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ORDINANCE #2011-06
AN ORDINANCE OF THE CITY OF ALBANY CITY COUNCIL
APPROVING UNIVERSITY VILLAGE MIXED USE PROJECT
ZONING OVERLAY DISTRICT

WHEREAS, the City of Albany has adopted a Zoning Ordinance in the form of Chapter XX of the Albany Municipal Code, Planning and Zoning; 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.

WHEREAS, the Albany Planning and Zoning Commission, on September 13, 2011 and September 27, 2011, after due public notice, held a public hearing on the proposed amendments to Chapter XX to add an additional Overlay District to the Code, and

WHEREAS, the Albany Planning and Zoning Commission, on September 27, 2011, approved a report to the City Council pursuant to Government Code section 65855 expressing support for an amendment to Chapter XX of the Albany Municipal Code, Section 20.12.080.B, titled “Specific Purposes of Individual Overlay Districts, and

WHEREAS, on October 17, 2011, the City Council certified the Final Environmental Impact Report pursuant to the requirements of the California Environmental Quality Act

NOW, THEREFORE, BE IT ORDAINED, that the City Council approves an amendment to Chapter XX of the Albany Municipal Code, Section 20.12.080.B, titled “Specific Purposes of Individual Overlay Districts,” to add the following text:

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8. **University Village/San Pablo Avenue Overlay District:** The University Village/San Pablo Avenue Overlay District is intended to be applied to those portions of University Village with frontage along San Pablo Avenue. The purpose of this District is to require mixed-use development within the University Village parcels along San Pablo Avenue, specifically requiring residential development, including residential care uses, consistent with the Realistic Unit Capacity of the San Pablo Commercial Zone as defined by the Housing Element, which may be amended from time to time.

This ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 7 days from the passage thereof shall be published at least once in the West County Times, a newspaper of general circulation, published and circulated in the Counties of Contra Costa and Alameda and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this ____ day of ____, 2011.

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

City Clerk