ORDINANCE NO. 2019-06

AN ORDINANCE OF THE ALBANY CITY COUNCIL APPROVING THE
ESTABLISHMENT OF ZONING CLASSIFICATIONS FOR THE PARCEL
LOCATED AT CLEVELAND AVENUE AND WASHINGTON AVENUE
ZONING MAP AMENDMENT

WHEREAS, Chapter 20 "Planning & Zoning" was comprehensively updated and
adopted in 2004; and

WHEREAS, the General Plan includes, as required by State law, a Land Use Element
that designates the general location and extent of uses of land for housing, business, open space
and other categories of use for public and private land, and provides standards of population
density and building intensity for various locations; and

WHEREAS, the Albany 2035 General Plan was adopted by City Council on April 18,
2016; and

WHEREAS, Planning and Zoning Code Section 20.100.070 (Amendments) prescribes
procedures by which amendments may be made to Planning and Zoning Code, including changes
to the text and changes to the boundaries of any zoning district; and

WHEREAS, the Albany 2035 General Plan envisioned residential uses on the subject
parcel and provided a land use designation of High Density Residential (HDR); and

WHEREAS, the Planning & Zoning Commission adopted Resolution 2019-04 a
Resolution of Intention to establish zoning classifications consistent with the Albany 2035
General Plan Land Use Map; and
WHEREAS, a public hearing notice was published in the West County Times and posted in three public places pursuant to California Government Code Section 65090 on March 29, 2019 for the public hearing held on April 10, 2019; and

WHEREAS, the Planning & Zoning Commission held a public hearing to discuss the zoning classification establishment on April 10, 2019; and

WHEREAS, the Planning & Zoning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, the Planning & Zoning adopted Resolution 2019-05 on April 10, 2019 making findings pursuant to Section 21166 and Section 15162 pursuant to the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Planning & Zoning Commission adopted Resolution 2019-06 on April 10, 2019 forwarding a recommendation to the Albany City Council to establish zoning classifications consistent with the General Plan Land Use Map; and

WHEREAS, a public hearing notice was published in the West County Times and posted in three public places pursuant to California Government Code Section 65090 on April 26, 2019 for the public hearing held on May 6, 2019; and

WHEREAS, the Albany City Council held a public hearing to discuss the zoning classification establishment on May 6, 2019; and

WHEREAS, the Albany City Council held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and
WHEREAS, Albany Municipal Code Chapter XX Land Development Volume Section 20.100.070 states the following with the following findings:

20.100.070 Amendments.

C. Findings. An amendment to this Chapter may be recommended by the Planning and Zoning Commission and adopted by the City Council only if the following findings are made:

1. General Plan Consistency. That the proposed amendment is consistent with the General Plan, and

Finding: The proposed Zoning Classification establishment is consistent with the General Plan Land Use Map contained in the Albany 2035 General Plan which was adopted by City Council on April 18, 2016. The General Plan Land Use Map identifies the site as Parks/Open Space and High Density Residential Land Uses. The proposed Zoning Classifications of R-3 Residential High Density and PF-Public Facilities are the corresponding Zoning Classifications, consistent with the General Plan Land Use Map.

2. Adverse Effect. That the adoption of the proposed amendment would not adversely affect the public health, safety and general welfare.

Finding: An Environmental Impact Report (EIR) was prepared for the 2035 General Plan which was adopted by the City Council on April 18, 2016 (SCH #2014032040). The original EIR analyzed the potential land use changes and future development that could occur on site based on the proposed zoning establishment. No new changes to land use have
occurred nor has there been a substantial change related to land use on
site or in the general vicinity of the property. Adverse impacts to public
health, safety, and welfare are not expected.

NOW, THEREFORE, THE ALBANY CITY COUNCIL ORDAINS the approval of
the zoning classification establishment and zoning map amendment for the parcel located at
Cleveland Avenue and Washington Avenue.

SECTION 2: PUBLICATION AND EFFECTIVE DATE.
This ordinance shall be posted at three public places within the City of Albany and shall
become effective thirty days after the date of its posting.

PASSED AND ADOPTED by the City Council of the City of Albany at its meeting on
the 3rd day of June 2019, by the following vote:
AYES: Council Members: Barnes, Maass, Vice Mayor McQuaid, Mayor Nason
NOES:
ABSENT: Council Member Pich
ABSTAIN:

ROCHELLE NASON, MAYOR
ORDINANCE NO. 2019-06

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 3rd Day of June, 2019, by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, and Mayor Nason

NOES:

ABSENT: Council Member Pilch

ABSTAINED:

RECUSED:

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 4th Day of June, 2019

Anne Hsu
CITY CLERK