

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWARK ESTABLISHING A PLANNED DEVELOPMENT OVERLAY DISTRICT AT 37256 MAGNOLIA STREET, 37280 MAGNOLIA STREET AND 6849 BAINE AVENUE (APNs 92-61-12-1, 92-61-12-2 and 92-61-11)

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

Section 1: Pursuant to Section 17.39.070 of Title 17 (Zoning) of the City of Newark Municipal Code, the City Council of the City of Newark does hereby find that the zoning map amendment embodied in this ordinance is consistent with the General Plan; is necessary and desirable to achieve the purposes of Title 17 (Zoning) of the Newark Municipal Code, which seeks to establish a Planned Development Overlay District on the subject property.

Section 2: The City Council of the City of Newark does hereby find and declare that the zoning map amendment embodied in this ordinance is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), which provides that where it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment, the activity is not subject to CEQA.

Section 3: Effective Date. This ordinance shall take effect thirty (30) days from the date of its passage. Before expiration of fifteen (15) days after its passage, this ordinance shall be published in The Tri-City Voice, a newspaper of general circulation published and printed in the County of Alameda and circulated in the City of Newark.

The foregoing ordinance was introduced and read before the City Council of the City of Newark by \_\_\_\_\_ at the regular meeting of the City Council of the City of Newark held on January \_\_\_\_, 2019.

This ordinance was read at the regular meeting of the City Council held January \_\_\_\_, 2019. Council Member \_\_\_\_\_ moved that it be adopted and passed, which motion was duly seconded, and said ordinance was passed and adopted.

AYES:

NOES:

ABSENT:

SECONDED:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney