60 percent
Maximum Building Height	35 feet
Minimum Parking for Residents & Guests	2-car garage; 2 spaces in driveway; minimum 20 ft. length; 15 ft. width

SECTION 2. Severability

In the event any section or portion of this ordinance shall be determined invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

SECTION 3. Effective Date

This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and/or posted as required by law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Colusa, California, held on _____, 2012, and was passed and adopted at a regular meeting of the City Council held on _____, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Reische, Mayor

ATTEST:

Shelly Kittle, City Clerk

EXHIBIT A – Rezoning Exhibit

EXHIBIT B – Riverbend General Development Plan

