

ORDINANCE NO. 1666

ORDINANCE AMENDING THE VACAVILLE LAND USE AND DEVELOPMENT CODE BY
REPEAL OF THE SPECIAL PARKING OVERLAY STANDARDS

THE CITY COUNCIL OF THE CITY OF VACAVILLE DOES ORDAIN AS FOLLOWS:

SECTION ONE: The City Council finds that the repeal of the Special Parking Overlay Standards is exempt from the requirements of the California Environmental Quality Act.

SECTION TWO: This Zoning Ordinance Amendment is approved by the City Council in accordance with Section 14.01.001.050, Amendment to the Development Code, of the Land Use and Development Code, as follows:

The repeal of Ordinance No. 1578 related to the Special Parking Overlay Standards as described hereto in Exhibit "A," as supported by the following findings of fact:

1. The proposed amendment is internally consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Land Use and Development;
2. The proposed Land Use and Development Code Amendment would not be detrimental to the public health, safety, or welfare of the community;

SECTION THREE: The City Council of the City of Vacaville finds that the proposed amendment, as more specifically described in Exhibit A, will be beneficial to the City/Agency and that additional parking in the downtown area provided as a result of this amendment will further goals to support businesses and revitalize the area; and

SECTION FOUR: If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, 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 each section, subsection, phrase or clause thereof irrespective of the fact that any one or more section, subsection, phrases or clauses be declared unconstitutional.

SECTION FIVE: A summary of this ordinance shall be published one time in the Vacaville Reporter, a newspaper of general circulation, printed and published in the City of Vacaville.

I HEREBY CERTIFY that this ordinance was introduced at a regular meeting of the City Council of the City of Vacaville, held on the 26th day of February, 2002, and ADOPTED and PASSED at a regular meeting of the City Council of the City of Vacaville held on 12th day of March, 2002 by the following vote:

AYES: Council members Slade, Wood, Clancy, and Vice Mayor Augustine

NOES: None

ABSENT: Mayor Fleming

ATTEST:


Kathleen M. Dussault, City Clerk

APPROVED:


David A. Fleming, Mayor

EXHIBIT A

PROPOSED AMENDMENT TO THE LAND USE AND DEVELOPMENT CODE RELATED TO THE SPECIAL PARKING AREA OVERLAY STANDARDS (Repeal of Ordinance)

(~~STRUCK THROUGH WORDING DELETED AND~~ UNDERLINED AND ITALICIZED WORDING
ADDED)

SPECIAL PARKING AREA OVERLAY STANDARDS

Ord. 1578, Adopted October 28, 1997
File No. 97-095

~~The Special Parking Area Overlay is hereby established to benefit property owners through the provision of a public parking lot, which will be constructed by Conpac Development and dedicated to the City of Vacaville. Property owners in the Special Parking Area Overlay District may purchase a proportional share of the spaces, based on land area, to offset the requirement for on-site parking. Repayment to Conpac for the cost of the public parking lot shall be in accordance with the terms and requirements set forth in a benefit district established by Conpac Development.~~

Retail, business, and personal services, financial institutions and office uses located within the Special Parking Area Overlay District, as shown on the attached location map, shall be subject to the following off street parking requirements:

- A. ~~One parking space per 300 sq. ft. of floor area on the first or ground level floor.~~
- B. ~~One parking space per 350 sq. ft. of floor area on all floors or levels above the first or ground level floor.~~
- C. ~~A minimum of forty five percent (45%) of the total parking requirement shall be provided on the project site.~~
- D. ~~The maximum number of public parking lot spaces that a building may fund as part of its parking requirement shall be generally equivalent to the site's proportion of the developable portion of the Special Standards Parking Area Overlay District. The intent is that the Design Review approval of any building shall ensure that a site does not utilize more than its proportional share of the public parking lot spaces to the detriment of other properties in the Special Parking Area Overlay District. The proportional share can generally be defined as one public parking space for each 2,500 square feet of land area.~~
- E. ~~A benefit district shall be established to provide for repayment of the parking lot land and construction cost to Conpac Development. A property owner in the Special Parking Area Overlay District may pay the established amount for each parking space used in lieu of providing on-site parking consistent with Section D above.~~
- F. ~~In the event property within the Special Parking Area Overlay District develops and does not utilize its full allotment of spaces upon development, those spaces will be returned to the pool of available spaces and other properties within the area may utilize those additional spaces on a first-come, first-serve basis.~~
- G. ~~At the end of ten (10) years, in the event that Conpac Development has not been fully reimbursed for the public spaces, Conpac may request that the City consider expansion of the Special Parking Area Overlay District to increase the potential for full reimbursement to Conpac Development for the cost of the parking lot.~~